

Halton Borough Council

Environment and Economy Directorate

Environmental and Regulatory Services Department



Health and Safety Plan 2010-2011

1.0 Introduction

1.1 This plan details the way in which Halton Borough Council will meet its obligations and fulfil its regulatory role as a statutory enforcing authority for Health and Safety law. This plan will set out how the service will be managed to comply with the statutory service standard implemented by S18 of the Health and Safety at Work Act 1974.

1.2 This plan will also set out how the team will contribute to wider public health initiatives in particular smoking cessation and infection control associated with Tattooing and body piercing.

1.3 The plan will set out how the regulatory, educational and promotional activities of the team will contribute towards Halton's corporate plan, The Environmental and Regulatory Services departmental service plan and National Indicators within the Government's comprehensive area assessment.

1.4 Enforcement responsibility for Health and Safety regulation falls to either the Health and Safety Executive (HSE) or to the Local authority in which a business is located. The Health and Safety (Enforcing Authority) Regulations 1998 set out which agency is responsible for which premises. This is defined by broad categories of business type. In summary, retail, wholesale and consumer service operations fall to the Local Authority whilst construction, manufacturing and other heavy industry falls to the HSE.

2.0 Service aims and objectives

2.1 The principal objective of the health and safety service is to ensure businesses and employers fulfil their duty to protect the health, safety and welfare of employees and members of the public. This is achieved through effective health promotion, education and enforcement of occupational Health and Safety legislation.

2.2 The medium to long term strategic aim of the team is to make a greater contribution to improvements in the boroughs priority health indicators, in particular incidents of respiratory ill health and early deaths due to cancer.

The local authority, along with local strategic partners, is responsible for improving the health, safety and wellbeing of the local community. Health improvements are monitored through the comprehensive area assessment and other local and national indicators.

Many of these incidents of ill health, including cancer and respiratory disease are influenced by the working environment. However, many of the higher risk workplaces that have the greatest potential influence on these illnesses are outside of local authority control and fall to the Health and Safety Executive for enforcement. Whilst the HSE is focussed on reducing incidents of occupational ill health at a national level, they are not as focussed or accountable for health indicators at a local level.

Whilst the current work of the service already prioritises high risk areas such as workplace transport and falls from height, the ability of the service to influence standards in relation to cancer and respiratory ill health is limited. Therefore collaborative working with the HSE is required at a local level to ensure the team can influence standards of health and safety in higher risk businesses. The service will seek extension of the flexible warrant scheme and statutory transfers of enforcement responsibility to enable action to be taken in HSE enforced premises. This plan sets out projects that the team wish to pursue in collaboration with the HSE to fulfil this objective.

2.3 The overall aims detailed above will be achieved through the following key objectives;

- Ensuring all businesses and employers comply with health and safety law. This will be achieved through a combination of risk based enforcement interventions, health promotion and comprehensive advice and guidance.
- Implement the Statutory S18 standard relating to health and safety regulatory services.
- Investigate complaints from members of the public concerning standards of workplace health and safety.
- Respond to requests for advice from both employers and employees. The service is committed to providing a comprehensive advice service to assist businesses comply with the law.
- In collaboration with key partners, develop and contribute to initiatives that improve public health, such as smoking cessation, home accident prevention and awareness of the risks posed by unlicensed tattooists.
- Investigate statutory notifications of accidents and take appropriate remedial action.
- Maintain the statutory register of cooling towers and evaporative condensers to assist with the management and control of Legionnaires disease.
- Promote and enforce the by laws in relation to Tattooing, body piercing and acupuncture.
- Assist and co-operate with other regulatory services both internal and external to ensure public protection through efficient and effective

enforcement of legislation relating to health, safety and the environment.

2.4 Links to corporate strategic priorities

The table below summarises how the activities of the health and safety service contribute to Halton council's corporate plan.

Corporate plan priority and area of focus	Health and Safety service activity
<p>A Healthy Halton Area of focus 5</p> <p>A Safer Halton</p>	<p>Targeted enforcement of Health and Safety law to manage factors in the working environment that are detrimental to health and safety.</p>
<p>A Healthy Halton Area of focus 3</p>	<p>In partnership with the Primary Care Trust actively contribute to initiatives that help people to quit smoking, reduce the incidents of young people taking up smoking and protect children from passive smoking.</p>
<p>A Healthy Halton Area of focus 5</p>	<p>Ensure the public are protected from the detrimental health effects of passive smoking through the effective targeted enforcement of the Smoke Free provisions in the Health Act 2006.</p>
<p>Children and young people in Halton Area of focus 19</p> <p>A Healthy Halton Area of Focus 5</p> <p>A Safer Halton</p>	<p>In partnership with the Police, effective enforcement of the law to ensure adults and young people are protected from the risk of injury and infection from unlicensed or sub-standard Tattooists.</p>
<p>Halton's urban renewal</p> <p>Safer Halton</p>	<p>Contribute to the maintenance of safe town centres and public spaces through the effective application of Health and Safety law in relation to business premises.</p>
<p>Employment, Learning and Skills in Halton</p>	<p>Provide comprehensive advice and guidance to new and existing businesses to help them operate a compliant and sustainable business. This includes signposting businesses to the services of other organisations such as Business Link.</p>
<p>Safer Halton</p>	<p>In partnership with Police, licensing</p>

	and other HBC departments ensure public safety in relation to large scale public events in the borough including the Creamfields festival.
Urban Renewal A Safer Halton A Healthy Halton	In partnership with other internal council services and the Safety Executive ensure public health and safety is taken into consideration during the development of new and existing premises. In particular the provision of safe and sustainable infrastructure and preventing the release of asbestos fibres.
Employment learning and skills in Halton Area of focus 21	Provide informal training to college students and other audiences to provide awareness of the importance of health and safety to business success.

