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| TITLE: | 'LOCAL AUTHORITIES AND HSE WORKING TOGETHER' STRATEGIC PROGRAMME |
| TO/ON: | EXECUTIVE, 6th March 2006 |
| BY: | DIRECTOR OF ENVIRONMENTAL SERVICES |
| PORTFOLIO: | HEALTH |
| STATUS: | Report |

1. STRATEGIC FACTOR CHECKLIST

The Council's Corporate Management Team has confirmed that the strategic factor checklist has been applied to the development of this report, and there are no key issues, over and above those set out in the body of the report, that need to be brought to Members' attention.

2. SUBJECT MATTER AND PURPOSE

- 2.1 This report seeks member approval to sign up to the 'statement of intent' (Annex 1) in support of the 'Working Together in Partnership with the Health and Safety Executive' initiative, aimed at improving health and safety enforcement.
- 2.2 Following agreement, it is proposed that a delegation from Derwentside District Council attend a county wide event with the Health & Safety Executive and other supporting authorities in County Durham to promote signing of the agreement.

3. BACKGROUND

- 3.1.1. The Health and Safety Commission (HSC) is the body responsible for overseeing and promoting the application of the Health and Safety at Work etc. Act 1974 in England.
- 3.1.2. Responsibility for the enforcement of the Act is divided between the Health and Safety Executive (HSE) and local authority environmental health services. Enforcement responsibility is allocated by regulations but generally, the HSE have responsibility for industries where there is a high risk of worker injury, including mining, manufacturing, transport and the NHS. Local authorities have responsibility for the service and retail sectors where there is a much lower risk of worker injury, but where workplace deaths and injuries involving the public may be at a high level.
- 3.1.3. Developing an effective partnership between local government and the HSE in how health and safety is enforced is one of the strategic themes of the Health and Safety Commission's (HSC) 'Strategy for Workplace Health and Safety in Great Britain to 2010 and beyond'.

- 3.1.4. The 'Statement of Intent' sets out the high-level commitments that provide the framework of objectives for the Strategic Programme and achievement of the vision. It includes working in partnership, improving communications between the partners, sharing information, examining the legal framework, developing arrangements for monitoring the work of the enforcing authorities and working with other government departments.
- 3.1.5. The new strategy envisages a significant change in how the enforcing authorities, the Health and Safety Executive (HSE) and Local Authorities (LAs) work together. The aim is to make them collectively more effective in improving health and safety and in reducing the incidence of injuries and ill health in the workplaces for which they are responsible.
- 3.1.6. HSC asked HSE and LAs together to establish a Strategic Programme that would, over 15-18 months, develop and deliver the detailed arrangements for working together in an effective partnership.
- 3.1.7. The Commission are actively promoting the 'Local Authorities and HSE Working Together' Strategic Programme, and to supplement the national 'Statement of Intent', they are seeking support from individual authorities to sign up to the agreement.

4. RELEVANT / MATERIAL CONSIDERATIONS

4.1 Progress to date

- 4.1.1. The Commission have secured the support of the Local Government Association (LGA) in this initiative, and a high level 'statement of intent to work in partnership' was signed in September of last year by Sir Sandy Bruce-Lockhart and Sir Brian Briscoe, Chair and Chief Executive of the LGA.
- 4.1.2. The HSE has appointed 8 Partnership Managers to develop the initiative across the country. David Cole, the Partnership Manager for Yorkshire, Humberside and the North East, has been working closely with the County Durham Chief Environmental Health Officers' group to raise awareness and encourage support within County Durham.
- 4.1.3. Two launch events have already secured support from environmental health practitioners from Councils in the region, and a working party of HSE and Local Authority Officers has been established to prepare and develop a local action plan.
- 4.1.4. Part of the local action plan will seek to provide opportunities for front line officers to take part in joint training initiatives with their HSE counterparts, which is seen as a beneficial first step to closer working.

