

**Report of the Interim Head of Planning and Local Development**

**FOOD SAFETY AND HEALTH AND SAFETY ENFORCEMENT SERVICE PLANS**

**1 Purpose of report**

- 1.1 The report seeks the council to approve the Food Safety and Health and Safety Enforcement Service Plans for the period 2014-15. The plans set out food safety and health and safety objectives of the health protection service for the next year.
- 1.2 The production of these service plans are a requirement of mandatory guidance issued to local authorities by the Food Standards Agency (FSA) under the 'Framework Agreement' and the Health & Safety Executive (HSE), using its powers under section 18 of the Health & Safety at Work etc Act 1974.

**2 Executive summary**

- 2.1 The service plans are an annual statement of service objectives that identify key service delivery issues, links to financial planning, sets objectives and provides a means of managing performance and performance comparisons.
- 2.2 The service plan is a prescribed document and may form an essential part of a quality audit of the local authority undertaken by the FSA or HSE. If a local authority fails to meet its statutory obligations, the Secretary of State may invoke intervention powers, following a local enquiry.

**3 Appendices**

Food Law Enforcement Service Plan 2014-15  
Health and Safety Enforcement Service Plan 2014-15

**4. Proposed action:**

- 4.1 The committee is invited to RECOMMEND that the Food Safety Enforcement Service Plan 2014-15 be adopted.**
- 4.2 The committee is invited to RESOLVE that the Health and Safety Enforcement Service Plan 2014-15 be adopted.**

**5 Background**

- 5.1 The council has a statutory duty to maintain prescribed standards of food safety within the borough by means of premises inspections undertaken by authorised officers. In the event that contraventions of the various Acts and Regulations are noted then enforcement action is taken in accordance with the council's Environmental Health Services Enforcement Policy approved by the council on 3 March 2009.

- 5.2 In September 2000, the FSA published the Framework Agreement on Local Authority Food Law Enforcement which sets out the agency's expectations on the planning and delivery of food law enforcement. These expectations reflect a combination of recognised good practice and requirements prescribed by statutory codes of practice.
- 5.3 The Framework Agreement, which was subsequently amended in 2010, specifies the format and content that applies to the service plan.
- 5.4 The council also has a legal duty to regulate and enforce health and safety in certain premises within our district including offices, shops, wholesale distribution centres, leisure, hotel and catering premises.
- 5.5 The mandatory guidance issued to local authorities by the HSE directs that the authority should produce and make available an annual health and safety service plan which is agreed by their elected members and makes clear the arrangements for contributing to current HSE priorities. The service plan takes account of local needs whilst addressing national priorities as set out by HSE in its strategic plan.
- 5.6 HSE and local authorities are independent regulators. Working in partnership, their primary focus is to assist dutyholders in preventing work-related accidents and ill health. This is generally achieved through inspections and a range of proactive measures including stakeholder engagement, communications programmes and the provision of information and advice. Investigating complaints, accidents and ill health is also an important lever for improving health and safety standards.
- 5.7 Where appropriate, the health protection service will rigorously seek justice against those that put others at risk and in particular where there is a deliberate flouting of the law. Enforcement action will be proportional to the risk and compliance record of the business.

## **6 Discussion**

- 6.1 The primary aim of all food safety interventions is to work with local businesses to achieve improvements in food safety, hygiene, nutrition and reduce food poisoning within our community.
- 6.2 All high risk food businesses will be prioritised for inspection during 2014-15 and revisits will be targeted at businesses which are not considered to be broadly compliant. Focused visits and sampling will be undertaken within poor performing businesses with the aim of making them compliant.
- 6.3 The overall aim of the health and safety enforcement service is to work with others to protect people's wellbeing, health and safety by ensuring risks in the changing workplace are managed properly.
- 6.4 Health and safety interventions will continue to be targeted on activities that give rise to higher risks or where the hazards are least well controlled, with the aim of maximising their impact on improving health and safety outcomes. Interventions are also designed to stop those that seek economic advantage from non-compliance (eg rogue traders).

- 6.5 Priority for health and safety enforcement will be given to reactive work. Proactive inspections will be reserved for category A (highest risk) premises and other forms of interventions will be used for other businesses undertaking activities identified as being either a national or local priority.
- 6.6 National priorities identified by the HSE for 2014-15 remain the same as last year and include asbestos, liquefied petroleum gas (LPG), Legionella and hot water systems. We will therefore, as a priority, target our interventions at premises where intelligence leads us to believe that there may be a safety issue with one of these topics.
- 6.7 In addition to the national priorities, the County Health and Safety Enforcement Liaison Group has used national and local accident statistics and other forms of intelligence, such as complaints and officer experiences, to identify local priority issues. The county priorities for 2014-15 continue to include gas safety, workplace transport, public events, and slips and trips in care homes. In addition, new areas of work for the year will include targeting infection risks potentially associated with tattoo premises, violence at work within premises associated with the night time economy, and health and wellbeing within the workplace.
- 6.8 The Government has made a commitment to cut red tape, to lift the regulatory burdens on businesses. Efficient and effective local regulation will play a key role in ensuring that the reduction of regulation really does translate into a reduction in the burden on businesses at a local level.
- 6.9 The team has fully embraced this agenda and recognises that good regulatory approaches will support business economic growth. The service is involved in a Northamptonshire project aimed at improving engagement with businesses. The project, which commenced in 2013, is being undertaken in association with the Better Regulation Delivery Office (BRDO) who committed funding to the project. A multi regulator event was undertaken during 2013 to identify burdens placed upon businesses by other regulators. This work will be developed during 2014-15 .
- 6.10 Section 4 of the service plans identifies some of the key work undertaken by the section during 2013-14 (up to the end of February).
- 6.11 During 2013-14, the team again focused resources upon poor performing businesses. The section will always aim to take appropriate enforcement action and will usually in the first instance take informal action. Formal action is focused on situations where the public is put at risk and where businesses are negligent of their obligations or intentionally infringe the law.
- 6.12 During this period, seven businesses were served with food hygiene improvement notices. The number of premises who voluntarily closed to rectify food safety contraventions doubled to six over the year, and the number of simple cautions issued to food businesses who admitted food safety contraventions increased from one to three.
- 6.13 This approach of targeting enforcement action at non-compliant food businesses has resulted in an improvement in food safety standards within the borough. The number of food businesses which are classified as broadly compliant with food safety legislation has increased from 90% to 92% over the

last year. This is a positive move after several years of remaining around 90% and indicates our current targeting programme is working effectively.

- 6.14 Proactive health and safety enforcement during this period has focused upon gas safety within catering premises, resulting in over 80 food premises receiving a visit to assess compliance with gas safety requirements, to reduce the risks to staff and customers. This targeted project has significantly raised the standards of gas safety within local catering businesses, as many were found to be deficient; and with some being served with 'Immediately Dangerous' notices by Gas Safe inspectors preventing use of them until remedial works had been carried out.
- 6.15 In addition to food safety and health and safety enforcement functions, the health protection team also has responsibility for other areas of work, including licensing, infectious disease control, smoke-free enforcement, health promotion and water safety. Most officers are involved in all areas of work. During 2013, new licensing legislation was introduced for scrap metal dealers. This has put extra pressure on the team and affected resources available for food safety and health and safety enforcement responsibilities. We have also completed some training and started to undertake some gambling inspections, as this area of licensing has not previously been progressed.
- 6.16 Reduced resources and increased workload within the team have meant that there is a reduced capacity to undertake discretionary activities such as advisory visits and health promotion activities.

## 7 Legal powers

- 7.1 The publication of the council's Food Law Enforcement Service Plan is prescribed by the Food Standards Agency, which is acting under the powers vested in it by the Food Standards Act 1999.
- 7.2 The publication of the council's Health and Safety Enforcement Service Plan is prescribed by the HSE which is acting under the powers vested in it by the Health and Safety at Work etc. Act 1974.

