

**Harlow Council  
Environmental Health  
Health and Safety Service Plan  
2018 - 2020**

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## **INTRODUCTION**

This Health and Safety Service Plan is produced by Harlow Council's Commercial Team within Environmental Health in response to the Health and Safety Executive's mandatory guidance produced under section 18 of the Health and Safety at Work etc. Act 1974. The plan is intended to inform residents and the business community of Harlow of the arrangements Harlow Council have in place to regulate health and safety at work.

The primary function of the Commercial Team is to provide education and advice to businesses in Harlow to help them comply with the requirements of the legislation. It provides this support in partnership with the Health and Safety Executive.

Where businesses fail to comply with the advice given and fail to provide a safe working environment for employees and the public at large, then the Commercial Team will use its enforcement policy to protect them, and in doing so provide a fair and even playing field in which businesses can operate.

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 Harlow. It also potentially gives an unfair advantage to those who might ignore the law. In 2017/18, in the U.K 144 workers were killed at work. Also in the U.K nearly 2,600 people died from mesothelioma in 2016. Furthermore, in the UK, a further 73,000 people suffered a formally reportable work related injury.

There is also the impact on the economy. Around 30 million working days were lost in 2016/17 due to the consequences of accidents at work and work –related ill health. Looking at the finances, it is estimated that the annual cost to society of work related accidents and ill health is an estimated £15 billion in 2016/2017.

Whilst the Commercial Team offers a full range of education, advice and enforcement duties under the Health and Safety at Work etc. Act 1974, it does not offer this on premises operated by the Council.

The Council employs staff independently to offer advice to the Council and any enforcement is undertaken by the Health and Safety Executive.

<p><b>1.0.0 SERVICE AIMS AND OBJECTIVES</b></p> <p><b>1.1.1 Aims and Objectives</b></p>   <p><b>1.1.2 Key Aim</b></p>   <p><b>1.1.3 Objectives</b></p>	<p>The objectives of the Health and Safety at Work etc. Act 1974 are:</p> <ul style="list-style-type: none"> <li>• securing the health, safety and welfare of persons at work;</li> <li>• protecting persons other than persons at work against risks to health or safety arising from work activities;</li> <li>• controlling explosive, highly flammable or dangerous substances;</li> <li>• controlling the emission of noxious or offensive substances from prescribed classes of premises.</li> </ul> <p>To protect the health, safety and welfare of people who may be exposed to risks from work activities within the District of Harlow, including employees and members of the public, by continuing to secure improvements to the working environment and by promoting the health of the population. Priority will be given to interventions that form part of the National Local Authority Enforcement Code. See Appendix A for National Code priorities.</p> <ul style="list-style-type: none"> <li>• To raise standards of health, safety and welfare in Harlow using a risk-based enforcement strategy and through participation in major campaigns. These campaigns are combined education and inspection initiatives.</li> <li>• To establish and maintain an up-to-date register of all premises in the district for which the Council is the Health and Safety Enforcing Authority.</li> <li>• To select premises where we can have the most impact we will ensure that the highest risk premises are identified for interventions in Harlow. These will be identified through the current priority planning process, through national targeting work undertaken by HSE and through the effective use of local knowledge about employment poor performers and rogue employers.</li> <li>• To raise health and safety awareness of employers and employees, in line with local strategies and the HSE National Code.</li> <li>• To deal with all accident notifications, service requests and enquiries concerning matters of health and safety and respond to within 5 working days.</li> </ul>
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<p><b>1.2.0 Links to Corporate Objectives and Plans</b></p>	<ul style="list-style-type: none"> <li>• To develop support initiatives for small to medium sized businesses providing information and assistance on health and safety legislation.</li> <li>• The service is also committed to the Health and Safety Executive's (HSE) Strategy for Workplace Health and Safety in Great Britain to 2010 and beyond and the "Local Authorities and HSE Working Together Strategic Programme". The principal aim of the programme is a more effective use of HSE and Local Authority resources collectively in reducing accidents and ill health at work.</li> <li>• To comply with all new legislative requirements imposed on Harlow Council regarding the enforcement of Health and Safety at Work.</li> <li>• To develop standard procedures/practices in light of new legislation and guidance from the HSE.</li> <li>• To complete and submit statistical returns, on time, accurately and to the HSE requirements.</li> <li>• To actively support Essex Health and Safety Liaison Group.</li> </ul> <p>The Health and Safety Service Plan along with all other Council services is included within the corporate planning process. This includes the 2020 Community Plan, Corporate Plan 2018/19 – 2020/21, the Place Service Plan and Individual Personal Performance Plans.</p> <p>For the purposes of the HSE this document is referred to as the 'Health and Safety Service Plan'. Within the organisation of Harlow Council this plan would be referred at as a 'Team Plan'. The corporate hierarchy places this Team Plan between the Place Service Plan and Personal Plans.</p> <p>Team Plans are used to develop the Council's Personal Performance Plans to assist in identifying key objectives for staff in the forthcoming year.</p>
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All Service Heads as part of this process are required to produce an Annual Service Plan, which is presented to the Corporate Management Team. Performance indicator returns (both national and local) have been in place for a number of years and are annually reviewed.