3.0 Background

3.1 Authority Profile

The borough of Halton is a largely urban area of approximately 119,000 people and is situated in the North West of Cheshire on either side of the River Mersey 10 miles upstream from Liverpool. It is made up of the towns of Runcorn and Widnes and the smaller surrounding parishes of Hale, Preston Brook, Moore and Daresbury.

Halton became a unitary authority in 1998 with responsibility for all local government services including those previously operated by Cheshire County Council. Although geographically within the county of Cheshire, Halton shares many of the social and economic challenges faced by its urban neighbours on Merseyside. Halton is a constituent authority of the Liverpool city region and is represented at all levels on Greater Merseyside strategic and liaison groups.

Halton is one of the more deprived districts in England. Using the Governments indicator of Multiple Deprivation, Halton is ranked the 30th most deprived district in England (out of 354), although this has improved from a position of 21st in 2004. Halton's community strategy states "Statistics show the health standards in Halton are amongst the worst in the country". Halton has a rate of early deaths from cancer significantly higher than the national average at 153.1 per 100,000. Halton also has high rates of deaths caused by smoking; these levels at 289.7 per 100,000 are significantly higher than the regional and national average. This is consistent with the higher than average incidences of Chronic Obstructive Pulmonary Disease in the borough – a generic term for conditions such as emphysema and bronchitis. Such conditions are usually caused by smoking but cases can also be caused by

polluted working conditions. A significantly higher number of women smoke in pregnancy than the national average.

Halton has 3,655 registered businesses across a variety of industrial sectors. A third of businesses fall into three industry groups; Construction 11.4%, Retail 11.2% and Professional, scientific and technical services 10.9%. However due to its location as a key crossing over the Mersey and its links with the North West's motorway network, Halton has an above average number of business in the Transport and Distribution sector. Due to the inherent risks associated with workplace transport these businesses have been considered high risk as part of the authority's inspection programme.

58% of businesses in Halton are considered small employing just 1-4 employees. These businesses are less likely to have access to technical knowledge and support. The health and safety team are committed to providing small and medium sized businesses with advice and support to help them comply with the law.

3.2 Organisational Structure

Table 1 Structure of Halton Borough Council expanded to show Environment and Economy Directorate.