## 8 Financial and value for money implications

There are no implications for the financial resources of the council as they are currently met from existing budgets.

## 9 Risk analysis

| Nature of risk                                    | Consequences if realised                                 | Likelihood of occurrence | Control measures           |
|---|--|--------------------------|----------------------------|
| The service plans are not approved and published. | The Secretary of State could invoke intervention powers. | High.                    | Approve the service plans. |

## **10 Implications for resources**

The expectations for service delivery by the FSA and HSE are currently met through existing resource provision.

## **11 Implications for stronger and safer communities**

11.1 The safety and wholesomeness of food and the hygienic standards of food premises located within the borough are important factors in the maintenance of physical health, the reduction of infectious diseases and the improvement of lifestyle health and wellbeing within the community.

11.2 Health and safety standards within work premises located in the borough have a direct effect on the prevention of ill health and accidents and on promoting wellbeing within the community.

## **12 Implications for equalities**

There are no implications for equalities contained within the service plans.

## **13 Author and contact officer**

Amanda Wilcox, Principal Health Protection Manager.

## **14 Consultees**

Julie Thomas, Interim Head of Planning and Local Development.

## **15 Background papers**

Framework Agreement on Local Authority Food Law Enforcement – Food Standards Agency.

Section 18 Guidance – Health and safety Executive.



# Food Law Enforcement Service Plan 2014/15

**Author: Amanda Wilcox, Principal Health Protection  
Manager**

**Date: February 2014**

## Contents Page

|    |                             |    |
|----|-----------------------------|----|
| 1. | Introduction                | 2  |
| 2. | Service Aims and Objectives | 5  |
| 3. | Background                  | 7  |
| 4. | Service Delivery            | 10 |
| 5. | Resources                   | 15 |
| 6. | Quality Assessment          | 17 |
| 7. | Review                      | 18 |
|    | Glossary of Terms           | 19 |



# Food Safety Service Plan 2014/15

---

## 1. Introduction

The format of this Plan meets the requirements laid down by the Food Standards Agency (FSA) in their Framework Agreement, and is designed to ensure that local people and residents can clearly see what we do, how our services are delivered and what resources we have available to do this. It also allows the FSA to assess the services that we offer, so that they can ensure that our services meet the standard required under this framework agreement.

The primary function of the Health Protection Service is to provide education and advice to businesses in Wellingborough to help them comply with the requirements of the legislation. Inspections and investigations are undertaken at premises that are classified as either high risk, or where concerns have been raised about working practices or the safety of food from a premises.

Where appropriate, relevant food safety information will be shared with other organisations including the Inland Revenue, Fire Service, Police Service, Trading Standards, UK Border Agency and National Non Domestic Rates, to maximise intelligence gathering. This will assist in targeting action against poor performing businesses. We will also investigate the possibility of reviewing and updating data, by using data held by other sections within the council to minimise the burden between the council and local businesses

### 1.1 Better Regulation

The Government has made a commitment to cut red tape to lift the regulatory burdens on businesses. Efficient and effective local regulation will play a key role in ensuring that the reduction of regulation really does translate into a reduction in the burden on businesses at a local level.

Northamptonshire Environmental Health Heads of Service Groups, including the County Food Liaison Group have responded to this by again identifying “better engagement with businesses” as a key cross cutting project in the 2014/15 County Workplans.

The project commenced in 2013 in association with the Better Regulation Delivery Office (BRDO) who have committed funding to the project.

The project is seeking to develop ways for regulators to work with and support businesses, to encourage economic growth. During 2013 a Regulators event was held to identify burdens placed upon businesses by other regulators. This work will be developed during 2014/15. A Trading Places event is to be held, during which regulators will visit businesses to identify their perceptions of local regulation. This work will allow officers to ensure that support is effectively targeted to individual circumstances.

It is proposed that the project will seek to enhance relationships through:

- Seeking to reduce the regulatory burden on businesses
- Promotion of two way communication between businesses and regulatory services
- Improving the business perception of regulators
- Supporting regulators to find the right balance between encouragement, education and enforcement

# Food Safety Service Plan 2014/15

---

- Developing a joint offer of support from regulatory services for businesses
- Building trust of both regulators and businesses
- Feeding back to government on how to do things better for both businesses and regulators

The project is initially focusing on small and medium sized food businesses. The Health Protection Team will fully engage with this project as it progresses

## 1.2 Imported Food

Authorised officers will ensure that their food hygiene interventions take account of imported food related issues. Reasonable steps will be taken to assess the legality of imported food from non-EU countries and effective action will be taken on non-compliance in order to protect public health.

The Health Protection Team will identify any premises handling imported foods particularly products of animal origin. Priority will be given to those premises that are the first destination after import.

Care will be taken to ensure that officers remain familiar with the legislation they enforce, the Food Law Code of Practice and relevant imported food guidance – so that officers are competent and appropriately authorised to undertake imported food controls and related enforcement action.

## 1.3 Priorities for 2014/15

On 1<sup>st</sup> April 2011 we migrated from the county Scores on Doors scheme onto the national Food Hygiene Rating Scheme. We will continue to promote the scheme during food interventions with a focus on improving standards within the poorer performing businesses in an attempt to increase the number of businesses achieving a rating of 3 or above. We will also continue to encourage businesses to display their rating to improve communication with customers.

The programme of focused visits and sampling, at non compliant food businesses will continue throughout this period in an effort to increase the number of Broadly Compliant premises within the district and achieve sustained improvements in poor performing businesses.

In 2013 funding for public health moved across to County Councils. It is recognised that the Health Protection team carry out a significant amount of public health functions and work is being undertaken to examine ways to engage with the wider Public Health Agenda. Although discussions are on-going with County Council it is hoped that we will develop a new Healthy Eating Award which will encourage businesses to achieve an award based on health and wellbeing provision for their staff and customers.

The Health Protection Agency (HPA) are now part of Public Health England (PHE). This move resulted in a re-organisation of our local HPA region, which now incorporates, Hertfordshire, Bedfordshire, Northamptonshire and Milton Keynes. We will continue to work closely with PHE on Infectious disease control.

## Food Safety Service Plan 2014/15

---

We have signed up to the FSAs food sampling IT programme – UKFSS. The PHE laboratory have upgraded their IT systems, so we now be able to fully utilise this system for recording all food sampling activity.

The County Food Liaison Group are developing a work programme aimed at reducing food poisoning within the over 65 age group. This project will be undertaken in co-ordination with Trading Standards.

We will again be supporting the national Food Safety Week campaign with limited resources between 16<sup>th</sup>-22nd June 2014. The chosen campaign strapline for this year is “Don't Wash Raw Chicken”. This provides a simple call to action for consumer audiences. The campaign will focus on how consumers can protect themselves from food poisoning in their own homes, particularly when handling chicken, and includes an explanation of Campylobacter, to build awareness.

The FSA's top food safety priority is to reduce foodborne disease using a targeted approach - tackling Campylobacter in chicken. The Food Safety Week messaging forms part of this broader strategy - to tackle and raise awareness of Campylobacter, which is the most common cause of food poisoning in the UK. The Health Protection team will engage with this strategy as resources allow.

A recent consultation from the FSA indicated that 2nd tier LA's will be asked to carry out food allergen labelling checks at catering establishments as part of the requirements of the Food Information Regulations 2014. Businesses will be expected to comply by December 2014 when the legislation will come into force. Food allergen and food labelling advice is provided by Trading Standards Services and therefore there will be a need for Officer training if this goes ahead. It is anticipated that advice will be given during our routine food hygiene inspections, however, extra visits may also be needed if businesses are to be compliant by the end of the year. This will put extra pressure upon resources available within the team.

