London Borough of Bromley
Adult & Community Services
Environmental Health & Trading Standards

1. STRATEGIC OVERVIEW – REVITALISING HEALTH AND SAFETY

Local Authorities in partnership with the HSE (Health and Safety Executive) are responsible for the enforcement of the Health and Safety at Work etc. Act 1974 in line with the strategic direction set by the HSC (Health and Safety Commission). In June 2000 the Government and the HSC jointly launched “Revitalising Health and Safety”. It is a ten-year strategy to improve health and safety at work and provides the fundamental focus for all involved in health and safety. It is about injecting new impetus to better health and safety in all workplaces through:

- helping people at work to protect themselves and their business
- making work a better place to be
- helping you decide how to make your work safer and healthier

Why did we need to 'revitalise' health and safety?

In the UK in 2000, the same proportion of people had been injured at work since the early 1990s. The Health and Safety at Work Act (passed in 1974) was the most recent piece of legislation for health and safety at work. The government and the Health and Safety Commission (HSC) wanted to put more effort into managing health and safety with the aim to start reducing these numbers.

The revitalising targets are for the health and safety system as a whole. Everyone engaged in work, be they trade associations, employers, trades unions and workers need to think what they can do to deliver them. The targets are:

- 20% reduction in rate of work related ill health
- 10% reduction in rate of fatalities and major injuries
- 30% reduction in rate of working days lost

2. HSE’s SERVICE DELIVERY PLANS FOR 2006 - 2007

For 2006 /07 the HSE are addressing the “Revitalising Health and Safety” targets through the FIT 3 campaign (fit for Work, Fit for Life and Fit for Tomorrow). The ‘Fit3’ Strategic Delivery Programme is based on analysis of injury and ill health generation across known hazards and sector hotspots in businesses, large and small. FIT 3 addresses 3 main areas:

Injury reduction, Reduction in occupational diseases, Reduction in days lost through occupational injuries and ill health
3. BROMLEY’S HEALTH SAFETY AND WELFARE SERVICE IN THE COMMUNITY

Bromley’s Community Objectives and the contribution made by the Health & Safety Service -

**Community Safety** - Bromley’s Health and Safety service aims to secure and maintain a safe and healthy environment, for employees and members of the public, in those premises for which the Council has an enforcement responsibility.

**Supporting Independence** – By supporting the FIT 3 strategy the Health and Safety service will contribute to the independence of people who have been injured at work by seeking to reduce the number of days lost through occupational injury and ill health.

**Quality Environment** - The Health and Safety service will deliver a programme of risk-based and topic based inspections on trade premises, underpinning our profile in the business community. A number of project areas have been developed to tackle the priority areas of the HSC.

**Vibrant Town Centre** - The Health and Safety service will contribute to the development of vibrant town centres by providing businesses with advice and guidance to ensure their commercial success is not compromised by accidents, injury or ill health.

**Children and Young People** - The Health and Safety service will contribute to the development of children and young people by assisting employers to provide safe and healthy workplaces where students can gain experience and young people can commence their working lives.

**An Excellent Council** – The Health and Safety service will deliver a modern service to Bromley businesses and residents, setting meaningful targets and ensuring the team develops best practice protocols to ensure a cost effective and efficient service.

4. RESOURCES FOR THE HEALTH SAFETY & WELFARE SERVICE

The Health and Safety Service lies within the Commercial Services Performance Centre. This Centre undertakes a wide range of activities involving the regulation of commercial activities in the Borough including Food Safety, Infectious disease control, Licensing, Trading Standards as well as Health and Safety.
Three (3) officers are currently employed principally for Health and Safety enforcement (approximately .9 FTE each), they are assisted by 3 other officers (see table 1), who have a much smaller percentage of their time allocated to the function. The majority of the planned risk based inspections and the investigation of accidents and complaints will be undertaken by the 3 full time officers.

Other officers maintain a level of Health and Safety awareness during other inspections (mainly food safety and licensing) and will deal with any obvious hazards that are identified. These are called “Hazard Spotting” visits and do not count towards the target number of risk based inspections derived from the application of the risk assessment criteria set out by HSE. The Division has a policy of authorising Officers to act under a range of legislation including food safety, licensing and health & safety. This allows for flexibility in service response and maintains individual competencies across a wide area of related work. The targets for the year 2006/07 are based on the existing staff resource being fully available for the whole year. In the event that staff resources are utilised to support either or both the licensing and food safety functions the targets are unlikely to be fully met.