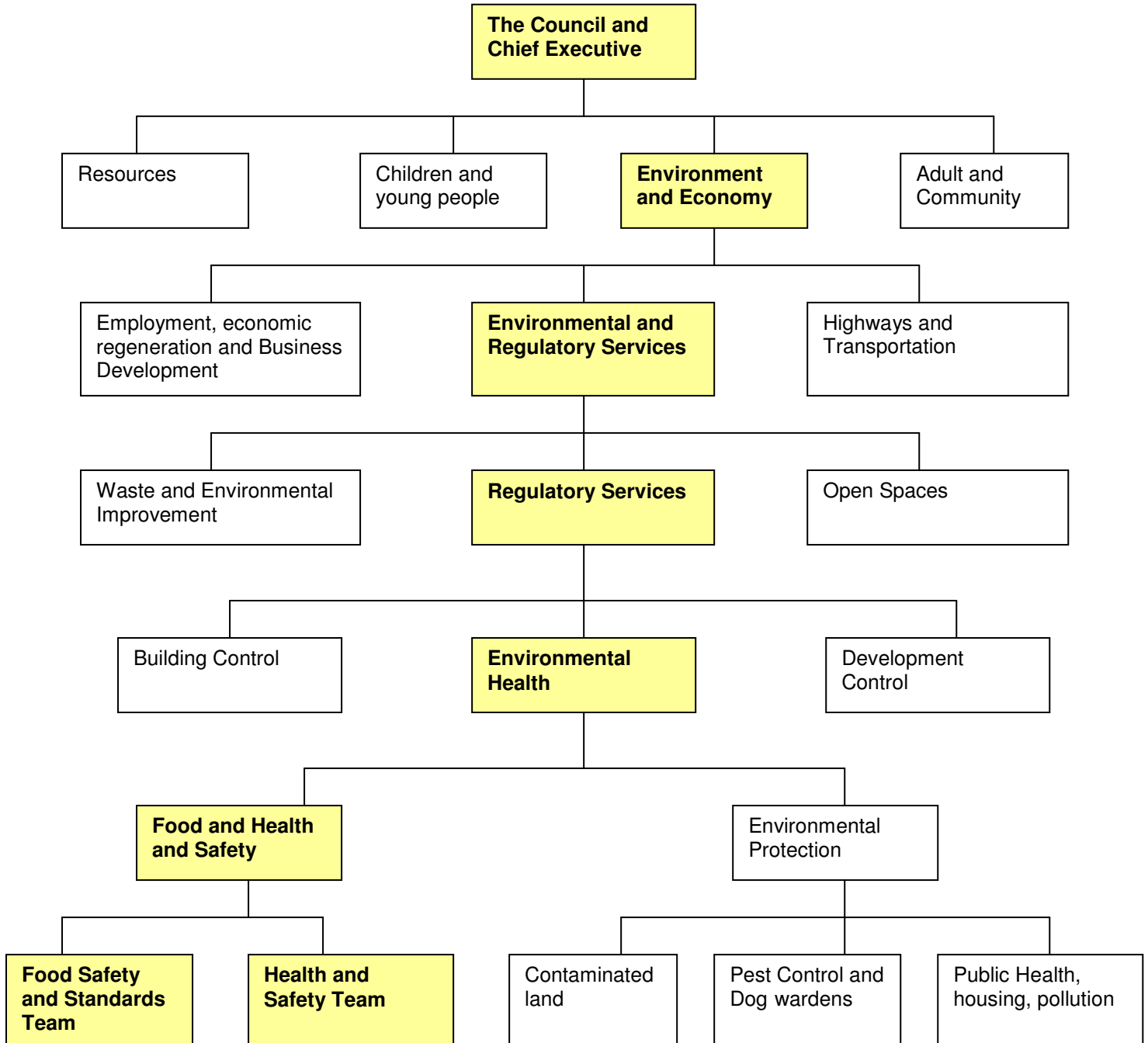
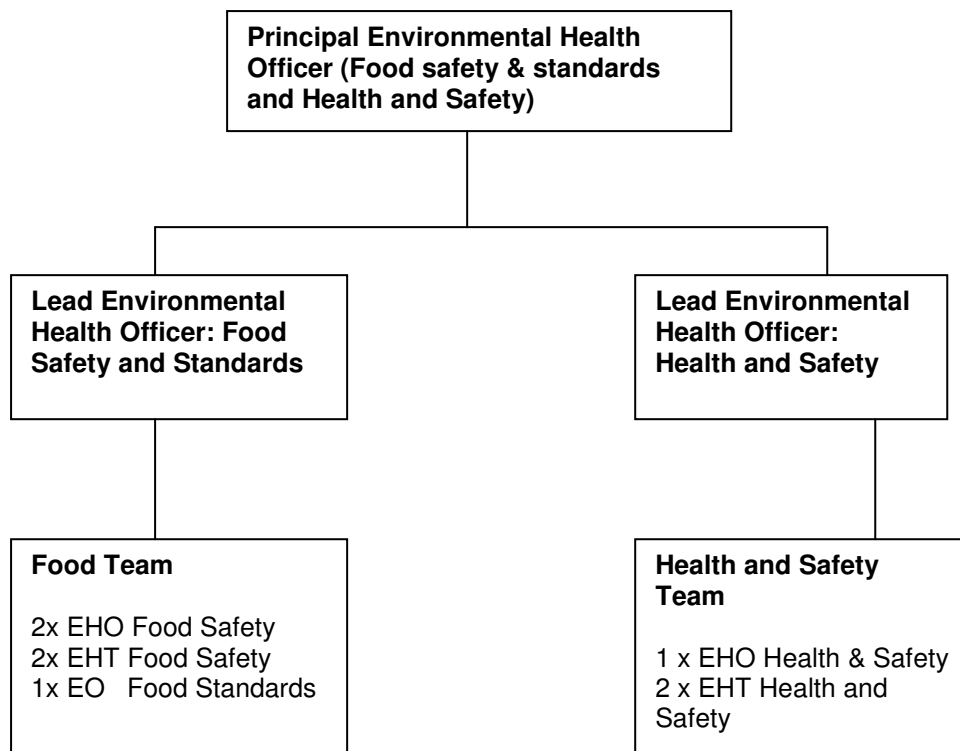


Table 2 Structure of Food and Health & Safety Team



3.3 Working arrangements and scope of service

Whilst the structures detailed in tables 1 and 2 suggest a rigid specialist structure, there is considerable functional flexibility both within the Food and Health & Safety team, and between the Food and Health & Safety Team and the Environmental Protection team to ensure the demands placed on the Environmental Health Division are met.

The Health and Safety team enforce and provide advice and guidance on the law relating to Health and Safety at work. As stated in the background above this function is shared with the Health and Safety Executive with each agency having responsibility for different categories of premises. Halton intends to collaborate with the HSE to ensure to ensure the team can focus on issues of local concern. Although the majority of health and safety enforcement work is undertaken by the health and safety team, the food safety team also act as “eyes and ears” to report any matters of concern encountered during routine food visits. Also suitably qualified environmental health officers in the food team are authorised to take appropriate action under Health and Safety Legislation when necessary.

4.0 Resources

This section will detail the resources required to deliver the service. These will include the specialist and statutory resources the authority is required to provide.

4.1 Managerial responsibility

4.1.1 Management

The Regulatory Services Division, which is managed by Yeemay Sung sits within the Environmental and Regulatory Services Department. The Operational Director of the Department has ultimate responsibility for the delivery of Regulatory Services in the Borough. The delivery of the Health and Safety function including compliance with the Section 18 standard and meeting operational objectives rests with the Principal Environmental Health Officer – Stephen Burrows. Jeanette Pope – Lead Environmental Health Officer – Health and Safety is responsible for day to day management of the health & safety team to ensure the key functions of the service are delivered.

4.1.2 Accountability

Cllr Nelson is the Executive Board portfolio holder for Environmental Sustainability, which includes this aspect of environmental health. The Executive Board is the Council's main decision making body. In addition the work of the Health and Safety team is scrutinised by the Safer Halton Policy and Performance Board chaired by Cllr Sean Osborne. To demonstrate the authority's commitment to the Health and Safety Regulatory Service and Compliance with the Section 18 standard the Annual Plan will be presented for comment to the Policy and Performance Board and subsequently to the Council's Executive for endorsement.