In April 2014, the Regulators Code will come into force. This will provide a clear framework for how regulators should engage with those that they regulate, and replaces the current Regulators Compliance Code. We will need to review and consider the Code in our policies and procedures to ensure that we meet the principles set out in the framework, which focuses on improving the way regulation of businesses is delivered.

The team will continue to work closely with the other Health Protection teams within the county and the Food Standards Agency, to ensure a consistent approach is taken with food businesses across the county.

# Food Safety Service Plan 2014/15

---

## 2. Service Aims and Objectives

### 2.1 Service Aims and Objectives

Borough Council of Wellingborough is designated as a Food Authority and as such has a statutory duty to enforce Food Safety legislation.

The **aim** of the service is to work with local businesses to achieve improvements in food safety, hygiene, nutrition and reduce food poisoning within our community.

Our key delivery **priorities** are;

- Undertake inspections of food premises
- Investigate complaints about food premises and products
- Investigate cases of infectious diseases
- Sample and test food products produced and sold within the district
- Provide advice and assistance to new and existing businesses
- Promote healthy food provision within the district through the Heartbeat Award and other promotional activities
- Support businesses in the implementation of Safer Food Better Business (SFBB). (FSA produced pack designed to assist small businesses meet their legal requirement to have Hazard Analysis Critical Control Point (HACCP) in place)
- Integrate the service with other public health strategies to achieve an overall healthier community

Key objectives for the service during 2014/15 are to:-

- Increase the number of food businesses within the Borough that are 'Broadly Compliant' with food hygiene standards by targeting non-compliant businesses
- Monitor service delivery and review policies and procedures to ensure that they address the demands of the Governments Better Regulation Agenda
- Work closely with the FSA and PHE with the aim of reducing the number of cases of food poisoning within the borough.

### 2.2 Links to Corporate Objectives

Borough Council of Wellingborough priorities are;

- Promoting high quality growth
- Reducing crime and anti-social behaviour
- Improving life chances for young people
- Delivering efficient and responsive services
- Enhancing the environment

The aims and objectives of the Authority in respect of Food Safety Law are drawn up annually by the Health Protection Team and are integrated into the Councils Service Plans.

## Food Safety Service Plan 2014/15

---

### 2.3 Performance Indicators

The service has internal performance indicators designed to measure the effectiveness of the service;

| Indicator Description   | Target |
|---|--------|
| Percentage of food premises inspections that should have been carried out that were carried out for high risk premises. | 100%   |
| Percentage of food premises inspections that should have been carried out that were carried out for low risk premises.  | 95%    |
| Number of other food visits   | 150    |
| Number of Heartbeat Award Holders   | 45     |
| Number of Food Hygiene and Health and Safety Courses to be run  | 3      |
| Percentage response to requests for general service within 2 working days   | 95%    |
| Number of Food and Water Samples Taken  | 50     |
| Increase the number of food businesses classified as being 'Broadly Compliant'  | 93%    |

## 3 Background

### 3.1 Profile of the Local Authority

The Borough covers an area of 163 sq km centrally situated in the country with excellent communications. The urban centre is the town of Wellingborough where over two thirds of the 76,100 (JSNA 2013) residents live. The remainder live in 19 surrounding settlements.

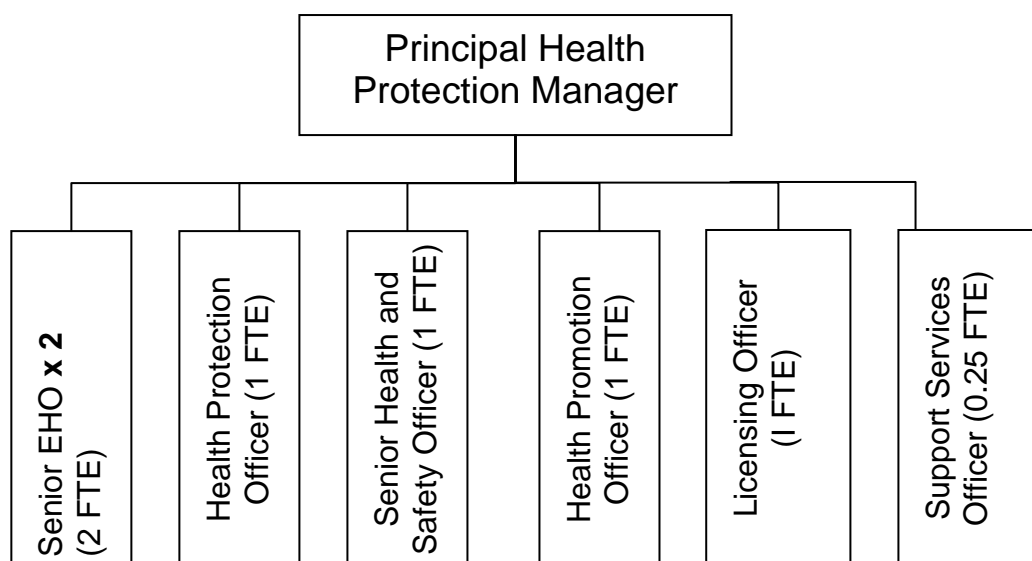
The town has expanded significantly from its market square base in the last sixty years. These changes have brought new housing, industry and people. A proportion of these people have come to settle from overseas. India, Africa and the Caribbean have been the main sources of migration. Taken together these communities represent 11% of the urban population — comparable with some of the most diverse urban communities in the country.

During the last ten years the town has witnessed the arrival of individuals and families from Eastern Europe. These communities are discernible through new shops, products and languages. However reliable statistical evidence of the numbers staying or working in the town is weak.

### 3.2 Organisational Structure

The Health Protection team is within Planning and Local Development and manages the food safety function. Health Protection reports to the Community Committee. In addition to food safety the Health Protection team also have responsibility for other areas of work, including health and safety enforcement, licensing, infectious disease control, health promotion and water safety. Most officers are involved in all areas of work.

Health Protection is structured as detailed below:



# Food Safety Service Plan 2014/15

---

## 3.3 Scope of the Food Safety Service

The Food Safety service provides two broad areas of work, which can be classified as either pro-active or reactive.

### *Pro-active*

- Inspections (programmed interventions) and audits of food premises
- Education of Food Business Operators and employees through guidance, information and training
- Undertaking and participating in health promotion campaigns
- Maintaining an accurate Food Safety Database
- Liaising with other Council departments and external organisations including Planning, Building Control, Licensing, Trading Standards, FSA, Northamptonshire Food Liaison Group, Care Quality Commission, Drinking Water Inspectorate and OFSTED
- Devising material to help businesses comply with the Law and good practice
- Website maintenance and design

### *Reactive*

- Investigating infectious disease notifications and outbreaks
- Responding to complaints and requests for service
- Planning/ building control applications
- Responding to other emergency situations as required