Table 1 Staff Resources as at 1st April 2006

<table>
<thead>
<tr>
<th>Officer</th>
<th>% time on risk based Health and Safety inspections</th>
<th>Hazard Spotting while undertaking other work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Safety &amp; welfare</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rob Clark (Joined the team March 06)</td>
<td>90</td>
<td></td>
</tr>
<tr>
<td>Shanna Williams (leaving May 06)</td>
<td>90</td>
<td></td>
</tr>
<tr>
<td>Jean Bywater</td>
<td>90</td>
<td></td>
</tr>
<tr>
<td>Food Safety</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bill Browne</td>
<td>10</td>
<td>Yes</td>
</tr>
</tbody>
</table>
5. HEALTH SAFETY & WELFARE SERVICE – SERVICE LEVEL DETAILS

The division of responsibilities for enforcement of the Health and Safety at Work Act 1974 and relevant statutory provisions is governed by the Health and Safety (Enforcing Authority) Regulations 1998 that allocate enforcement to either the Health and Safety Executive or Local Authority according to the main work activity.

Since 1974 local authorities have been responsible for enforcement of the health and safety laws in places such as
- shops,
- retail and wholesale warehouses,
- offices,
- catering, restaurants, bars, hotels,
- residential care homes,
- leisure and cultural services (e.g. golf courses, horse riding stables, undertakers and centres fitting tyres and exhausts)
Note - The Health and Safety Executive is responsible for the remainder of activities (e.g. factories, building sites, farms, vehicle repair workshops, railways, power stations, nursing homes, docks, fairgrounds, schools, colleges and Council run services).

Bromley’s Health and Safety service has responsibility for enforcing health and safety legislation in 5233 businesses and we aim to secure the safe and healthy working environment for employees and members of the public who may be affected by the activities of these. To achieve this, premises are inspected and receive other interventions in accordance with the risk rating criteria set out in HEA Circular 67/1 (rev3), to ensure that they are safe, have identified (and are controlling) hazards to their employees and that employees are adequately trained.

Inspections are carried out in accordance with ISO Procedure QM8. During an inspection a leaflets explaining the Council's enforcement policy and ‘What to Expect When a Health and Safety Inspector Calls’ are left. In addition to a proactive program of inspections for higher risk activities, premises are visited in response to complaints from employees or members of the public, following the report of a reportable accident or dangerous occurrence or following a request for advice. Since 1st April 2005 HSC had promoted the targeting of enforcing authorities activities towards specific hazards and sectors i.e.:
- Stress
- Musculo-skeletal disorders
- Workplace transport
- Slips, trips and falls and
- Falls from height.

This has been applied to the businesses identified by risk assessment as requiring planned inspections. Additionally a small amount of specific project based work on these topic areas has been undertaken. Liaison arrangements with the HSE have been set up through the South East London Quadrant with the local Principal HSE Inspector and the All London Liaison Group attended by the HSE’s Partnership Manager, Enforcement Liaison Officer (ELO) or their representatives. In the case of an urgent enquiry immediate contact is made with the HSE’s office at Rose Court Southwark Bridge, London.

The transfer or assignment of premises, where enforcement responsibility is unclear between the local authority and the HSE, would be carried out in liaison with the ELO.
Lead Authority Partnership
The Council fully supports the Lead Authority Partnership Scheme (LAP) and where appropriate, will liaise with the Lead Authority of a business operating in Bromley area on issues that affect the policies of an enterprise such as health and safety policies, training policies and risk assessment. Resource implications mean that although we are unlikely to be able to become a Lead Authority Partner for a business we will give them advice on the scheme and alternative arrangements.

Advice to Businesses
Bromley council is committed to supporting local businesses to provide safe places of work. Free advice is available to all businesses for which the Council has an enforcement responsibility. Where we are not the enforcing authority we will give advice as appropriate and refer the business to the HSE for advice. We expect to receive about 100 requests for advice per year. We will also ensure appropriate information is made available to businesses by targeted information campaigns or mail drops. The Councils web site offers the facility to provide information and this will continue to utilized and developed.