4.2 Specialist Services

4.2.1 Technical

In addition to the in-house expertise of the team, technical assistance can be obtained from within specialist units of the Health and Executive and the Health and Safety Laboratory Service.

The team subscribe to online technical indices to ensure up to date access to legislation and technical guidance.

4.2.2 Proper officers

The authority is required to appoint proper officers to act on behalf of the authority in relation to the Public Health (Control of Infectious Diseases) Act 1984 and associated regulations. Proper officers may be required to exercise powers in relation to equipment or premises that pose a risk of infection, for example in the event of a legionella outbreak or a sub standard Tattooist. The authority has a procedure to appoint officers from the Cheshire and Merseyside Health Protection Unit for this purpose.

4.2.3 Microbiological Examination

The authority has a formal agreement in place with the Health Protection Agency to provide microbiological examination services. The team utilise this service for the analysis of water for recreational or environmental hazards e.g. legionella sampling or swimming pool testing.

4.2.4 Shared consultancy arrangement

Through the Cheshire and Merseyside Liaison Group the authority has retained the services of an external consultant to provide advice and expertise in relation to the control of legionnaires disease including environmental sampling.

4.3 Staffing resource

Position	FTE
Principal Environmental Health Officer	0.5
Lead Environmental Health Officer	1
Environmental Health Officer	1
Environmental Health Technician (Health and Safety)	2

The staffing resource of the team has been reduced over the last 12 months. As a consequence the team will not be able to carry out the same volume of proactive inspection work during the forthcoming year. The team intends to focus resources on areas of highest risk and the boroughs key health priorities. However at present it is not possible to assess whether the staffing resource will be sufficient for the authority to fulfil its obligations with respect to programmed inspections. This is due to the implementation of a new national health and safety risk rating scheme. The implications of this scheme will be discussed in more detail in section 5.1.2, however, early indications are that considerably more premises are likely to become high risk and require a more frequent intervention once they have been rated under the new scheme.

4.4 Financial Resources

It is difficult to disaggregate the actual cost of the health and safety service from that of the other duties performed by the Food and Health and Safety team. The total budget for the Food and Health and Safety team is £496,030. The majority of this is accounted for by staffing costs and infrastructure such as buildings and IT. The detailed allocation of financial resources to the unit is contained in the overall departmental plan and the annual Environment and Economy Directorate budget.

The health and safety service has access to a designated “hired and contracted services” account to procure goods and services. In particular this covers the costs of equipment and specialist officer training. For financial year 2010-2011 the budget is £3,850.

4.5 IT Resources

The service utilises APP Authority software to record day to day activity, manage data and report activity. It is essential the service has access to such a system to record and retrieve information at the level of detail required and produce performance reports and work programmes. This software allows the authority to provide the required annual LAE1 Monitoring form to the Health and Safety Executive.

The services of the authorities IT department are required to carry out all upgrades.

Staff in the division require access to individual PC's in order to enter data on activities onto the Flare database and produce written reports. The department now relies on electronic based technical information; very little paper based information is kept. Therefore each team member requires access to the internet to access this information. All staff on the health and safety team receive all communications from the HSE and HELA and other relevant bodies by email. These are generally auto-forwarded by rules. Staff therefore require access to email.

The team currently has access to technical indices via the info 4 local gov subscription website. This is currently centrally funded. It is essential the team have access to technical information to ensure that advice and enforcement action is credible and based on up to date law and standards. Therefore the team may need to find funding within the existing budget to maintain this service.

5.0 Service Delivery

5.1 External Influences

The section details the latest external developments that will influence the Health and Safety service during the forthcoming year.

5.1.1 Section 18 Standard

Section 18 of the Health and Safety at Work etc Act places a duty on local authorities to provide "adequate arrangements for enforcement". The section 18 standard launched in 2008 sets out the arrangements local authorities and the HSE must put in place in order to fulfil this obligation. The authority is obliged to be compliant with this standard by March 2011.

The standard contains the following key requirements for local authorities;

- set out their commitment, priorities and planned interventions.
- put into place the capacity, management infrastructure, performance management and information systems required to deliver an effective service and to comply with their statutory duties.

- operate systems to train, appoint, authorise, monitor, and maintain a competent inspectorate.
- use interventions, including enforcement action, in accordance with their enforcement policy and within the principles of proportionality, accountability, consistency, transparency and targeting.
- work within their own organisation, in partnership with other Enforcement Authorities and with other regulators and stakeholders to make best use of joint resources and to maximize their impact on local, regional and national priorities.
- actively contribute to liaison, policy and governance arrangements at a local, regional and national level.
- promote sensible risk management

The process at this stage is principally a management task to review current working arrangements against the standard and implement or amend policy and procedures to ensure compliance. During the course of 2010-2011 staff will be briefed and trained on any new working arrangements to ensure the requirements of the standard are implemented during day to day operations.

5.1.2 Revised Priority Planning / Risk Rating Scheme

Under Section 18 of the Health and Safety at Work Act new guidance has been issued to local authorities which provides for a revised risk rating scheme. Local authorities are required to adopt this scheme to risk rate premises following inspections. This rating will be used as the basis for producing the annual proactive inspection programme. This scheme took effect on the 1st April 2010. However, 2010 -2011 is considered a transitional year to allow local authorities to make the required changes.