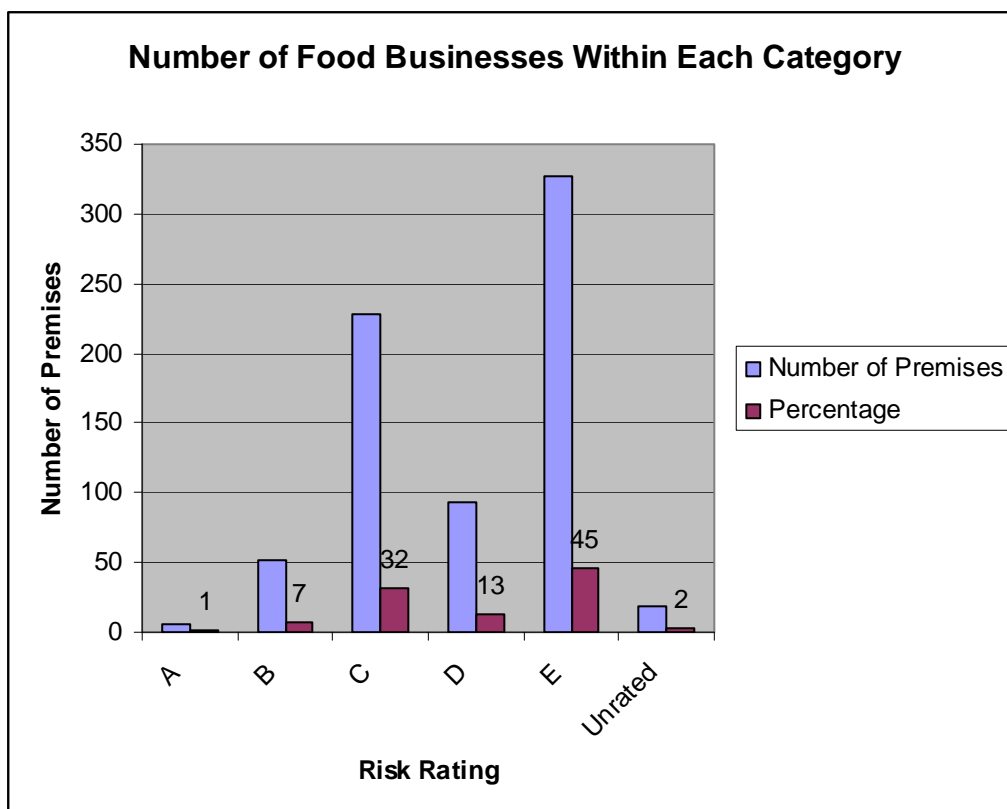
The same officers who are involved in the food safety function also provide the Health and Safety enforcement function, Smoke-free enforcement function, infectious disease control, health promotion and licensing.

## 3.4 Demands on the Food Service

The authority supports the Home Authority and Primary Authority Principle and the team currently act as a Home Authority for 2 businesses.

Food premises are categorised according to a risk rating A (highest risk) to E (lowest risk). The current breakdown of food businesses in the Borough are shown below. The total number of food premises is currently 723. These figures are constantly fluctuating. New premises are initially unrated but receive a visit within 28 days of registration.

# Food Safety Service Plan 2014/15



There are 3 premises approved for manufacturing meat products, 1 premises approved for the production of dairy products and two approved for packing eggs.

There are a number of major food factories within the district including two flour mills, a pie manufacturer, two spice mills, two food flavouring manufacturers, a dairy product manufacturer and a breakfast cereal manufacturer together with large food distribution centres.

The service is delivered both in and out of normal office hours to ensure premises are inspected whilst they are operational. It is the policy for food inspections to be undertaken unannounced to allow the actual operation to be observed, except in unusual circumstances.

The authority has been through a significant process of restructuring which has resulted in reduced staffing levels, with fewer personnel undertaking more enforcement work and administration. Working practices will therefore continue to need reviewing to ensure that the authority continues to meet all statutory responsibilities. Priority will be given to targeting high risk and poor performing businesses.

### 3.5 Enforcement Policy

Environmental Health Services have a general enforcement policy approved by the council which has a food safety appendix. All enforcement action will be taken in line with this policy. In addition there are comprehensive procedures available to ensure consistency of service.



# Food Safety Service Plan 2014/15

---

## 4 Service Delivery

### 4.1 Food Premises Inspections

The following table shows the minimum number of inspections that will need to be carried out in the year 2014/15.

| <b>Risk Rating</b> | <b>Number of inspections in 2014/15</b> |
|--------------------|---|
| A                  | 12                                      |
| B                  | 51                                      |
| C                  | 136                                     |
| D                  | 60                                      |
| E                  | 104                                     |
| <b>Total</b>       | <b>352</b>                              |

The policy relating to the inspection of food premises is detailed in the food hygiene inspection procedure. This procedure details how decisions are made over the type of intervention to be undertaken taking into account Better Regulation principles. Priority will be given to undertaking inspections of high risk premises.

The FSA Code of Practice allows for a flexible approach to the inspection of low risk premises. An 'Alternative Enforcement Strategy' is currently implemented for category D and E premises whereby they are assessed by either a self assessment questionnaire or by a questionnaire visit. Consideration will be given to utilising other forms of intervention in Broadly compliant category C premises to allow for more time to be spent with those businesses which are not currently 'Broadly Compliant' with food safety legislation.

Re-visits will be made to food premises following the issue of any formal notices in order to check compliance. Informal notices will be followed up if appropriate by revisit or by questionnaire. Revisits are concentrated upon those businesses which are not scored as being Broadly Compliant. It is expected that in addition to the planned inspection programme detailed above, around 100 revisits will be undertaken.

### 4.2 Food Complaints

All food complaints are investigated. The authority receives approximately 50 complaints with respect to foodstuffs and food premises each year. The level of investigation for any complaint is determined by the investigating officer and Principal Health Protection Manager

### 4.3 Home Authority / Primary Authority Principle

The Health Protection Team accepts home authority responsibility for all food businesses that have their head office in Wellingborough. Currently this includes Speciality Desserts and Virani Food Limited. There is an operational procedure to deal with Home Authority enquiries.

## Food Safety Service Plan 2014/15

---

In July 2009, the Regulatory Enforcement and Sanctions Act introduced the concept of a 'Primary Authority' for the majority of regulatory functions. At the request of a business, a local authority is compelled to act as that company's Primary Authority. The role of the Primary Authority will be to act as a point of contact for other local authorities on policy issues, inspection programmes and when considering taking any enforcement action. The Primary Authority is able to prohibit that local authority from taking their enforcement action subject to an appeal process to the Better Regulation Delivery Office against the decision of the primary authority.

We have not been approached to act as the Primary Authority for any of our businesses. We do however adhere to the Primary Authority Principle and liaise with Primary Authorities before we take any formal enforcement action. Any inspection plans produced by Primary Authorities are adhered to when undertaking pro-active interventions.

### **4.4 Advice to Business**

Advice and education for businesses, schools and individuals is provided on food safety. New businesses contacting the authority before opening will receive advice on how to comply with legislation before receiving their food safety inspection. Inspections prior to opening will be reserved for high risk premises.

The Foundation CIEH Level 2 Food Hygiene Certificate Course is run by officers within the authority.

The Health Protection team also provide guidance on completion of the Safer Food Better Business pack to high risk businesses.

### **4.5 Food Sampling**

The authority has a food sampling policy and programme. The authority takes part in both national PHE sampling programmes and Northamptonshire Food Surveillance Group sampling programmes. Sampling will also be targeted at local businesses identified in the district as high risk and those where there are hygiene concerns.

Sampling will on occasion take place prior to food inspections as advised by the FSA. Sampling will be conducted in accordance with our sampling procedure. This will result in approximately 50 food, environmental and water samples being taken.

All food samples are analysed by the PHE laboratory in Birmingham. The Sampling programme will include food items identified as national priorities by PHE and local priorities as set by the County Food Sampling Group. National Priorities for 2014/15 include pies and pate.

The sampling programme for 2014/15 is still being finalised. The team will also undertake ATP swabbing within high risk premises, which is a method which provides instant results on the level of cleanliness of food contact surfaces.

# Food Safety Service Plan 2014/15

---

## 4.6 Control and investigation of Outbreaks

There are formal arrangements in place to identify and investigate cases of food poisoning between PHE and the Authority. All laboratory identified cases of food poisoning are sent directly to the authority for investigation. All incidents of food poisoning or alleged food poisoning are investigated with a view to tracing the source and preventing spread and reoccurrence. It is estimated there will be around 110 food poisoning cases and 2 potential food poisoning or infectious disease outbreaks in the year 2014/15.

Standard operating procedures have previously been produced by the HPA and will be reviewed by PHE. These procedures detail the relationship between their staff and the Health Protection team in investigating cases of food poisoning or infectious disease. These procedures have been incorporated into internal procedures.