Harlow Council's Statement of Intent, focuses on the Council's priority aims and objectives, and represents the Council's top-level policy document outside of the 2020 Vision. This corporate vision forms the philosophy that drives everything Harlow Council does and provides a framework for Service planning and delivery.

The Council has an agreed Corporate Plan that sets out how the Council is going to tackle local people's priorities and improve services.

The Corporate Plan Priorities 2018/19 – 2020/21 are:

- More and better housing;
- Regeneration and a thriving economy;
- Wellbeing and social inclusion;
- A clean and green environment;
- Successful children and young people.

The Health and Safety Service contributes directly to the Corporate aims in the following ways:

- Health and Safety is a prerequisite of health. Safe and healthy workplaces prevent accidents;
- The Service focuses on protecting the public and promotes health and safety in Harlow;
- By helping to create economic prosperity and sustainability ensuring a prosperous economic future for local business that can compete on a level playing field;
- By working in partnership with other agencies and services aimed at improving the quality of life, health, safety and well being of the citizens of Harlow;
- Providing life-long learning through advice to business and dissemination of information to consumers, enabling

<p><b>1.3.0 Central Government Impact</b></p>	<p>everyone to realise their full potential and make informed choices about Health and Safety issues;</p> <ul style="list-style-type: none"> <li>• Reducing crime through the investigation of complaints and proactive inspection;</li> <li>• Proprietors of commercial properties are consulted and involved concerning inspection of their properties.</li> </ul> <p>The Health and Safety Service will continue to adapt any strategies and related policies it implements around various key documents as developed by Central Government. These policy documents include:</p> <ul style="list-style-type: none"> <li>• Open Public Services White Paper <a href="https://www.gov.uk/government/organisations/open-public-services">https://www.gov.uk/government/organisations/open-public-services</a></li> <li>• Reducing Regulation Made Simple <a href="http://webarchive.nationalarchives.gov.uk/20110526141622/http://www.dius.gov.uk/assets/biscore/better-regulation/docs/r/10-1155-reducing-regulation-made-simple.pdf">http://webarchive.nationalarchives.gov.uk/20110526141622/http://www.dius.gov.uk/assets/biscore/better-regulation/docs/r/10-1155-reducing-regulation-made-simple.pdf</a></li> <li>• Priority Regulatory Outcomes: A New Approach to Refreshing the National Enforcement Priorities for Local Authority Regulatory Services <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/262621/11-1469-pro-report.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/262621/11-1469-pro-report.pdf</a></li> <li>• No Stone Unturned. In Pursuit of Growth <a href="https://www.gov.uk/government/publications/no-stone-untuned-in-pursuit-of-growth">https://www.gov.uk/government/publications/no-stone-untuned-in-pursuit-of-growth</a></li> <li>• The Public Health Outcomes Framework for England, 2018-2020</li> <li>• Reclaiming health and safety for all: An independent review of health and safety legislation. <a href="https://www.gov.uk/government/publications/reclaiming-health-and-safety-for-all-lofstedt-report">https://www.gov.uk/government/publications/reclaiming-health-and-safety-for-all-lofstedt-report</a></li> <li>• Regulators Code <a href="https://www.gov.uk/government/publications/regulators-code">https://www.gov.uk/government/publications/regulators-code</a></li> <li>• Helping Great Britain Work Well <a href="http://www.hse.gov.uk/strategy/">http://www.hse.gov.uk/strategy/</a></li> <li>• Health and Safety Executive Business Service Plan 2018-2019 <a href="http://www.hse.gov.uk/aboutus/strategiesandplans/businessplans/plan1819.pdf">http://www.hse.gov.uk/aboutus/strategiesandplans/businessplans/plan1819.pdf</a></li> </ul>
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<b>2.0.0 BACKGROUND</b>	
<b>2.1.0 Profile of the Harlow District</b>	<p>Harlow is almost entirely urban area surrounded by rural areas controlled by Epping Forest District Council and East Hertfordshire District Council.</p> <p>As a 'new' Town, the majority of its buildings and infrastructure are post 1947. There are a few small pockets of older development most notably the area known as Old Harlow. The 2011 Census of England and Wales confirmed that Harlow's population was 81,944. The town's population is estimated to rise to 89,720 by 2021. Harlow is a multi-cultural community with one of the highest percentages of ethnic minorities in Essex.</p> <p>The town is segregated into residential and commercial/industrial areas. The industrial areas employ large numbers of people, a significant number of whom travel from outside Harlow. The London to Cambridge railway line and M11 motorway both pass through the district, providing good communication links with London, M25 and Stansted Airport.</p>
<b>2.2.0 Organisational structure</b>	<p>The health and safety service forms part of the Environmental Health Service that is managed by the Environmental Health Manager, who in turn reports to the Environment &amp; Licensing Manager. The Environmental Health Service is part of Place. (Environmental Health, Licensing, Streetscene, Planning and Building Control, Properties and Estates, Facilities and Projects)</p> <p>The management structure is available on the following link:</p> <p><a href="https://www.harlow.gov.uk/sites/harlow-cms/files/files/documents/files/Harlow%20Council%20Management%20Structure%20January%202019.pdf">https://www.harlow.gov.uk/sites/harlow-cms/files/files/documents/files/Harlow%20Council%20Management%20Structure%20January%202019.pdf</a></p> <p>The Health &amp; Safety Service is a function of the Environmental Health Commercial Team which consists of: 1 Environmental Health Manager, a small proportion of whose time is undertaking Commercial duties, 1 Principal Environmental Health Officer</p>