The main change is that the new risk scheme is based entirely on compliance over 4 key areas; confidence in management, safety performance, health performance and welfare. A score of between 1 to 6 is applied for each area based on descriptors set out in the guidance. The highest single score obtained across all 4 parameters is used to calculate the overall risk factor. Therefore a business that fails on one parameter would become a high risk business. Previously the scheme also considered inherent risk factors within a business and scores were accumulative across all the risk parameters. There is also a reduction in the number of risk bands. Table 1 shows the correlation between the old and new risk bands. Table 2 sets out the new inspection frequencies for each risk band.

Table 1

Old risk rating category	New Category	Description
A	A	Highest Risk
B1	B1	Medium Risk -1
B2 & B3	B2	Medium Risk -2
B4 & C	C	Lowest Risk

During the transition period all premises will be transferred directly from the old to the new category based on the conversion in table 1 above. These premises will then be subject to an intervention at a frequency based on this rating. However at this intervention the new scoring scheme will be used to provide a new up to date risk rating. It is envisaged many premises that were previously high risk by virtue of inherent risk factors will become lower risk under the new scheme. It is also envisaged that considerably more premises that were considered lower risk will now fall into a high risk category due to poor levels of compliance. It is considered likely that there will be a significant increase in the number of retail and catering type premises that become due for more frequent interventions due to concerns over electrics, gas safety or manual handling.

The team intends to use local knowledge to identify categories of business presently rated medium or low risk that should be considered a higher priority for inspection based on the likelihood of poor compliance. Service plans for subsequent years will set out which categories of premises have been targeted for intervention and the rationale behind this selection.

Table 2 – Frequency of Interventions

Description	New Category	Rating Score	Intervention Frequency
Highest Risk	A	Score of 5 or 6 on any risk	Inspection not less than once per year
	B1	Score of 4 on any risk	Premises for inspection once every 18 months.
	B2	Score of 3 on any risk	Unless included on inspection programme premises subject to intervention at recommended frequency of 3 years.
Lowest Risk	C	Score no greater than 2	Non inspection / intervention methods – suggested review no less than 20 years.

5.1.2.1 Implications for staffing resource

The current staffing resource of the team was adequate to fulfil the high risk inspection programme i.e. A and B1 premises based on the old scoring system. However the loss of one full time environmental health technician has reduced the capacity of the team to undertake proactive project work aimed at local and national priorities. It is envisaged that if more premises become due

for inspection using the new risk rating, the current staffing regime may no longer be adequate to carry out the required number of programmed inspections.

There is also an expectation within the new scheme that A rated premises will be subject to enforcement action to reduce the risk rating. This is likely to involve more intense action and repeated visits to individual businesses to bring about compliance.

It is highly unlikely given the economic circumstances facing local government that additional resources could be secured to fulfil this additional demand. Therefore the team will need to target resources at the areas of highest risk and local priorities. Consideration will also be given to making more flexible use of resources across the food and health and safety teams.

5.1.3 Flexible Warrant Scheme / Regulation 5 Transfers – a strategic opportunity.

During 2009-2010 The Health and Safety Executive and Local Authorities in Cheshire and Merseyside launched the Flexible Warrant initiative to enable officers in predetermined circumstances to exercise certain enforcement powers in premises that would otherwise be outside their jurisdiction. For example a local authority may be permitted to take action in premises that would normally fall to HSE for enforcement. At present the scheme is limited to regional projects put forward by the Health and Safety Executive's Partnership Unit. In 2009-2010 a project concentrated on aerial and satellite installation to coincide with the switchover to digital TV reception.

Regulation 5 of the Health and Safety (Enforcing Authority) Regulations 1998 provides a mechanism for enforcement responsibility to be legally transferred from the HSE to local authorities and vice versa. This would allow a local authority to legally intervene in premises that would normally be outside of their control.

The team have identified a strategic opportunity to use the flexible warrant scheme and regulation 5 transfers to intervene in premises that have a potential to influence the boroughs key health concerns. As discussed in the background to this plan, the borough has significant rates of early onset cancer and poor standards of respiratory health. There are many potential occupational and environmental influences on these health conditions. These include issues such as the disturbance of asbestos fibres during building work and occupational exposure to chemicals in the workplace.

Many of the workplaces concerned are the responsibility of the Health and Safety Executive; however, they are unlikely to be a priority for intervention. Therefore in 2010-2011 the team will propose 2 projects detailed in section 5.2 below to intervene in premises that fall to the HSE for enforcement but have a significant potential impact on local health concerns.

Regulation 5 transfer of activities is the preferred option as the authority will assume the full range of enforcement powers. Flexible warrants do not permit officers to take a full range of enforcement powers. Issues of concern would need to be referred to the HSE for enforcement.

5.1.4 North West Partnership plan and Regional work programme

The Health and Safety Executive's Partnership group have proposed a number of projects that local authorities and the HSE should jointly work on to tackle issues of regional and national concern. In addition the Cheshire and Merseyside health and safety liaison group have proposed a work programme to address local concerns. These initiatives are detailed below. The health and safety team will be unable to fully contribute to all projects due to the limited staff resource in the team. Priority will be given to those areas that the team can most effectively contribute to and that address local concerns.

- **Chemical use in small and medium sized enterprises**
- **Local exhaust ventilation**

The team intend to combine the two topics above proposed by the Health and Safety Executive to address the use of chemicals in motor vehicle repair businesses. This will also address potential occupational exposure to carcinogens that may contribute to the boroughs poor rates of cancer and respiratory ill health.