## 4.7 Food Safety Incidents

The authority acts on all food alerts received in accordance with the food alert procedure and the FSA's Code of Practice. It is estimated that there will be 50 food alerts in the year 2014/15.

## 4.8 Liaison with Other Organisations

The authority has local partnerships with the following organisations:-

- Northamptonshire Food Liaison Group;
- Northamptonshire Food Surveillance Group;
- Northamptonshire Trading Standards;
- Northamptonshire Healthy Eating Group
- Department of Health;
- Government Office of the East Midlands;
- Public Health England (PHE);
- Food Standards Agency (FSA);
- Care Quality Commission;
- OFSTED;

Through these groups, particularly the Northamptonshire Food Liaison Group, there have been regular joint training and consistency exercises.

All planning applications are looked at by the team with respect to food safety, and advice on structures etc. is given to future businesses at this point. Copies of Licensing Act consultations are forwarded to the team and used as a mechanism to ensure all food businesses are registered and any food hygiene problems can be highlighted.

## 4.9 Food Safety Promotion

The Health Protection team is also responsible for health promotion including food safety and nutritional promotion. This includes the provision of CIEH Level 2 Food Hygiene training, encouragement of businesses to obtain the Heartbeat Award, and to undertake activities in National Food Safety Week.

## Food Safety Service Plan 2014/15

---

Heartbeat Award has continued to be supported to ensure the provision of well balanced and healthier menus. In total there are 36 award holders.

Food Safety Week in June 2014 will be supported and activities will be co-ordinated across the county to maximise the use of resources.

Since the E.coli outbreak in South Wales in 2005, the priority of all food hygiene inspections has been raising awareness to ensure all businesses are controlling the risks from this potentially fatal bacteria. All relevant businesses are made aware of the FSAs E Coli guidance.

### **4.10 Achievements During 2013/14**

The below achievements represent work undertaken between April 2013 and February 2014:

1. Carried out a total of 290 food safety inspections. We are on track to achieve 100% of high risk inspections due (Categories A-B) by the end of this period (March 2014). We also undertook 69 food safety interventions using self assessment questionnaires for low risk businesses, in accordance with our Alternative Intervention Strategy. We also undertook 111 revisits to check on compliance following an inspection.
2. Investigated 45 complaints about food purchased within the borough or food safety standards within premises and took appropriate action. We undertook 22 visits to investigate complaints.
3. Issued 206 written warnings on food safety contraventions following visits, which is double the number recorded for last year.
4. Served 22 improvement notices on 7 businesses and undertook a large number of visits to a small number of poor performing business.
5. Responded to 98% of all complaints within 2 working days.
6. Simple Cautions were issued to 3 local food business in response to food safety offences identified within the premises.
7. 6 food businesses closed voluntarily for a period of time during enforcement action to secure improvements within the premises.
8. To comply with our primary aim of raising awareness of issues through education and advice, we undertook 34 advisory visits to assist in legislative compliance.
9. 92% of premises were found to be Broadly Compliant with food safety legislation following their inspection.
10. 59 food samples were taken throughout the year.

## Food Safety Service Plan 2014/15

---

11. The Health Protection team have been working closely with food businesses providing them with guidance on how to improve their Food Hygiene Rating. Since the introduction of the national Food Hygiene Rating Scheme in April 2011 we have offered businesses the opportunity to request a rescore where they feel that they have met all requirements detailed within their inspection report. During this period 14 re-rating requests were received, compared with only 2 over the previous year.
12. Health Protection officers contributed to Food Safety Week in June 2013 by attending two children's centres within the district and undertaking a radio interview. The focus was good hygiene in the home.
13. We currently have 36 Heartbeat Award holders, of which 7 are Gold award holders. We issued 2 new awards this year.

# Food Safety Service Plan 2014/15

---

## 5 Resources

### 5.1 Financial Allocation

The salary budget for the Health Protection team is £255,000 for the financial year 2014/15 which includes the other functions of the team such as Health and Safety Enforcement, and Licensing of which around 40% will be allocated to Food Safety Enforcement activities.

The remaining budgets are shown below;

|                       | Budget 2014/15 |
|-----------------------|----------------|
| Supplies and Services | £3100          |
| Health Courses        | £1650          |

### 5.2 Staffing Allocation

The Health Protection team consists of 8 members of staff. At the time of writing this plan there are 2.18 Full Time Equivalent (FTE) officers for the food safety function. The Health Promotion Officer will also on occasion be involved in food safety promotional work. The above calculations can be broken down into officers as detailed below:

|                                     |                               |
|-------------------------------------|-------------------------------|
| Principal Health Protection Manager | 0.35 FTE                      |
| Senior Environmental Health Officer | 0.60 FTE                      |
| Senior Environmental Health Officer | 0.73 FTE                      |
| Health Protection Officer           | 0.45 FTE                      |
| Service Support Officer             | 0.15 FTE                      |
| Licensing Officer                   | 0.02 FTE                      |
| <hr/>                               |                               |
| Health Promotion Officer            | 1.00 FTE                      |
| Senior Health and Safety Officer    | (Not involved in Food Safety) |

### 5.3 Staff Development Plan

The training needs of enforcement officers are identified during the appraisal process known as Performance Development Review and a training programme will be developed once complete. It is the policy of the Council to ensure that officers involved in enforcing food safety legislation receive a minimum of 10 hours continuing professional development training as required by Food Standards Agency – Code of Practice and practice guidance. This will be provided through a combination of commercial courses, training provided by the FSA, Northamptonshire Food Liaison Group and internal training courses.

All food safety regulators will undergo the Regulators' Development Needs Analysis (RDNA) which is a competency and development framework designed to assess food safety enforcer competence and to ensure Enforcement Officers have the right skills for the job. A training programme will be designed for each authorised officer and appropriate

## Food Safety Service Plan 2014/15

---

training will be provided, utilising free or low cost training provided by the FSA or the Northamptonshire Food Safety Liaison group as part of the partnership approach.

A record is kept of all training related to food safety or other relevant subjects that would improve the effectiveness and efficiency of the officers performing food safety enforcement. All training undertaken is reviewed as to its usefulness and practical applications and feedback to other officers is done as necessary.

### **6. Quality Assessment**

The Health Protection team may be audited by the FSA and would act on any advice given to ensure a quality service is provided. There is an internal monitoring process to ensure officers are following the procedures and acting in accordance with statutory requirements.

In 2013/14 the Health Protection team were involved in a County programme of targeted Inter Authority Auditing which focused on E Coli control. We are partnered with Corby Borough Council. An audit was undertaken by an Officer from Corby Borough Council, of this authorities compliance with FSA E Coli guidance and the final report is due shortly. An action plan will be completed and all recommendations for improvement will be implemented.

Borough Council of Wellingborough operates a system of procedural documents for key areas of food safety enforcement. These are issued in a controlled document format and are regularly reviewed.

Where appropriate, officers involved in food safety enforcement are issued with standard phrases and standard letters to ensure consistency. Internal monitoring is completed by undertaking joint visits with the Principal Health Protection Manager and by file monitoring.

To ensure we are responsive to customer needs, and to ensure we attain our agreed performance standards, we survey service users to gauge our performance. As part of this process customer satisfaction forms are sent out to those who receive a food safety intervention to assess duty holders satisfaction with our service.



## **7. Review**

### **7.1 Review against the Service Plan**

The performance of the service against the Service Plan is internally monitored monthly.

The Food Safety Service Plan and procedure documents are reviewed annually. The authority takes part in peer review processes as appropriate, the results of which inform the review process and bring about improvements in service as appropriate.

### **7.2 Identification of Variations from the Service Plan**

Any shortfalls from targets noted during the year are reviewed on a monthly basis to determine:

- What factors have caused the variation to take place and
- Whether additional resources are needed to rectify the variation and achieve the annual targets.