<p><b>2.3.0 Scope of the Health and Safety at Work Enforcement Service.</b></p>	<p>(PEHO), 3 P.T SEHO's and 1 PT Administration / Technical Support Officer (TSO). The PEHO provides technical advice and support in complex cases, undertakes co-ordination, inspections of high risk premises and carries out monitoring on behalf of the Environmental Health Manager. The S/EHOs undertake the planned programmed Health and Safety inspections within Harlow; investigate a wide variety of complaints; provide advice to consumers/businesses, enforcement activities and accident investigations. A significant proportion of each officer's time is allocated to other functions such as food safety enforcement, investigation of infectious diseases, animal welfare and special treatments.</p> <p>The Council provides a service to both employers and employees of commercial premises, and the general public who may be affected by work activity within Harlow. The responsibility for health and safety enforcement within commercial premises in the District is shared between the Health and Safety Executive and Harlow Council. This responsibility is determined by statutory legislation (The Health and Safety (Enforcing Authority) Regulations 1998) and is established on the basis of the "main activity" carried out at the premises (HELA LAC 23/15 provides guidance on the allocation of premises).</p> <p>Establishing effective partnerships with others in government offices, voluntary organisations and businesses are seen as vital to deliver the service in an effective and comprehensive manner. The officers seek to develop existing arrangements and establish new ones where service provisions within existing resources can be improved.</p> <p>Harlow Council has the responsibility for enforcing the provisions of the Health and Safety at Work etc. Act 1974, and health and safety regulations made under the Act in approximately <b>1124</b> commercial premises located within the District. Due to the number of new developments in the District, this figure is likely to increase in the next few years.</p> <p>Examples of premises in which we are responsible for health and safety enforcement are detailed as follows:</p> <ul style="list-style-type: none"> <li>• Sale or storage of goods for retail or wholesale distribution (e.g. catering premises, retail shops and warehouses);</li> <li>• Offices;</li> <li>• Residential accommodation in Non-Domestic premises (e.g. residential care homes);</li> <li>• Consumer services provided in a shop (e.g. tool hire, hairdressers);</li> <li>• Care, treatment, accommodation of animals (e.g. pet shops, boarding establishments);</li> </ul>
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<p><b>2.4.0 Demands on the Health and Safety at Work Enforcement Service</b></p>	<ul style="list-style-type: none"> <li>• Pre-school childcare, playschool or nurseries (excludes educational establishments);</li> <li>• Cosmetic services and therapeutic services (e.g. tanning salons, nail bars and skin piercing);</li> </ul> <p>Proactive inspections and non-inspection interventions- Commercial premises, rated in the A category, or inspection in relation to the National Code to check on health and safety standards to promote safe practices and secure compliance with the law. Enforcement is focused on particular hazards or sectors where the greatest action will be necessary, to contribute to the HSE's Strategy. Non-inspection interventions also include targeted contact to educate, advise or engage dutyholders. In 2017/2018, <b>268</b> inspections or interventions were carried out.</p> <p><b>Health and Safety Investigations</b> - Investigation of all complaints relating to health and safety received from employers, employees and the general public. In 2017/2018, <b>21</b> such investigations were carried out.</p> <p><b>Accident Investigation</b> - Investigation of RIDDOR accident notifications. In 2017/2018, <b>56</b> accidents were notified to us.</p> <p><b>Special Treatment Registrations</b> - The Local Government (Miscellaneous Provisions) Act 1982 Part 8 requires that skin piercing shall be registered with the local Council. Skin piercing treatments include; acupuncture, tattooing, semi permanent make-up, microblading, ear and body piercing, and electrolysis. In very recent years there has been a significant increase in the demand for cosmetic treatments and there has been a number of emerging treatments such as microblading. This is a tattooing technique in which a small handheld tool made of several tiny needles is used to add semi-permanent pigment to the skin. Since the 1 January 2016 the team has registered a further 24 practitioners for skin piercing activities. These include;</p> <ul style="list-style-type: none"> <li>• 7 tattooists</li> <li>• 9 microblading / semi-permanent make up treatments</li> <li>• 6 acupuncture treatments</li> <li>• 1 electrolysis</li> <li>• 1 ear piercing</li> </ul> <p>There are <b>1124</b> commercial premises within the District of Harlow, with approximately:</p>
