

# Health and Safety Service Delivery Plan

2024/25

Serving people, Improving lives

# Health and Safety Service Plan 2024/25

## Section 1 **Service Aims and Objectives**

1.1 Aims of the Service

1.2 Objectives of the Service

1.3 Links to Corporate Objectives and Plans

1.4 Business Support

## Section 2 **Profile of Gedling Borough Council**

2.1 Profile of Gedling

2.2 Gedling's Borough Council's Structure

2.3 Scope of the Health and Safety Service

2.4 Enforcement Policy

## Section 3 **Our Health and Safety Services**

3.1 Health and Safety at Work Premises Inspections

3.2 Competency of Enforcement Officers

3.3 Health and Safety at Work Complaints

3.4 Injuries, Diseases and Dangerous Occurrences at Work

3.5 Primary and Lead Authority Partnership Schemes

3.6 Support for Local Businesses

3.7 Working with other Organisations

# Health and Safety Service Delivery Plan 2024/25

## **Introduction**

This Health & Safety service plan is an expression of Gedling Borough Council's continuing commitment to regulating Health & Safety at work.

This service plan supplies the necessary detail for the completion of all Corporate Plans, and contributes to the Gedling Borough Council's vision of "Serving People Improving Lives"

Gedling Borough Council commits to the joint Statement of Commitment between local authorities and HSE Regulatory Services. [Statement of commitment between: Local Authority and HSE Regulatory Services – HSE](#)

The Better Regulation Office publication 'National Enforcement Priorities for Local Authority (LA) Regulatory Services', [National Local Enforcement Authority Code \(hse.gov.uk\)](#) placed Health and Safety at Priority number four – '*Help people to live healthier lives by preventing ill health and harm and promoting public health*'

## **Background**

Health and Safety legislation in Great Britain is enforced by the Health and Safety Executive or one of the over 380 local authorities (LA) depending on the main activity carried out at any particular premises. In general LA's are the main enforcing authority for retail, wholesale distribution and warehousing, hotel and catering premises, offices, and the consumer/leisure industries.

Each local authority is an enforcing authority in its own right and must make adequate provision for enforcement. The LA National Enforcement Code introduced in May 2013 sets out the principles that each local authority should follow to ensure a consistent, proportionate and targeted approach to regulation based on risk.

Local authorities use a number of intervention approaches to regulate and influence businesses in the management of health and safety risks including:

- provision of advice and guidance to individual businesses or groups
- proactive interventions including inspection
- reactive interventions e.g. to investigate an accident or complaint.

Local authority inspectors may use enforcement powers, including formal enforcement notices, to address occupational health and safety risks and secure compliance with the law. [Prosecution action](#) may be appropriate to hold those to account for failures to safeguard health and safety [Local authority enforcement – HSE and LAs Working together – HSE](#)

Within Gedling Borough Council this duty is carried out by the Environmental Health Team within the Public Protection Service.

## **Section 1: Service Aims and Objectives**

### **1.1 Aims and Objectives of the Service**

#### **1.1.1. Aims**

To enable the service to use its resources in an efficient and effective way, to promote compliance with legal obligations under health and safety law, and to take robust action where there is serious non-compliance that puts the safety or health of those at work, or the public at risk.

### **1.2 Objectives of the Service**

- a) To contribute to the growth of local businesses through the provision of proactive and reactive advice and guidance and contributing to a level playing field for business.
- b) To investigate complaints and reports of incidents that meet the incident selection criteria and complaint handling criteria set down by HSE.
- c) To target a range of interventions on prescribed national priorities and local intelligence-based priorities.
- d) To work in partnership with the Health and Safety Executive (HSE) and others to deliver this service plan.
- e) To support the Primary Authority Scheme.

### **1.3 Links to Corporate Objectives and Plans**

1.3.1 Our corporate priorities are set out in the Gedling Plan.

1.3.2 This contains 4 key priorities. They are:

- a) Economy - To encourage and support healthy businesses in our town and local centres, improving local skills and employment opportunities, and promoting an economy that attracts visitors throughout the day and supports leisure activity
- b) Community - To enable a resilient, empowered, connected, inclusive and healthy community.
- c) Place - To enable a safe, attractive, clean and culturally vibrant borough that plays its part to tackle the climate emergency.
  - I. With Community Protection objective to reduce crime and the fear of crime so that residents feel safe and protected in their neighbourhoods,

and the licensing and regulation of businesses for health and hygiene safety.

- d) The Council - To ensure the council is a healthy place to work, it engages with its customers, has a focus on improvement, is financially sound, and ensures compliance with all relevant legislation.