Enforcement Policy

Investigation of Accidents and Dangerous Occurrences
The Council will investigate accidents and dangerous occurrences reported under RIDDOR requirements in premises for which the Council has enforcement responsibility. The investigation of accidents reported to the Council will follow ISO Procedure QM8
Priority will be given to investigate accidents or incidents that demonstrate one or more of the following features:
• Fatalities
• Where there was the potential for death
• Serious injuries or cases of ill health to a member of a vulnerable group
• Serious and obvious breech of statutory duty
• Evidence of negligence or recklessness
• Previous advice has been ignored
• The incident arose from a situation covered by a current notice
(In the case of a fatal accident or a serious incident the investigation will commence within one day)

Notification of Asbestos Removal
A response is made to all notifications of asbestos removal from premises for which the Council has enforcement responsibility.
Liaison with other Organizations
We work in close partnership with the Health and Safety Executive. On 13 July 2005 the Council endorsed, with the Health and Safety Executive, a Statement of Intent as part of the Local Authorities and Health and Safety Executive Working Together’ Strategic Program. This also embraced a commitment of intent to work in a closer partnership with the Health and Safety Executive so as to help tackle national, regional and local priorities for health and safety at work. We are demonstrating our commitment to this by having already undertaken or have plans to:

- Actively support the HSE’s FIT 3 initiative
- Continue to work closely with the local HSE office
- Arrange training involving HSE
- Attend and actively participate in the SE Sector meetings

Team Meetings
The Team holds regular team meetings to discuss all matters relating to the service, including issues relating to competency and consistency. Officers attending courses and seminars disseminate information to other team members at these meetings. The meetings are also used to review ISO procedures and as an opportunity to arrange team-training events.

6. QUALITY ASSESSMENT AND STAFF DEVELOPMENT

Quality Assessment
A number of arrangements are in place to ensure the quality of the services provided by the Health Safety and Welfare Team. These include:

- ISO 9000 - The Team are supported by a range of written procedures, which are subject to regular audit and review
- Inter Authority Audits - The service is subject to these when they are planned for London

Internal Monitoring Arrangements
Each team member will be subject to two monitoring visits a year by either the Lead Officer or Team Manager to ensure consistency in inspections. The contents of statutory notices will be discussed and agreed, where appropriate, with the appropriate manager or colleague before service. A selection of files and correspondence will be monitored during the course of the year.
Staff Development
Investors in People - The Council has Investors in People status. This is subject to annual external accreditation. Each member of the team takes part in the Councils Performance and Development Scheme meeting with their manager every 6 months to review personal progress towards achieving performance and self-development targets.

7. WORK PLAN 2006/07

This year the emphasis for determining businesses for inspection will shift from one purely based on the HELA risk assessment scheme (see table 2) to one that allows greater flexibility to address the FIT3 topics via planned projects. The HELA risk assessment does not always identify business where a specific FIT 3 risk topics exists and planning projects to include appropriate businesses will allow the team to make a more effective contribution towards the FIT 3 and “Revitalizing Health and Safety” targets. A number of specific FIT 3 projects will be planned throughout the year with the routine risk based inspections being undertaken between projects. Risk based inspections will focus on the premises identified as requiring inspection according to the HELA risk assessment scheme. We will concentrate on the higher risk groups but do not expect to achieve the target number of inspections especially in categories B2 and B3, as officer time will be prioritised on to the FIT 3 projects during their delivery. Overall, the team will aim to undertake the same number of inspections i.e. 283

Based on the current Risk Assessment scheme the number of premises requiring inspection is during 2006/07 is:

Table 2 - Risk assessment and their inspection frequencies

<table>
<thead>
<tr>
<th>Risk Category</th>
<th>Number of premises</th>
<th>Frequency of Inspection</th>
<th>Annual work load including any outstanding from previous year</th>
<th>Target %</th>
<th>Target Number of inspections due 2006/07</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category A</td>
<td>9</td>
<td>12 months</td>
<td>9</td>
<td>100%</td>
<td>9</td>
</tr>
<tr>
<td>Category B1</td>
<td>51</td>
<td>24 months</td>
<td>39</td>
<td>100%</td>
<td>39</td>
</tr>
<tr>
<td>Category B2</td>
<td>290</td>
<td>36 months</td>
<td>211</td>
<td>50%</td>
<td>105</td>
</tr>
<tr>
<td>Category B3</td>
<td>717</td>
<td>48 months</td>
<td>532</td>
<td>25%</td>
<td>130</td>
</tr>
<tr>
<td>Category B4</td>
<td>1165</td>
<td>60 months</td>
<td>284</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Category C</td>
<td>3001</td>
<td>Not subject to routine inspection</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>5233</td>
<td>1075</td>
<td></td>
<td></td>
<td>283</td>
</tr>
</tbody>
</table>
TARGET FOR INSPECTIONS AND REVISITS