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<p><b>2.5.0 Accessing the Service</b></p>	<ul style="list-style-type: none"> <li>• <b>330</b> Retail shops;</li> <li>• <b>105</b> Wholesale shops, warehouses;</li> <li>• <b>223</b> Offices;</li> <li>• <b>293</b> Catering, restaurants and bars;</li> <li>• <b>10</b> Hotels and other short stay accommodation;</li> <li>• <b>14</b> Residential care homes;</li> <li>• <b>53</b> Leisure and cultural services;</li> <li>• <b>86</b> Consumer services;</li> <li>• <b>10</b> Other unclassified premises;</li> </ul> <p>Advice to Local Authorities on targeting interventions is contained in HELA Circular 67-2. This guidance explains that inspections are only suitable in the highest risk premises (A). It is expected that local authorities will undertake non-inspection interventions in premises rated B1 and B2 as part of a national priority programme (see Appendix A), local priority programme or individually during the year. For low risk premises, the provision of information and advice or a self-assessment questionnaire may be more appropriate.</p> <p>The Environmental Health Service is based on the 3<sup>rd</sup> floor of the Civic Centre, The Water Gardens. The service is accessed by:</p> <ul style="list-style-type: none"> <li>• The internet;</li> <li>• By telephone, between the hours of 9am and 4.45pm;</li> <li>• By direct call/inspection/in person at the office or on site;</li> <li>• By e-mail/letters;</li> <li>• Leaflets produced by The Service and by Central Government Agencies.</li> </ul>
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<p><b>2.6.0 Enforcement Policy</b></p>	<p>The Service has an out of hours answer phone that directs callers to the Council's 24hour Central Control number in the event of emergencies. Control has arrangements for contacting Environmental Health staff 24 hours a day.</p> <p>Details of the services provided and how to contact us are also provided on the Council's web site.</p> <p>There are two languages other than English identified as being significant within the district. These are Bengali and Cantonese. The majority of proprietors are, however, able to communicate in English or have somebody present at the premises that can translate.</p> <p>Harlow Council adopted a Health and Safety Enforcement Policy in 2003 which was approved by members. This policy is built on the principles of the European Concordat on enforcement, and gives priority to those principles.</p> <p>The Service operates according to its documented Enforcement Policy which is available upon request or on the EHS website. Any departure from the policy will be documented.</p> <p>All Health and Safety enforcement is carried out in accordance with relevant Health and Safety Legislation, Codes of Practice and other Official Guidance produced by the HSE, Home Office Circulars, and the Code for Crown Prosecutors and the Enforcement Manual Model (EMM). Enforcement will be carried out in a fair, equitable and consistent manner.</p> <p>Proprietors of Health and Safety premises and the public are given the opportunity of consulting our policies at any reasonable time. It is recognised that most businesses want to comply with the law. Officers will therefore endeavour to help businesses and others meet their legal obligations without unnecessary expense, whilst taking firm action, including serving notices and prosecution where appropriate, against those who flaunt the law or act irresponsibly. Enforcement action will always be proportional to the risk to public health.</p>
<p><b>3.0.0 SERVICE DELIVERY</b>  <b>3.1.0 Health and Safety</b>  <b>Inspections/Visits/Interventions</b></p>	<p>The Health and Safety Service provides two broad areas of work, pro-active and reactive.</p> <p><i>3.1.1 Pro-active</i></p> <p>Inspections at premises subject to Local Authority enforcement. Education of proprietors and employees, where resources permit, through guidance, information and training</p> <p>Undertaking and participating, where resources permit, in health promotion campaigns</p>