1.3.3 Our Health and Safety Service works to support these corporate priorities and the Council's vision as set out in their Business Plan.

1.3.4 Guidance and legal requirements is always obtained from the Health and Safety Executive on technical issues as well as information and advice as to what health and safety services we should provide as a Council.

## **1.4 Business Support**

1.4.1 The Council is committed to the principles of Better Business for All. We work with partners to ensure local businesses are supported to achieve compliance through access to Information, Support and Training

## **Section 2: Profile of Gedling Borough Council**

### **2.1 Profile of Gedling Borough**

2.1.1 Gedling Borough lies adjacent to the boundary of the City of Nottingham and covers 120Km<sup>2</sup> with an estimated population of 117,100. Around 5,000 businesses are based in Gedling.

### **2.2 Gedling Borough Council's Structure**

2.2.1 The political structure of the Council is based on a Cabinet, with a membership of a Council Leader, Deputy and Portfolio Holders. The Food, Health and Housing Manager report to the Portfolio Holder for Public Protection.

2.2.2 The Corporate Director has a team of Managers who are responsible for a range of services, Health and Safety at Work regulation is the responsibility of the Food, Health and Housing Manager and Health and Safety regulation is delivered through the work of Environmental Health staff.

2.2.3 The Food, Health and Housing Team are based at Jubilee House, Nottingham Road, Daybrook, Nottingham, NG5 6JQ Businesses and the public have access to the service by e-mail, the Council's website and direct telephone lines to officers.

### **2.3 Scope of the Health and Safety Service**

2.3.1. Our Health and Safety Services are delivered in Gedling Borough Council as follows:

- a) Working with the Health and Safety Executive to deliver projects to improve health and safety standards and support local business compliance.
- b) Project based or programmed interventions at businesses on a risk based frequency set out by the Health and Safety Executive Guidance or as indicated by national or local intelligence.
- c) Dealing with matters of evident concern in relation to health and safety at work and/or identification of significant breaches of health and safety law, in food businesses, when a food safety inspection is carried out.
- d) Visits to premises for programmed health and safety inspections, in response to requests for service, or Adverse Insurance Reports relating to local businesses.
- e) Investigating notified fatalities, accidents and reports of dangerous occurrences.
- f) Promoting health and safety across Gedling Borough Council by advice and business support activities.

All health and safety regulatory activity carried on by Gedling Borough Council must conform to the requirements of the National Local Authority Enforcement Code. The Code requires that all health and safety law enforcement is proportionate in applying the law and securing compliance; consistent in approach and targeting of enforcement action; Gedling Borough Council must be transparent and accountable about how we operate and what those regulated may expect. Gedling Borough Council must ensure that health and safety priorities and interventions are targeted in accordance with the mandatory HSE guidance – Local Authority Circular 67-2 (Revision 13).

Interventions are carried out in accordance with written procedures which reflect the nature of the activity under consideration. Officers have regard to the regulations made under Section 15 of the Health and Safety at Work etc. Act 1974 and the codes of practice which are issued under Section 16 of the Act, when enforcing the provisions of the Act.

Tailoring local interventions with the intention of reducing work related accidents, ill health, dangerous occurrences and disease at work. This should reduce the number of complaints, accident investigations, ill health and lost productivity due to work related issues.

In accordance with HSE and LGA advice issued 1<sup>st</sup> April 2011, food hygiene and health and safety interventions will be joined where appropriate to minimise burdens on local businesses.

This plan provides a documented system for officers' guidance and information and to facilitate inter authority or peer review audits.

## **2.4 Enforcement Policy**

Enforcement action covers a wide range of actions, all of which may be appropriate given the circumstances. The Councils Corporate Enforcement Policy is referred to for guidance on how enforcement is delivered and the potential triggers for enforcement action.

Gedling Borough Council adopted an enforcement policy for the Public Protection Service: [Public Protection Enforcement Policy.pdf \(gedling.gov.uk\)](https://www.gedling.gov.uk/public-protection-enforcement-policy) The 'Public Protection Enforcement Policy' takes into account the requirements of the Regulators Code and is in line with the expectations of the Regulatory Compliance Code (Regulatory Reform Act 2006), Code for Crown Prosecutors, and Regulators Code.

### **Enforcement**

Gedling Borough Council recognises the emphasis placed on enforcement by the guidance of the HSE and LG Regulation (published in May 2011), in particular the need for enforcement action to *'Maintain a strong deterrent against those who fail to meet their H&S obligations and put their employees at material risk thereby also deriving an unfair competitive advantage'*.