The details of the project are set out in section 5.8 below.

- **Safe use of balers and compactors**

The HSE are concerned about the safety standards of balers and compactors in the local authority enforced sector. The team intend to carry out enhanced surveillance of balers during routine inspections

- **Vehicle and Operator Services Agency notifications**

The Vehicle and Operator Services Agency are responsible for enforcing certain elements of road traffic law within the haulage industry. VOSA now have arrangements with the HSE to share information regarding unsafely loaded HGV trailers they identify during their inspections. Some of the businesses responsible for these trailers will be in the local authority enforced sector. This health and safety team will follow up any reports of unsafely loaded trailers. In 2004 the authority investigated a fatal accident involving a trailer that had been loaded unsafely. The team therefore is aware of the significant safety risk posed by poorly loaded trailers.

- **Hand Car Washes**

The Health and Safety Executive are concerned about potential poor safety standards within the hand car wash industry. In particular there are concerns about electrical safety, use of chemicals and poor welfare and toilet facilities.

There has been a considerable proliferation in these premises in the last 2 years. Whilst technically these premises fall to the HSE for enforcement it is unlikely they will routinely inspect these premises to address any concerns. The team intend to deal with these premises on a case by case basis. Where there are any local concerns regarding a particular premises we will liaise with the HSE and where necessary seek transfer of the premises to resolve local concerns.

5.1.5 Merseyside and Cheshire Liaison Group Business Plan

The Health and Safety Team is a member of the Merseyside and Cheshire Liaison Group. Each year the group set a business plan to address health and safety concerns on a regional basis. The business plan for 2010-2011 contains the following proposals;

Work Related violence – Robberies in the retail sector

The group intend to work in partnership with the police and crime prevention officers to reduce the risk of staff being harmed during robberies in the retail sector. The Health and Safety at work act will be used to improve procedures and infrastructure to ensure as far as reasonably practicable staff is protected from harm – particularly when working alone or in a sector at higher risk of robbery. Halton already has a good working relationship with the police and crime prevention service. Therefore this year we do not propose any special initiative. This work is now included as part of routine business and the team will respond as necessary to any referrals from the police and crime prevention officers.

Work related noise in the entertainment sector

The liaison group proposed to address the risk to employees in the entertainment sector e.g. bars and nightclubs where employees may be exposed to damaging levels of noise. With respect to this issue the team do not perceive there to be a particular concern in Halton. We also have concerns regarding the practicality of monitoring noise levels to establish the personal noise exposure of employees. Halton do not propose to take part in this project unless a specific complaint is received.

5.1.6 Sunbeds (Regulation) Act 2010

The sunbeds (Regulation) Act 2010 places a duty on sunbed operators to prevent the use of the sunbeds by Children (persons under 18). This act comes into force on the 8th April 2011. The Act also provides powers for regulations to be made setting out further duties relating to the sale and hire of equipment, provision of information and protective eyewear. Whilst Halton's levels of skin cancer are in keeping with the national and regional average, the national picture is one of rising incidents of skin cancer. Rates of melanoma have increased since the 1970's at a rate more than any other cancer. Melanoma is also the most frequently diagnosed cancer in young

people aged 15-34. The main cause of skin cancer is excessive exposure to UV light either from the sun or from UV tanning equipment.

5.2 Service delivery 2010-2011

Taking into account the external influences and additional local concerns the team propose to undertake the following key projects during 2010-2011. Some of these projects are dependent on securing the transfer of enforcement responsibility from the HSE. This is a process that is largely in the hands of the HSE's partnership unit. Therefore if this transfer is not forthcoming in a timely manner the team will have to consider alternative proposals. These alternative proposals are also detailed below.

5.2.1 High risk inspection programme

In accordance with the revised priority planning guidance the team intend to undertake all A and B1 inspections due during the forthcoming year. This will involve the following inspection numbers;

A	32
B1	12

The remaining premises profile is as follows

B2	459
C	925

Unrated	161
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It is not intended that premises in the B2 and C categories will receive a routine inspection during 2010-2011. However as discussed above these ratings are based on the previous rating scheme. If rated in accordance with the new rating scheme these premises may become high risk. Therefore during 2010-2011 this list of premises will be reviewed to identify premises that have the potential to be high risk for inclusion on the 2011-2012 work programme. In addition unrated premises have already been reviewed to identify premises that have the potential to be high risk – 9 such premises have been included on the high risk inspection programme for 2009-2010.

Premises in the B2, C and unrated category will receive an intervention if a complaint or accident notification is received concerning the company.

5.2.2 Accident notifications

The Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995 place a duty on employers to report certain injuries, diseases and dangerous occurrences that occur as a result of a work activity. These notifications are received via the national incident contact centre. The authority will observe the Incident Selection Criteria issued by the HSE Local Authority Circular 22/13. The following incidents will be investigated in all cases;

- Fatal accidents
- Major injuries
- Occupational diseases
- Where the incident is due to serious non-compliance
- Incidents likely to give rise to concern e.g. incidents involving vulnerable people or “near misses” where the potential consequences could have been a fatality or major injury.

Investigation or otherwise of all other accidents / incidents will be determined by the Lead Environmental Health Officer. In deciding not to investigate an incident a record will be made on the Flare database detailing the reasons behind this decision.

5.2.3 Investigation of complaints

The team will investigate all legitimate complaints received from members of the public / employees concerning standards of health and safety associated with workplaces.

Last year the team received and investigated 45 complaints from members of the public.