Undertaking issue specific targeted initiatives  
 Maintaining an accurate Health & Safety database  
 Liaising with other Council departments and external organisations including Planning, Building Control, Licensing, Trading Standards (Essex County Council), the CQC and OFSTED

In addition to the inspections the following health and safety work has been undertaken since April 2016 to March 2018;

1. In 2016/2017 an extensive and resource intensive accident investigation (roll cage / tail lift accident) was conducted with a National retailer. Investigation did not result in legal proceedings but following liaison with the primary authority they have made improvements, in particular, to the safe methods of work followed during store deliveries.
2. In July 2016 the quality monitoring system for improvement and prohibition enforcement notices was reviewed and updated.
3. Harlow Council successfully prosecuted G4S for failing to manage the risk of legionella. The company pleaded guilty to two offences under the Health and Safety at Work etc. Act 1974 in June 2016 and were sentenced in September 2016. The company was fined a total of 1.8 million. The Company appealed the level of sentence issued by the Crown Court but this was not upheld. The Company further appealed to the Royal Courts of Justice in July 2017 and once again this was not upheld. <http://www.yourharlow.com/2017/07/26/g4s-lose-legionnaires-appeal-in-high-court/>
4. In 2016 the team developed a 'grab bag' for serious / fatal health and safety accident investigations. This equips Officers with the necessary procedures and equipment to secure the scene and gather evidence at the early stages of the investigation.
5. In October 2016 a mailshot was sent to all gyms following an accident which occurred in Essex in 2015, which involved a piece of resistance gym equipment toppling over due to the failure of the floor fixings, causing injury to the user. The letter required all gyms to review risk assessments and inspect fixings.
6. In January 2017 Harlow Council, in partnership with regional CIEH, organised a Gas Safety in Catering training

event, speakers included staff from Gas Safe Register & HSE specialist inspectors. A total of 35 EHO's attended the event from across the region.