In line with the Council's Enforcement Policy any enforcement action taken will be proportionate. The relevant action taken is a matter of professional judgment on a case-by-case basis. In some cases, inspectors may need to balance aspects of the visit where compliance was poor against other aspects where compliance was good in order to come up with their overall judgment. Moreover, some aspects may be more important than others in the context of the particular premises visited. Aspects related to both physical health and mental health (e.g. stress) are covered by this criteria. Health hazards are not always cumulative (though they may be) and there are a wide range of causative agents) at the workplace.

Officers carry out enforcement in line with this enforcement policy as well as being guided by the Health and Safety Executive's Enforcement Policy Statement and the Enforcement Management Model.

## **Section 3: Our Health and Safety Inspections**

### **3.1 Health and Safety at Work Inspections/ how we prioritise.**

3.1.1 Health and Safety at Work inspections and revisits are carried out in accordance with the relevant HSE Guidance in HSE LAC 67-2 (revision 13).

3.1.2 Our Health and Safety Service Delivery also has a direct link to national health and safety planning priorities 2024 – 2025.

Programmed and project based interventions will focus on areas recommended by the Health and Safety Executive and local intelligence suggests the following work sectors are relevant in Gedling:

### **National Priorities -**

- Gas safety in commercial catering premises
- Planned preventative maintenance including pressurised coffee machines

### **Local Priorities –**

- Skin piercing including tattooists, cosmetic body piercing, electrolysis and acupuncture
- Fatalities/injuries resulting from being struck by vehicles
- Fatalities/injuries resulting from falls from height/amputation and crushing injuries

3.1.3 The Food, Health and Housing Team deal with health and safety accidents notified by employers to HSE, which concern their employees and also members of the public on their premises who require medical attention as a result of injury or ill health.

3.1.4 A reactive basis in response to complaints, accident reports or adverse insurance reports.

3.1.5 Tailoring local interventions with the intention of reducing work related accidents, ill health, dangerous occurrences and disease at work. This should reduce the number of complaints, accident investigations, ill health and lost productivity due to work related issues.

3.1.6 As part of our Licensing regime for Massage and Special treatment, horse riding, laser treatments, sunbeds, and registration of tattooists and skin piercers, the service acts as a consultee to check health and safety arrangements and compliance and adherence to relevant licence conditions prior to issue of the license

## **3.2 Competency of Enforcement Officers**

3.2.1 Authorisation to use enforcement powers in the Health and Safety at Work legislation is delegated to officers who have the necessary competencies.

3.2.2 Officers will receive adequate and appropriate training and assessment to attain and maintain competence as required by section 18. In house training for officers will also be available along with use of Health and Safety Executive updates on regulations.

## **3.4 Injuries, Diseases and Dangerous Occurrences at Work**

3.4.1 Accidents, work-related ill health or dangerous occurrences at work are reported to the Council under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. The number of reported accidents can vary depending on the nature of the business and risks involved.

3.4.2 Investigations are undertaken in accordance with the HELA (Health and Safety Executive/Local Authority) Incident Selection Criteria and internal procedures.

### **3.5 Primary and Lead Authority Partnership Schemes**

3.5.1 It is the policy of the Council to support the voluntary Health and Safety Executive/Local Authority Lead Authority Partnership Scheme (LAPS). The scheme promotes consistency of Local Authority health and safety enforcement among organisations with multiple premises in different council areas. The Lead Authority familiarises itself with the Partner Organisation and acts as a single point of contact for all enquiries from other enforcement authorities about the company and also provides advice on health and safety.

3.5.2 As an Enforcing Authority we will contact and, if necessary, liaise with the relevant Lead or Primary Authority

- a) Before taking formal enforcement action, i.e. issuing notices or considering prosecution against a participating organisation, except in the case of immediate danger.
- b) After serving a prohibition notice as soon as is practicable.
- c) When significant shortcomings are identified in agreed policies or procedures, which we believe ought to be reviewed at a national level.
- d) Following any on-site investigation of any death, major injury, and case of work-related ill health or dangerous occurrence reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

3.5.3 Officers have regard to Section 18 Guidance Note 6 “Requirements in Respect of Lead Authority Partnership Scheme (LAPS)” and Primary Authority requirements when undertaking duties under the Act.

### **3.6 Working with Partner Agencies**

The Nottinghamshire County Health and Safety Working Group also develops joint working on health and safety between HSE and other councils. This Group includes the Health and Safety Executive Local Authority Partnership Manager to enable joint planning of projects and joined up delivery of services.

### **3.7 Equality**

Gedling Borough Council has adopted an Equality Policy and the Environmental Health Service carried out an equality impact assessment and is currently carrying

out equality monitoring. The results of the monitoring will determine future policy in this area.