Significant shortfalls are reported to the Head of Service and actions needed to resolve the problem are then agreed. This action can include

- Prioritisation of work, with lower risk inspections and other low priority work delayed, carried out in some other way or dropped from the work plan for the year as appropriate
- Staff reallocated from other duties in the short term to resolve any shortfalls that are regarded as a priority.
- Any shortfalls in inspections that have not been resolved by the end of each year are carried forward.

### **7.3 Areas for Improvement**

As part of the review process, areas for improvement will be identified, covering:

- Improvements in efficiency, effectiveness and economy to comply with the Better Regulation agenda.
- Improvements in working practices, to improve efficiency and the quality of service.
- New projects or initiatives to improve the overall quality of food safety.

# Food Safety Service Plan 2014/15

---

## Glossary of Terms

ATP- Adenosine tri-phosphate swab test

BRDO - Better Regulation Delivery Office

CIEH - Chartered Institute of Environmental Health

CQC - Care Quality Commission

*E. coli* O157 - *Escherichia coli* O157

EHO - Environmental Health Officer

FSA - Food Standards Agency

FTE - Full-time equivalent

HPA - Health Protection Agency

JSNA – Joint Strategic Needs Assessment

PHE - Public Health England

RDNA - Regulators' Development Needs Analysis

SFBB - Safer Food, Better Business

UKFSS - United Kingdom Food Surveillance System

# Health and Safety Enforcement Service Plan 2014/15

**Author: Amanda Wilcox, Principal Health**

**Protection Manager**

**Date: February 2014**

## Contents Page

|                                | Page |
|--------------------------------|------|
| 1. Introduction                | 1    |
| 2. Service Aims and Objectives | 3    |
| 3. Background                  | 4    |
| 4. Service Delivery            | 6    |
| 5. Resources                   | 11   |
| 6. Quality Assessment          | 12   |
| 7. Reviews                     | 14   |
| Glossary of Terms              | 16   |

# Health and Safety Service Plan 2014/15

---

## 1 Introduction

The format of this Plan meets the requirements laid down by the Health and Safety Executive, and is designed to ensure that local people and residents can clearly see what we do, how our services are delivered and what resources we have available to do this. It also allows the Health and Safety Executive to assess the services that we offer, so that they can ensure that our services meet the standard required under Section 18 of the Health and Safety at Work etc Act 1974.

The council is committed to improving health and safety outcomes across the borough and will commit the necessary resources and capacity to deliver its priorities and plan of interventions for the current year

The primary function of the Health Protection Service is to provide education and advice to businesses in Wellingborough to help them comply with the requirements of the legislation. Inspections and investigations are undertaken at premises that are classified as either high risk, or where concerns have been raised about working practices or the safety of premises.

Where businesses fail to comply with the advice given and fail to provide a safe working environment for employees and the public, the Health Protection Service will use its enforcement policy and the Regulators Code of Conduct to take appropriate enforcement action.

To many, health and safety is seen as a burden on business. In fact the opposite is true, in that poor health and safety will result in accidents and poorer health which results in extensive time off work, and this impacts directly on the business and ultimately on the economy of Wellingborough. It also potentially gives an unfair economic advantage to those who might ignore the law.

Where appropriate, relevant health and safety information will be shared with other organisations including the Inland Revenue, Fire Service, Police Service, Trading Standards, UK Border Agency and National Non Domestic Rates, to maximise intelligence gathering. This will assist in targeting action against poor performing businesses. We will also investigate the possibility of reviewing and updating data, by using data held by other sections within the council to minimise the burden between the council and local businesses

In keeping with government reforms over health and safety, the section will continue to plan and target health and safety interventions having regard to the range of interventions available, the risk profile of the business/sector, national information (accident statistics, national priorities, Lead Authority/Primary Authority inspection plans) and local intelligence and knowledge.

Proactive inspections will be reserved for Category A (highest risk) premises and other forms of interventions, including targeted visits and awareness raising interventions, will be used for other businesses. Reactive work such as accident and

## Health and Safety Service Plan 2014/15

---

complaint investigations will continue to be undertaken and prioritised according to the level of risk identified.

## 2 Service Aims And Objectives

### 2.1 Aims And Objectives

The overall **aim** of the Service is to work with others to protect people's wellbeing, health and safety by ensuring risks in the changing workplace are managed properly.

Our key delivery **priorities** are:

- To manage the risk in high risk, poor performing and/or rogue trader businesses. (Targeted approach to risk in line with Better Regulation agenda)
- To inspect Category A rated businesses
- Investigating major injury incidents and fatalities. (National justice agenda and used to assess and target poor management in line with Better Regulation.)
- To ensure enforcement decisions are consistent with our Enforcement Policy, the HSC's Enforcement Policy Statement and the Enforcement Management Model. (ensures proportionate, consistent, transparent and accountable enforcement - part of the Better Regulation agenda)
- Train and develop our staff to ensure competence (encourages staff retention/recruitment and ensures credibility with local business).

The key **objectives** of the service this year are to:-

- Reduce the number of accidents and illnesses associated with the workplace in the district
- Increase awareness of health and safety
- Review policies and procedures to reflect the HSE's strategic programme and meet requirements of the revised Section 18 guidance.
- Work in partnership to deliver the HSE strategic programme

### 2.2 Links to Corporate Objectives

Borough Council of Wellingborough priorities are;

- Promoting high quality growth
- Reducing crime and anti-social behaviour
- Improving life chances for young people
- Delivering efficient and responsive services
- Enhancing the environment

The aims and objectives of the Authority in respect of Health and Safety Law are drawn up annually by the Health Protection Team and are integrated into the Councils Service Plans.

## 3 Background

### 3.1 Profile of the Authority

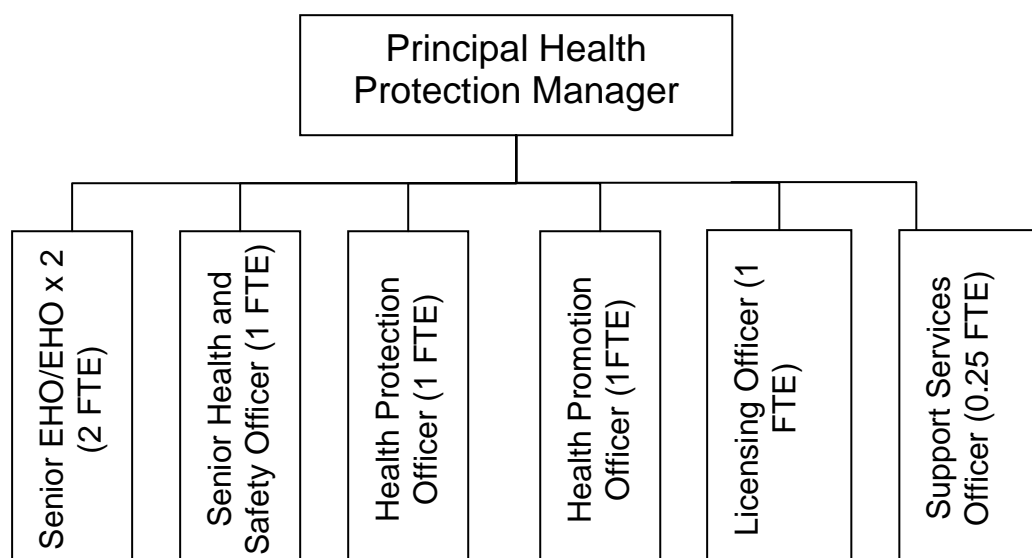
The Borough covers an area of 163 sq km centrally situated in the country with excellent communications. The urban centre is the town of Wellingborough where over two thirds of the 76,100 (JSNA 2013) residents live. The remainder live in 19 surrounding settlements.