4.2 Benefits of partnership working with HSE

- 4.2.1 In an attempt to improve levels of health and safety, the Health and Safety Commission are recommending that the HSE and Local Authorities work in partnership to share strengths and minimise weaknesses.

| | HSE | Local Authorities |
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| Strengths | National body, with substantial central support and expertise Health and Safety is the only responsibility Extremely well-developed internal communications system | Local knowledge and local bases for inspectors Substantial experience of working in partnership Priorities can be adapted to suit local needs, although we are also expected to follow the national priorities |
| Weaknesses | Inspectors may work significant distances away from base Limited knowledge of localities Priorities set nationally and can be slow to change National priorities do not reflect many NHS and local priorities | Resources vary considerably between Councils Potential for inconsistency between Councils No regional resource for training and expertise. Difficult for local authority priorities to end up as national priorities |

4.2.2. Other Benefits of working together include:

- Access to HSE central training and laboratory resources
- HSE inspectors gain access to local authority office facilities when away from base
- Local authority and HSE officers able to work with a considerably greater degree of cooperation and support through shared knowledge, skills and data
- Local authority priorities more readily fed into the national priorities
- Substantial improvements in worker/visitor/customer safety

5. RECOMMENDATIONS

Members agree to sign up to the national Statement of Intent (attached) and agree to send a delegation to the county wide signing event to be held in the near future.

STATEMENT OF INTENT

Annex 1

This joint statement of intent, agreed by HSC, HSE and local authority representative bodies in July 2004, sets out the high-level commitments which provide the framework of objectives for the Strategic Programme and achievement of the vision.

We are committed to:

- 1 Developing an effective and coherent partnership between HSE and LAs, based on the principle of making the best use of their respective strengths, and applying collective resources in the best way to tackle national, regional and local priorities for health and safety.

There is no lasting logic to the current division of enforcement responsibility between HSE and LAs and their ways of working, which do not capture the full potential of HSE and LAs to work together. HSE and LAs will work in a closer partnership based on a mutual understanding of their respective strengths and the value of local and central interventions. Joint working will reflect the HSC's overall strategy and contribute to relevant local strategic objectives such as those for healthy communities. As a start, to exemplify this new partnership approach, HSE and LAs will build on and publicise current examples of best practice.

- 2 A joint approach to developing the arrangements to deliver these commitments.

The HSC will engage LA elected members with the Programme and aim to secure their support for its strategic objectives for health and safety.

The Programme will be overseen by a Steering Group that has members from HSC and elected member nominees from the LA Associations of England, Wales and Scotland. A joint HSE and LA board (officials and officers) will lead the detailed work and the Programme team will be jointly staffed. The input of HSE and LA staff to the Programme is essential to developing practical proposals which meet national, regional and local needs.

- 3 Improving communications between HSC, HSE and LAs to ensure, in particular, that LAs and their representative organisations are adequately involved in the development of policy advice to the HSC, and in the planning and delivery of the operational activities which carry them into effect.

This will require a change of attitudes and culture to ensure that LAs are able to effectively contribute in a timely manner and their interests are seen as an important and necessary consideration in HSC's and HSE's work.

- 4 Providing information, guidance and support to enforcing authorities equitably.

We are aiming to move quickly to better ways of sharing the guidance that supports the day-to-day work of enforcing authorities and their staff. We will also develop systems for sharing training and information, and for access to expertise and specialist resources.

- 5 Examining and adapting as necessary the institutions and legal framework which currently underpin the relationship between HSC, HSE and LAs.

We will revisit the effectiveness and value of all our supporting institutions to ensure that they are fit for purpose to deliver our new aspirations, including completion of the current review of the HSE/LA Enforcement Liaison Committee (HELA). In particular we need to consider how we can deliver effective governance of the partnership at local and regional level, with the support of LAs' elected members. HSE will aim to put in place a locally-based framework of staff support and other necessary resources for the partnership, and to review the role of HSE's existing Enforcement Liaison Officer network.

We also recognise that the Enforcing Authority Regulations may need to be amended or replaced in order to support new ways of working. But our approach will be first to determine how the partnership can best work, and only then to see what changes are needed to the legal framework to enable this to happen.

- 6 Developing arrangements for monitoring and auditing the work of the enforcing authorities which properly reflect the status of HSE and LAs as partners.

We wish to see arrangements for overseeing the performance of HSE and LAs which are applied equitably to the work of both partners in the new relationship. In taking this forward we will seek and take account of the views of the Audit Commission and other central and devolved government interests in accountability.

- 7 Contributing effectively to current and future initiatives to improve the consistency and co-ordination of central and devolved government requirements which impact on regulatory services, in the context of expectations, priorities, minimum standards, monitoring and intervention.

We are committed to working with others to ensure a joined-up approach that helps to support the enforcing authorities and their drive for improvement. The aim is to promote a consistent approach by different government departments that have an interest in LAs and their responsibilities for delivering regulatory services.

We will follow the principles established in accordance with the Enforcement Concordat and which are reflected in HSC's Enforcement Policy Statement.