7. During 16/17 and 17/18 we completed a carbon monoxide project focusing on commercial catering premises using solid fuel cooking equipment. A total of 10 premises have received an inspection in relation to charcoal grills and charcoal tandoor ovens. Carbon monoxide monitoring undertaken, advice given and enforcement taken. The project also identified an illegal gas engineer that had previously been prohibited for dangerous gas work by the HSE but was still operating. The Councils Principal EHO provided evidence to the HSE that helped secure the conviction of the gas engineer who was subsequently sentenced to 12 months in prison.
8. During 16/17 an EHO from Harlow Council Chaired the Essex Health and Safety Liaison Group.
9. Following a tragic fall from height fatal accident in a warehouse in Harlow in April 2015 the Principal EHO was called to give evidence on behalf of the prosecution at the Crown Court. The hearing was held during January 2017 at the Chelmsford Crown Court. The company Directors were charged with Corporate Manslaughter and offences under the Health and Safety at Work act etc. 1974. The Company was convicted and ordered to pay fines of £660,000, in addition, the directors received 10 month and 12 month respective prison sentences.
10. In March 2017 a mailshot was sent to all caterers to raise gas safety awareness.
11. In September 2017 Harlow Council organised a transport / distribution event in conjunction with HSE. The event was hosted at a large distribution warehouse in Harlow. 21 EHO's from across the County attended.
12. During 17/18 we participated in the PHE legionella water sampling and hygiene swabbing survey in fitness premises. This included an evaluation of legionella risk assessments.

The new priority planning guidance LAC 67/2 gives much greater flexibility as to how the service can operate in terms of interventions and reduces the need to carry out mandatory "inspections" within restricted timeframes. However, it should be noted that although greater flexibility is given in terms of type/timing of intervention, every premises whatever the risk category must be reviewed periodically.

<p><b>3.2.0 Enforcement</b></p>	<p>This priority planning guidance aims to maximise the inspector's effectiveness on occupational health and safety in the workplace during a proactive inspection where necessary, or via other appropriate interventions.</p> <p>Where a health and safety intervention is due in the same financial year as a food hygiene inspection (at the same premises,) both types of intervention will usually be completed at the same time, to reduce overlap and reduce the burden on the business. Depending on risk rating this could include a full inspection; 'hazard spotting' on the premises; or provision of guidance and advice, either at the time of the visit or in the letter / information pack following the visit.</p> <p><b>3.1.2 Reactive</b>  Investigating reported accidents, diseases and dangerous occurrences  Responding to complaints and requests for service  Enforcement of legislation</p> <p>Other functions of the Commercial Team not of a Health &amp; Safety nature include:</p> <ul style="list-style-type: none"> <li>• Programmed food safety inspections, visits and licensing inspections</li> <li>• Investigation of complaints about food safety and hygiene issues and about licensing issues</li> <li>• Investigation of environmental nuisances including noise arising from commercial premises</li> </ul> <p>The Health and Safety Service endeavours wherever possible to use informal means to achieve compliance with the law. Where there is imminent risk, flagrant breaches of the law, or persistent failure to maintain standards, the Service does not hesitate to use its full statutory powers in accordance with its Enforcement Policy, and the principles of the Enforcement Concordat.</p> <p>During the year 2017/18 the following actions were carried out:</p> <table> <tr> <td>Improvement Notices:</td> <td><b>4 #1</b></td> </tr> <tr> <td>Prohibition Notices:</td> <td><b>6 #2</b></td> </tr> <tr> <td>Prosecutions:</td> <td><b>0</b></td> </tr> </table>	Improvement Notices:	<b>4 #1</b>	Prohibition Notices:	<b>6 #2</b>	Prosecutions:	<b>0</b>
Improvement Notices:	<b>4 #1</b>						
Prohibition Notices:	<b>6 #2</b>						
Prosecutions:	<b>0</b>						