The town has expanded significantly from its market square base in the last sixty years. These changes have brought new housing, industry and people. A proportion of these people have come to settle from overseas. India, Africa and the Caribbean have been the main sources of migration. Taken together these communities represent 11% of the urban population — comparable with some of the most diverse urban communities in the country.

During the last ten years the town has witnessed the arrival of individuals and families from Eastern Europe. These communities are discernible through new shops, products and languages. However reliable statistical evidence of the numbers staying or working in the town is weak.

### 3.2 Organisational Structure

The Health Protection team is within Planning and Local Development and manages the health and safety function. Health Protection reports to the Community Committee. Health Protection is currently structured as detailed below:





## 3.3 Scope of the Health and Safety Service

The Health and Safety service provides two broad areas of work, which can be classified as either pro-active or reactive.

### *Pro-active*

- Inspections (programmed interventions) at premises subject to Local Authority enforcement
- Education of proprietors and employees through guidance, information and training
- Undertaking and participating in health promotion campaigns
- Undertaking issue specific targeted interventions
- Liaising with other Council departments and external organisations including Planning, Building Control, Licensing, Corporate Health and Safety, Trading Standards, HSE, Northamptonshire Health and Safety Liaison Group, Care Standards Commission and OFSTED
- Assessing ASB5 notifications (Asbestos removal works)
- Devising material to help businesses comply with the Law and good practice
- Website maintenance and design

### *Reactive*

- Investigating reported accidents, diseases and dangerous occurrences
- Responding to complaints and requests for service
- Planning/ building control applications

## 3.4 Delivering the Health and Safety Service

The service is delivered both in and out of normal office hours to ensure premises are inspected whilst they are operational and late night visits will be undertaken where required. The Environmental Health Service runs an emergency out of hours call out service, through which requests for emergency action will be received.

Environmental Health Services have a general enforcement policy approved by the council which has a health and safety appendix. All enforcement action will be taken in line with this policy. In addition there are comprehensive procedures available to ensure consistency of service.

## **4 Service Delivery**

### **4.1 Legal Requirements upon the Service**

The Section 18 Standard sets out the requirements which HSE and Local Authorities are obliged to comply with in making 'adequate arrangements for enforcement'. This standard has legal status, and requires Local Authorities to perform their duties as enforcing authorities in accordance with the Section 18 Standard and the Regulators Code of Conduct.

### **4.2 Inspection Programme**

Interventions are targeted on activities that give rise to higher risks or where the hazards are least well controlled, with the aim of maximising their impact on improving health and safety outcomes. Interventions are also designed to stop those that seek economic advantage from non-compliance (e.g. rogue traders)

The Health and Safety Executive in association with Local Authorities have agreed a set of national priority topic areas that have been taken into account in setting this years County workplan. Local priorities have also been identified which represent areas of local concern. These topic areas are chosen to ensure that high risk activities are prioritised for attention by the Service.

The Northamptonshire Health and Safety Liaison Groups Workplan for 2014/15 includes the following topic areas to be targeted;

#### **National**

- Asbestos
- Petting Farms
- Liquefied Petroleum Gas (LPG)
- Legionella
- Hot Water Systems

#### **Local**

- Gas Safety (Particularly within catering premises)
- Workplace Transport (Looking at Behavioural issues)
- Slips and Trips within residential / care homes
- Public events (If within the Authority's area and relevant)
- Enhancing Information Available to Local Businesses
- Infection risks potentially associated with tattoo premises (with a view to developing a local award scheme)
- Violence associated with the night time economy
- Health and Wellbeing within the workplace

These topic areas were chosen since they represent significant risk in relation to either the number of accidents reported across the county or due to the severity of those accidents which are reported. Local intelligence has also been used, for

## Health and Safety Service Plan 2014/15

---

example gas safety has been included since previous projects within catering premises around tandoori ovens highlighted a number of serious concerns.

Premises will be targeted for a health and safety intervention according to their risk rating and those businesses within category A will be given priority for inspection since they represent the highest risk. During these interventions the above topic areas will be covered. For premises falling within categories B1-C (lowest risk) non-inspection interventions are considered acceptable. Officers will decide upon the most suitable type of interventions taking into account a number of factors.

Interventions will include:

- Targeted topic interventions
- Accident investigations
- Provision of seminars or awareness days
- Self-assessment questionnaires
- Provision of information or mail-shots specific to particular risks associated with the main work activity
- Complaint investigations

Decisions on the required enforcement action to be taken following a health and safety intervention will only be taken after consulting the enforcement policy and where appropriate after completing the Enforcement Management Model to ensure consistency and fairness.

### **4.3 Better Regulation**

The Government has made a commitment to cut red tape to lift the regulatory burdens on businesses. Efficient and effective local regulation will play a key role in ensuring that the reduction of regulation really does translate into a reduction in the burden on businesses at a local level.

Northamptonshire Environmental Health Heads of Service Groups, including the County Health and Safety Liaison Group have responded to this by again identifying “better engagement with businesses” as a key cross cutting project in the 2014/15 County Workplans.

The project commenced in 2013 in association with the Better Regulation Delivery Office (BRDO) who committed funding to the project.

The project is seeking to develop ways for regulators to work with and support businesses, to encourage economic growth. During 2013 a Regulators event was held to identify burdens placed upon businesses by other regulators. This work will be developed during 2014/15. A Trading Places event is to be held, during which regulators will visit businesses to identify their perceptions of local regulation. This work will allow officers to ensure that support is effectively targeted to individual circumstances.

# Health and Safety Service Plan 2014/15

---

It is proposed that the project will seek to enhance relationships through:

- Seeking to reduce the regulatory burden on businesses
- Promotion of two way communication between businesses and regulatory services
- Improving the business perception of regulators
- Supporting regulators to find the right balance between encouragement, education and enforcement
- Developing a joint offer of support from regulatory services for businesses
- Building trust of both regulators and businesses
- Feeding back to government on how to do things better for both businesses and regulators

The project is initially focusing on small and medium sized food businesses. The Health Protection Team will fully engage with this project as it progresses

## 4.4 Performance Indicators

The service has internal performance indicators designed to measure the effectiveness of the service;

| Reference | Indicator Description  | Target |
|-----------|--|--------|
| W38       | Number of pro-active Health & Safety at Work interventions undertaken (Including 100% of category A inspections) | 100    |
| W41       | Number of reactive Health & Safety at Work visits undertaken including re-visits and accident investigations     | 100    |
| W128      | Number of food hygiene and health and safety courses undertaken  | 3      |
| W129      | % response to requests for service within 2 working days   | 95%    |

## 4.5 Achievements During 2013/14

The below achievements represent work undertaken between April 2013 and February 2014

1. Carried out 89 preventative inspections based on the priority topics within the year. We also undertook 74 reactive interventions to secure compliance with legislation.
2. Responded to 98% of service requests within 2 working days.
3. Investigated and took appropriate action in response to 69 accidents and incidents reported under the Reporting of Injuries Disease and Dangerous Occurrence Regulations 2013 (RIDDOR).

## Health and Safety Service Plan 2014/15

---

4. Investigated 22 complaints about health, safety and welfare and took appropriate action.
5. Served 1 improvement notice and 4 Prohibition Notices on 4 premises.
6. The priority this year for pro-active interventions has been the identification of poorly maintained gas systems, which identified a risk to employees and customers. This targeted project has significantly raised the standards of gas safety within local catering businesses.
7. Implemented the nationwide Regulators' Development Needs Analysis (RDNA) which is a competency and development framework designed to assess health and safety enforcer competence and to ensure Enforcement Officers have the right skills for the job. A training programme was designed for each authorised officer and appropriate training has been undertaken, utilising free or low cost training provided by the HSE or the Northamptonshire Health and Safety Liaison group as part of the partnership approach.
8. Production of a report for Coroners Court following a workplace fatality investigation, which resulted in a narrative verdict. Following recommendations made by this section to the Coroner, a letter has been sent from the Coroners Office to the Institute of Engineering and Technology requesting that guidance is issued to the electrical engineering trade concerning the selection and use of cable ties.