Given the existing resources of 3.0 full time equivalents we will aim to carry out inspections of premises based on risk ensuring those with the highest risks are targeted above others. We aim to achieve 100% of Category A and B1 risk premises and up to 50% of Category B2 premises and up to 25% of Category B3. This will equate to about 283 programmed inspections. When these inspections are carried out we will record:

- The number of premises inspected
- % of businesses complying with health safety and welfare legal requirements at the time of inspection
- % of businesses complying with health safety and welfare legal requirements after receiving advice and assistance

FIT3 Projects

During 2006 –2007 the team plan to undertake the following planned projects targeting the FIT 3 campaign

Injury Reduction Program

Moving goods Safely. (MGS)

This was the overarching London based pilot project addressing manual handling in the “Supply Chain” last year (2005/06) and has now been adopted nationally. We will continue to support the project in partnership with HSE and will complete the “Supply chain” element relating to a major supermarket in which Bromley was taking the lead role.

We will also explore the possibility of engaging with a Bromley based multi site company involved in substantial movement of goods. The aim is to develop a partnership approach in which we can assist them to review and improve their methods of moving goods based on the lessons we have learnt by being involved in the national MGS “Supply chain” pilot project.

This year we plan to undertake a project in partnership with the Early Years team in the directorate for Children and Young People on the manual handling implications for staff employed in nurseries.

Falls from heights - HSE are planning a campaign this year to raise awareness of the risks from “falls from heights” particularly relating to the building maintenance operations. We will support that campaign by planned inspections to warehouses and retail/office accommodation. The focus being on education to promote proper risk assessment prior to commencement of works.
Slips and Trips - Research based work in partnership with Qinc laboratories in Canada will continue to evaluate the efficiency of floor cleaning. A training event for London health and safety officers is planned for July. Further research on the practical aspects of floor safety in ethnic restaurants is planned subject to time being available.

Disease reduction Program

This program seeks to reduce the incidence and severity of occupational diseases acquired by worker exposure to chemicals or substances. This includes conditions such as dermatitis, asthma, asbestosis, cancer and infections from contact with bacteria such as legionella.

We are planning to work in partnership with the Health Protection Agency to undertake a project relating to the sampling for legionella bacteria in water associated with leisure facilities and activities.

We will support and contribute to a London wide initiative dealing with disease hazards in hairdressing and the operation of nail bars.

Matters carried forward from last year

1. Review of the Occupational Safety Health and Welfare enforcement policy
2. Revision of HELA risk assessment scheme
3. Assessment of the team against the HSE’s audit standards (S.18) and participation in a voluntary inter-borough audit

Staffing 2006/07 including training

The team of 3 dedicated officers was created in 2003 when the licensing function was separated in preparation for the implementation of the Licensing Act 2003. The team membership has been stable since then.

We enter this year knowing that there will be staff changes. An experienced officer left the team at the end of March 2006 (emigration to Canada). His post has been filled internally by seconding an inexperienced EHO from the housing team and as such there will be a significant training and development requirement before the required level of competence and experience is reached. Another EHO leaves the team in May 06 for career development opportunities in Sevenoaks D.C. It is the intention to fill the post with an experienced officer if possible. The third team member will continue to be supported on her part time BSc Environmental Health course as part of our staff development programme.
Planned Training and Development will include
- NEBOSH (or equivalent) Diploma in Occupational safety and health
- Continued support for BSc in Environmental health
- Support for a p/t PhD
- Use of Slip assessment tool
- Use of Manual handling assessment chart
- Application of HELA Risk assessment criteria
- Application of the Enforcement Management Model
- Aspects of slips training – organized by a team member for London based enforcement officers.
- Disease reduction program awareness training by HSE
- Noise and vibration
- Attending meetings with HSE / other Boroughs where there is a training or developmental aspect

Team members will be encouraged via the PADs scheme to identify and attend all relevant developmental opportunities.

8. REVIEW OF HEALTH SAFETY AND WELFARE PERFORMANCE  2005-2006

This was a challenging year for the team for a number of reasons. Staff resources were under pressure due to:
1. The implementation of the licensing act 2003. The team became statutory consultees for all applications for new or a varied licence. Over 200 applications were responded to
2. One officer was seconded for a month to support the Licensing team as the height of their workload
3. One officer was absent for a period of 3 months.