<p><b>3.3.0 Accident Investigation</b></p>	<p><b>#1 improvement notices served for gas safety, tripping hazard and risk assessment of carbon monoxide from a solid fuel appliance.</b></p> <p><b>#2 prohibition notices served for falls from high risk and gas safety.</b></p> <p>Commercial premises will be inspected during normal trading hours. We recognise that certain businesses operate in the early hours of the morning, late at night and at weekends and indeed that some businesses are busiest at these times and would therefore benefit from a visit at these times, the inspection programme will include health and safety inspections outside of normal working hours where appropriate, and are agreed with the Principal Environmental Health Officer.</p> <p>Wherever it is practicable and appropriate to do so, we will combine a health and safety inspection with another visit (e.g. complaint, or a request for advice, or if the premises is due a food/licensing inspection etc.) to help make effective use of resources and to minimise disruption to business.</p> <p>All health and safety inspections will be conducted by appropriately qualified officers who satisfy the requirements of the relevant legislation and HSE Section 18 Guidance to Local Authorities.</p> <p>If we identify serious contraventions of health and safety legislation and/or poor practices during a programmed inspection and formal action is not appropriate as laid out in the enforcement policy, we will undertake a revisit to the premises after an appropriate time period to check that matters have been attended to satisfactorily. We will revisit to check compliance with all formal notices Served.</p> <p>Our main aims in undertaking independent investigations of accident notifications on behalf of members of the public or employees are:</p> <ul style="list-style-type: none"> <li>• To prevent a recurrence of the accident by securing improvements in health and safety standards, including practices and procedures;</li> <li>• The assessment of the effectiveness of existing controls;</li> </ul>
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	<ul style="list-style-type: none"> <li>The identification of specific contraventions of health and safety legislation;</li> <li>The identification of potential hazards and associated risks to employee/public health, safety and welfare;</li> <li>Provision of advice and information to employees, employers, managers and proprietors of commercial premises;</li> <li>Recommendation of practical, good health and safety practices, in accordance with subject specific codes of practice where appropriate</li> <li>Appropriate enforcement action, (proportionate to risk), to secure compliance with health and safety legislation where necessary.</li> </ul> <p>We aim to respond to all accident notifications within <b>5</b> days after receipt, or in accordance with HSE guidance.</p> <p>The depth and scope of investigation required will depend on the nature of the accident and whether the accident arose within a premise for which the Council has health and safety enforcement responsibility.</p> <p>We recognise that the majority of businesses seek to comply with the law and during 2018/2019 we will endeavor to provide such advice and assistance as may be necessary. This includes:</p> <ul style="list-style-type: none"> <li>providing businesses with details of our Enforcement Policy;</li> <li>developing and providing business information sheets, leaflets, practical information and other guides as necessary to simplify legislation and aid compliance with specific health and safety legislation;</li> <li>providing on the spot advice during routine visits and inspections;</li> <li>provision of free telephone advice.</li> </ul>
<b>3.4.0 Advice to Business</b>	
<b>3.5.0 Lead Authority Partnership Scheme &amp; Primary Authority Scheme</b>	<p>The Lead Authority Partnership Scheme is a formal recognition of the importance of the relationship between a business and the Local Authority where the relevant decision making base (i.e. head office) of the company is located. It is a scheme that is supported by the HSE, Local Authorities and a significant number of businesses, particularly large enterprises.</p>