### **4.6 Working with others**

Businesses now have the right to form a statutory partnership with a single local authority, which then provides robust and reliable advice for other councils to take into account when carrying out inspections or dealing with non-compliance. The Health Protection Service works in Partnership with neighbouring and other local authorities through the 'Primary Authority' scheme. The effect of 'Primary Authorities' on the regulation of multiple site businesses is beginning to grow. There are a growing number of partnerships and inspection plans which we must now take into account.

The Licensing Section is now part of Health Protection and the two sections are working very closely together. The team have started to undertake licensing visits at the same time as other enforcement visits representing a more efficient use of resources.

Smoking enforcement visits within business premises and commercial vehicles are undertaken during routine intervention visits.

Officers also comment on the safety aspects of planning permission and building control applications where appropriate including applications for smoking shelters.

## Health and Safety Service Plan 2014/15

---

The Flexible Warrant arrangements have been endorsed by Committee for partnership working across boundaries with the HSE and the other Northamptonshire Regulatory Authorities which will allow better use of scarce joint resources.

# Health and Safety Service Plan 2014/15

---

## 5 Resources

### 5.1 Financial Allocation

The salary budget for the Health Protection team is around £251,000 for the financial year 2014/15 which includes the other functions of the team such as Food Safety Enforcement, Infectious Disease control, and Health Promotion, of which around 35% will be allocated to Health and Safety Enforcement activities.

The remaining budgets are shown below;

| Account Description                     | 2014/15 Budget |
|---|----------------|
| Equipment, Furniture and Materials      | £50            |
| Staff Clothing                          | £150           |
| Printing Stationary and Office Supplies | £400           |

### 5.2 Staff Allocation

The Health Protection team consists of 8 members of staff. At the time of writing this plan there are 1.95 Full Time Equivalent (FTE) officers for the health and safety function including smoking enforcement. The above calculations can be broken down into officers as detailed below:

|                                     |          |
|-------------------------------------|----------|
| Health Protection Manager           | 0.20 FTE |
| Senior Environmental Health Officer | 0.20 FTE |
| Senior Environmental Health Officer | 0.15 FTE |
| Senior Health and Safety Officer    | 0.80 FTE |
| Health Protection Officer           | 0.35 FTE |
| Service Support Officer             | 0.10 FTE |

## **6 Quality Assessment**

### **6.1 Quality Assessment**

Borough Council of Wellingborough recognises the need to measure the effectiveness of its health and safety enforcement duties. Auditing, peer review and external monitoring are seen as parts of this process to ensure that its procedures result in high quality, consistent inspections. The interpretation and action taken by Officers following an inspection should also be consistent within the Authority.

The authority's current level of compliance with the HSEs updated Section 18 guidance has been assessed and an action plan has been formulated.

### **6.2 Qualifications and Training**

The Authority will ensure that it only appoints appropriately qualified and experienced personnel to health and safety enforcement duties. The level of authorisation given will be appropriate to the training and experience of each individual officer.

The training needs of officers are identified during the appraisal process known as Performance Development Review (PDR) and during completion of the Regulators Development Needs Analysis (RDNA). An individual training programme is developed once this process is complete. It is the policy of the Council to ensure that officers receive adequate training to fulfil their training needs. This will be provided through a combination of commercial courses, those provided by the HSE, Northamptonshire Health and Safety Liaison Group and internal training.

The Authority will have regard to the competencies defined in Regulators Development Needs Analysis Process when assessing the competency of its Officers. Where an Officer cannot be shown to achieve the standard in all areas, the Authority will ensure that that Officer is supervised by an Officer who does possess these competencies.

The department adheres to section 18 guidance under Health and Safety at Work etc. Act 1974.

### **6.3 Procedural Documents**

Borough Council of Wellingborough operates a system of procedural documents for key areas of health and safety enforcement. These are issued in a controlled document format and are regularly reviewed.



### **6.4 Standard Letters**

Where appropriate officers involved in health and safety enforcement are issued with standard phrases and standard letters to ensure consistency.

To ensure we are responsive to customer needs, and to ensure we attain our agreed performance standards, we survey service users to gauge our performance. As part of this process customer satisfaction forms are sent out on occasion throughout the year to those who receive a health and safety intervention to assess duty holders satisfaction with our service.

## **7 REVIEWS**

### **7.1 Review against the Service Plan**

The performance of the service against the Service Plan is internally monitored monthly.

The Health and Safety Service Plan and procedure documents are reviewed annually. The authority takes part in peer review processes as appropriate, the results of which inform the review process and bring about improvements in service as appropriate.

### **7.2 Identification of Variations from the Service Plan**

Any shortfalls from targets noted during the year are reviewed on a monthly basis to see:

- What factors have caused the variation to take place and
- Whether additional resources are needed to rectify the variation and achieve the annual targets.

Significant shortfalls are reported to the Head of Service and actions needed to resolve the problem are then agreed. This action can include

- Prioritisation of work, with lower risk inspections and other low priority work delayed, carried out in some other way or dropped from the work plan for the year as appropriate
- Staff reallocated from other duties in the short term to resolve any shortfalls that are regarded as a priority.
- Any shortfalls in inspections that have not been resolved by the end of each year are carried forward.

### **7.3 Areas for Improvement**

As part of the review process, areas for improvement will be identified, covering:

- Improvements to response times as part of the performance indicator reporting.
- Improvements in efficiency, effectiveness and economy.
- A commitment to working with other authorities and partners to ensure a consistent approach to the project priority inspection programme through the Northamptonshire Health and Safety Liaison Group to reduce accidents and ill health statistics.
- Improvements in working practices, to improve efficiency and the quality of service.
- New projects or initiatives to improve the overall quality of safety in workplaces in the area or to raise the awareness of the general public.

### 7.4 Future considerations

The HSE is currently consulting upon its draft National Local Authority Enforcement Code. This code will replace current Section 18 guidance. Once this code is introduced all health and safety enforcement officers will be required to give regard to the contents of this code. The Code has been developed in response to the Löfstedt review and the governments red tape challenge on health and safety. The HSE will be given a stronger role in directing local authority health and safety inspection activity, to ensure local authority regulators take a consistent and proportionate approach to enforcement.

The draft code details a new approach which allows a business operating in a lower risk sector which believes that they have been unreasonably subject to a proactive health and safety inspection by a local authority, to complain to an Independent Regulatory Challenge Panel. This panel also investigates complaints over enforcement action taken by local authorities. The local authority will be obliged to comply with the findings of this panel.

Internal procedural documents will be reviewed to ensure that they reflect nationally published guidelines.

There will be an expectation that local authorities will regularly publish data on their health and safety inspections. Procedures will be put in place to publish health and safety enforcement activity.

Government reforms over health and safety, the HSE Strategy – ‘The Health and Safety of Great Britain \ Be part of the solution’, and the ‘Sensible Risk Management Campaign’ along with other documents will be kept under review and incorporated into practice as required. The Section is committed to improving health and safety standards in accordance with this strategy.

# Health and Safety Service Plan 2014/15

---

## **Glossary of Terms**

BRDO - Better Regulation Delivery Office

CIEH - Chartered Institute of Environmental Health

EHO - Environmental Health Officer

FTE - Full-time equivalent

HELA - Health & Safety Executive/Local Authorities Enforcement Liaison Committee

HSE - Health and Safety Executive

JSNA – Joint Strategic Needs Assessment

LPG - Liquefied Petroleum Gas

PHE Public Health England

RDNA - Regulators' Development Needs Analysis

RIDDOR - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995