5.2.4 Advice and Guidance

The team are committed to providing a free comprehensive advice and guidance service for Small and Medium sized businesses. Guidance will be issued during routine inspections and following complaints and accident investigations. The team will also respond to requests for advice received direct from employers and businesses. Last year the team dealt with 88 requests for advice.

5.2.5 Register of Cooling Towers and Evaporative Condensers

The authority is required by law to maintain a record of all cooling towers and evaporative condensers in the borough. This record is maintained by the Health and Safety team. Cooling towers and evaporative condensers can, if not properly maintained, give rise to the conditions required for the spread of legionella bacteria the cause of Legionnaires disease. The register enables the authority to monitor such equipment in premises under its control and to quickly identify potential sources in the event of an outbreak.

5.2.6 Enforcement of laws relating to cosmetic piercing and tattooing.

The authority has adopted bylaws under the Local Government (Miscellaneous Provisions) Act 1982 to control cosmetic piercing and tattooists. All premises offering such services and each individual operative must be licensed. The purpose of the by law is to control the risk of blood borne infections such as hepatitis and HIV associated with such practices.

In total the authority has 22 licensed premises and 77 licensed individuals.

In addition the team now have responsibility for enforcing the Tattooing of Minors Act 1969. It is unlawful to tattoo a young person under 18. The authority has recently received complaints from parents of underage Tattooing and an investigation is proceeding.

5.2.7 Enforcement of smoke free legislation

The health and safety team are responsible for enforcing the smokefree provisions of the health act. The team no longer have a dedicated smoke free enforcement officer. Enforcement of smokefree will now be integrated into other regulatory visits to workplaces e.g. food and health & safety inspections. Enforcement will also be intelligence led and the team will respond to complaints and referrals from the public and other agencies such as the police and licensing officers.

5.2.8. Special Projects 2010-2011

5.2.8.1 Investigation into the activities of illegal tattooists

The popularity of tattooing as increased in recent years across all sectors of society but in particular young people. In addition to the work to control legally licensed tattooists, the team will actively pursue illegal activities. These tattooists pose a significant risk of infecting the public with blood borne infections such as HIV and Hepatitis. The team have investigated complaints regarding the activities of illegal home tattooists. Last year the team, with the assistance of the police, seized equipment from one illegal tattooist following complaints made by social workers. The team are actively investigating a further suspected illegal tattooist operating from home. The team are also investigating complaints from parents regarding the illegal tattooing of minors. In addition to these enforcement and intelligence gathering operations the team will run a high profile health promotion campaign. In partnership with the communications and marketing team the campaign will have two key aims; the first to discourage young people from having a tattoo until they reach the age of 18, the second element will be to warn all age groups of the dangers of using illegal and unlicensed tattooists.

5.2.8.2 Control of Asbestos

Although asbestos is no longer used in construction, it remains a significant risk to members of the public. Asbestos fibres can be released during renovation, demolition and construction works. Those in control of work places and commercial buildings have a legal duty to manage asbestos and must produce an asbestos risk assessment highlighting the presence of asbestos in their building and how they intend to deal with it. The team are working with Development Control and Building Control to bring the requirement to the attention of duty holders at the initial planning or building control application stage.

The team have also submitted a proposal to the Health and Safety Executive to secure the transfer of certain premises to local authority control to enable the health and safety team to take action in relation to work that contravenes the Control of Asbestos Regulations 2006. Although the authority will be the enforcing authority for many of the premises concerned, the HSE becomes the enforcing authority if the main activity at the premises is construction. Therefore although the authority may have started the process of ensuring the premises owner complies with their responsibilities they may not be able to pursue necessary enforcement action once the premises becomes a construction site. The team hope the transfer of enforcement responsibility will remove this anomaly and allow it to more effectively control the risk from asbestos. The Health and Safety Executive have indicated their approval for this product and are finalising the necessary transfer documentation.

5.2.8.3 Motor Vehicle Repair and body shops

The team have submitted a proposal to the HSE to transfer certain motor vehicle repair and body shops to the authority for enforcement. This will enable the team to address potential causes of respiratory ill health and occupational cancers which as discussed in section 3.1 are a particular health concern in the borough. The team are awaiting a response from the HSE.

5.2.8.4 Inspection of Children's nurseries and day care facilities.

The team intend to inspect all 120 Children's nurseries and day care facilities in Halton. Although other agencies such as Osfted and the authority's children and young people team oversee this sector, the health and safety team's inspections will focus on the safety of the environment. The rationale behind this project is the significant increase in the last 5-10 years in child care facilities. This reflects the fact that many families have two working parents and the support given by Government in the form of nursery vouchers. Many of the premises have never previously been inspected to determine compliance with Health and Safety law. Also the age of the children places them in a particularly vulnerable group and there is high expectation from parents that such premises will have been inspected and are safe.

The team will hold a number of advice workshops to make nursery manager's aware of key health and safety requirements prior to the visit. All nursery operators will be invited to these workshops. This will be followed up by an inspection visit. To ensure consistency a standard aide memoir will be used by all officers. Also to increase efficiency the team are piloting the use of "auto text" inspection reports. However, where necessary advice and guidance will be tailored to the needs of each nursery.

5.2.8.5 Gas and Electrical Safety in takeaway food premises

As a result of observations made during routine food inspections the team have become aware that the standards of gas and electrical safety in takeaway food premises are poor particularly in the kebab and pizza sector. In 2010-2011 the team intend to target these premises for inspections and

where necessary take the appropriate enforcement action. However prior to these visits the team will write to all kebab and pizza takeaway businesses to advise them of their responsibilities with respect to gas and electrical safety and the particular areas of concern the team have identified in other establishments.