Given this, notable successes included:

**Moving Goods Safety (MGS) Pilot** - The team fully supported this important partnership project with HSE. Paul Lehane, Team Manager, acted as the southeastern sector coordinator (9 Boroughs) until September when he had to concentrate on the Licensing Act. One of the team led an inspection team dealing with the “Supply Chain” inspections of a major supermarket.
**Presentation at Ergonomic s soc conference** - A research project on the effectiveness of warning signs for slip hazards was present at the Ergonomics Society annual conference.

**Cellar Safety** - In partnership with officers at the London Borough of Islington we undertook a project involving the examination of manual handling at 31 pub cellars. The project was referred to in the Moving Goods Safely pilot project report to the HSC.

**Slips and Trips** - Continued work on floor cleaning efficiency - A small amount of work was undertaken on a joint project with Qinc (a Canadian research laboratory with a interest in slipping accidents and floor cleaning). This project will continue into 2006/07. Approximately 700 catering businesses were sent guidance on floor cleaning produced by HSE along with a guide to reporting of accidents.

**Leigonella outbreak in Lewisham** - In July 2005 there was an outbreak of Legionnaires Disease identified in the South East of London. One of the initial potential sources appeared to be a cooling plant in Bromley. Officers responded immediately and supported officers from HSE/HPA and Lewisham in a sampling project. In all some 13 cases were diagnosed and treated but no source was identified.

**Prosecutions** - Churchill Insurance was successfully prosecuted for an incident where a flagpole fell from their Bromley South offices. Fine of £10000 plus costs of £2300

**Training undertaken**

During the year officers attended the following training events

- Ergonomics Society annual conference,
- overview of the new noise and vibration at work regulations
- Health and Safety Study Group Exhumations
- How to manage your pool safely
- Working at height regulations
- Investigative interviewing
- Electrical safety
Appendix C – Health & Safety Service Plan 2006 - 2007

Inspections / Complaints and accident investigations

<table>
<thead>
<tr>
<th>Target for 2005 /2006</th>
<th>Achieved</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>211 inspections</td>
<td>125 inspections undertaken. 65 of which required a 2nd visit to achieve compliance. 60 were dealt with by letter.</td>
<td>Inspections less than the target number due to staffing issues referred to and the increase in accidents and complaints</td>
</tr>
<tr>
<td>Revisits</td>
<td>59 revisits were undertaken. 44 complied with requirements</td>
<td></td>
</tr>
<tr>
<td>Complaints</td>
<td>292 complaints were received generating 133 visits 73 of which indicated non-compliance with statutory requirements. 92.5% were responded with in 2 working days and 96% within 3 days</td>
<td>This year saw an increase in the number of complaints received from 204 last year. Target response times were met.</td>
</tr>
<tr>
<td>Accident Reports</td>
<td>350 accident reports were received under the RIDDOR scheme. 113 were selected for investigation</td>
<td>An increase over last year - 312 received and 104 investigated</td>
</tr>
<tr>
<td>Improvement Notices</td>
<td>27</td>
<td></td>
</tr>
<tr>
<td>served</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prohibition notices</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>served</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other visits and hazard spotting inspections</td>
<td>85 other visits were undertaken and 543 premises were subject to a hazard spotting visit</td>
<td></td>
</tr>
</tbody>
</table>

Deviations from last years Service Plan
Due to the pressures involved in the implementation of the Licensing Act the following planned work was not undertaken.
1. Review of the Occupational Safety Health and Welfare enforcement policy
2. Revision of HEA risk assessment scheme
3. Assessment of the team against the HSE’s audit standards under S.18 and participation in an inter-borough audit
ANNEX 2
GLOSSARY OF TERMS
ELO - Enforcement Liaison Officer of the Health and Safety Executive
EMM - Enforcement Management Model
FTE - Full-time equivalent
HELA - Health & Safety Executive/Local Authorities Enforcement Liaison Committee
HPA - Health Protection Agency
HSC - Health and Safety Commission
HSE - Health and Safety Executive
IAA - Inter-Authority Audit
ISO - International Organisation for Standardisation
LAC - Local Authority Circular
LACORS - Local Authority coordinating body on Regulatory Services
LAP - Lead Authority Partnership
LAU - Local Authority Unit
RIDDOR - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995