5.2.8.6 Preparation for the Sunbed (Regulation) Act 2010

As discussed in 5.1.6 the Sunbed (Regulation) Act 2010 comes into force in April 2011. During the course of 2010-2011 the health and safety team will need to identify all premises that operate UV tanning equipment. Each business that will be affected by the act will require written guidance on the new regulation. A health promotion campaign will also be launched to advise young people of the new legislation and the risks of excessive exposure to UV radiation.

5.3 Home Authority / Primary Authority

The home authority principle was established by LACORS to facilitate communication between local authorities and businesses that operate on a regional and national basis. A home authority provides advice and guidance to the business and acts as a point of liaison between that business and other local authorities. The purpose of the home / originating authority principle is to ensure the consistency of advice and enforcement. Halton does not have any formal home authority arrangements.

The Primary Authority Principle was introduced by the Department of Business Enterprise and Regulatory Reform. This new scheme will invite businesses to form formal partnerships with individual local authorities to act as a point of liaison between other regulatory bodies. The authority is committed to the Primary authority scheme and is prepared to act as Primary Authority for any relevant business in the borough. However where a business considers the home authority scheme to be more appropriate the team will also facilitate the less formal home authority arrangement.

5.4 Formal Enforcement Action

The health and safety team is committed to adopting a graduated approach to enforcement to ensure legal compliance and will utilise the full range of enforcement actions provided for by law. The health and safety team will ensure all its enforcement actions comply with the Environment and Regulatory Service Division's Enforcement Policy.

In the year 2009 – 2010 the authority exercised the following enforcement actions,

Written Warnings	93
Improvement Notice	9
Prohibition Notice	5
Simple Caution	0

5.5 Liaison with other agencies.

To ensure consistency of enforcement and the exchange of best practice amongst enforcement authorities the authority is committed to membership of the Environmental Health Cheshire and Merseyside Health and Safety sub group. The team is also a member of the Safer Halton Partnership comprising the police, licensing and crime prevention officers.

5.6 Key task Summary and performance indicators

Key Task	Corporate Priority	Indicator Reference	Milestone
High risk Health and Safety inspections achieved	A Healthy Halton Area of focus 5 A Safer Halton	H/1 (Health and Safety Team indicator)	100%
Targeted inspections of Children's day care settings and nurseries	A Healthy Halton Area of Focus 5 A Safer Halton	H/2	At least 50 premises inspected and risk rated.
Targeted inspections of Kebab and Pizza Takeaways focusing on gas and electrical safety	A Healthy Halton Area of Focus 5 A Safer Halton	H/3	All kebab and pizza type premises to receive advisory letter pending targeted inspections in 2011.
Number of premises rated "A" risk that has reduced in risk rating.*	A Healthy Halton Area of Focus 5 A Safer Halton	H/4	This is a pilot indicator to attempt to monitor the effectiveness of the team in improving standards in high risk premises
Targeted inspection of motor vehicle repair shops to address occupational cancers and respiratory ill health	A Healthy Halton Area of Focus 5 A Safer Halton	H/5	Secure formal agreement with HSE for transfer of premises to LA control
Enforcement of duty to control asbestos in premises undergoing renovation, construction or demolition	A Healthy Halton Area of Focus 5 A Safer Halton	H/6	Secure formal agreement with HSE on enforcement protocol to allow the local authority to take action in relation to control of asbestos.
Assessment of premises that have the potential to be category A in the new	A Healthy Halton Area of Focus 5	H/7	Review of all premises – Identify 50

scheme.	A Safer Halton		potential category A premises for inclusion in next years work programme.
Preparation for Sunbed (Regulation) Act 2010	A safer Halton A Healthy Halton Children and Young People in Halton	H/8	Identify all sunbed operators in the borough. 100% of premises to receive advice and guidance by letter informing them of the new regulation.

6.0 Quality and Monitoring

6.1 Staff development

The key to the quality of the service delivered is the qualification, training and experience of its staff.

The service is committed to staff development and implements the authority's Employment Development Review process. Following the annual EDR the Principal EHO and Lead EHO will review the teams training needs in order to plan an annual training programme.

In 2009 the Health and Safety Executive launched the Regulators Development Needs Analysis Tool, known as RDNA. This can be used by health and safety enforcement officers to assess their competency across a range of disciplines and is used to highlight and prioritise training needs. As part of the staff development process each staff member with a responsibility for health and safety will review their technical development needs using the RDNA toolkit. This review will take place on an annual basis.

The RDNA toolkit recognises the benefit of "on the job" training by shadowing and learning from colleagues with more experience. The Merseyside and Cheshire liaison group is compiling a list of "experts" within particular fields who may be able to assist Merseyside and Cheshire officers with development needs. This may represent a more cost-effective means of ensuing staff competency in place of more costly formal training courses.

Personal development and training files are held for all members of staff. These provide a record of qualifications, experience, training and officer authorisations.

6.2 Monitoring

During 2010 – 2011 a new procedure for monitoring the quantity and quality of work undertaken by the food and health & safety teams will be developed by the Principal EHO. This will be implemented with the support of the lead environmental health officer.

This procedure will ensure that all work undertaken by the team is consistent with the section 18 standard and the authority's enforcement policy.