<p><b>3.6.0 Liaison with Other Organisations</b></p>	<p>Primary Authority gives companies 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. It is the gateway to simpler, more successful local regulation.</p> <p>The Primary Authority principle is supported by the Environmental Health Service, which undertakes its role in this respect in accordance with the guidance issued by the HSE and the Department for Business, Energy &amp; Industrial Strategy. In particular, the Health &amp; Safety Service will:</p> <ul style="list-style-type: none"> <li>• Have regard to any inspection plans or advice it has received from any liaison with primary or lead authorities;</li> <li>• Having initiated liaison with any primary, home and/or originating authority, notify that authority of the outcome.</li> </ul> <p>There are currently no formal Primary Authority Agreements set up for the businesses in Harlow.</p> <p>The Environmental Health Service supports the work of the Chartered Institute of Environmental Health (CIEH). The Health and Safety Service undertakes its functions in accordance with HSE guidance and statutory codes of practice in order to promote co-ordination, consistency, and good regulation amongst all local authorities.</p> <p>A number of arrangements have been made to improve consistency of enforcement with neighbouring authorities and other agencies:</p> <ul style="list-style-type: none"> <li>• The Service attends and actively supports the Essex Health and Safety Liaison Group, the functions of which include: liaison with the HSE; coordination of enforcement approach between authorities; peer review exercises and benchmarking exercises.</li> </ul> <p>The Service also advises and liaises on the following:</p> <ul style="list-style-type: none"> <li>• Essex Health and Safety Liaison Group</li> <li>• Essex Environmental Health Managers Group</li> <li>• Liaison arrangements with Building Control, Planning, Licensing;</li> <li>• Essex Animal Welfare Group</li> </ul>
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<p><b>3.7.0 Enforcement Liaison Officer (ELO)</b></p>	<ul style="list-style-type: none"> <li>Public Health England</li> </ul> <p>The ELO is an Officer of the Health and Safety Executive (HSE), who acts as the first point of contact for deciding whose responsibility it is to enforce Health and Safety in a certain type of premises, gives general advice, and access to other HSE specialist officers. Our local ELO is based at the HSE Chelmsford office.</p>
<p><b>4.0.0 FINANCIAL RESOURCES, STAFF ALLOCATION AND TRAINING</b></p> <p><b>4.1.0 Financial Resources</b></p> <p><b>4.2.0 Staffing Allocation</b></p> <p><b>4.2.1 Competencies</b></p>	<p>Health and Safety resources are currently allocated within the overall Environmental Health budget covering food safety, occupational health and safety, health promotion, pollution (noise, air, and water), authorisation of premises under the Environmental Protection Act 1990, private sector housing and grants, contaminated land and infectious diseases.</p> <p>No budget is separately allocated for prosecutions or legal action taken as a result of action under this service. Costs are requested from the court in any prosecutions taken, by the Council's Legal Service, who act on our behalf.</p> <p>For the plan period 2018 /2019 the available staff for this Service Plan includes:</p> <ul style="list-style-type: none"> <li>0.1 Environmental Health Manager</li> <li>1 FTE Principal Environmental Health Officer - Fully competent for all health and safety activities;</li> <li>1.9 FTE Senior/Environmental Health Officer (S/EHO) - Fully competent for all health and safety activities;</li> <li>0.5 FTE Technical Support Officer (Administration) (TSO) - Not formally competent in health and safety matters.</li> </ul> <p><b>This staffing allocation is not solely for this Service Plan. These officers also carry out duties enforcing food safety, animal welfare and other licensing provisions, and the investigation of statutory nuisances under the Environmental Protection Act 1990.</b></p> <p>All EHO's are appropriately qualified in accordance with Section 18 Guidance.</p>

<p><b>4.3.0 Staff Training and Development</b></p>	<p>The PEHO and S/EHO posts, are fully competent to inspect all risk categories of premises as required by law and take formal Action. The PEHO and S/EHO posts are also authorised to serve Prohibition and Improvement Notices, issue simple Cautions and instigate prosecutions.</p> <p>The Health and Safety Service continues to identify training and development needs with documented review meetings with individual staff. In addition, officers are assigned special responsibilities to develop a specialism within Commercial issues.</p> <p>Team meetings and one to one's are held with the PEHO to discuss matters and issues of consistency arising under this Service Plan area.</p> <p>All EHO's that are corporate members of the Chartered Institute of Environmental Health (CIEH) are required to undergo at least 20 hours of Continuous Professional Development (CPD) per year. Whilst officers are responsible for monitoring the amount of training they have done in a year, the Service recognises this need and supports staff in achieving the minimum amount required by the CPD scheme. Officers with Chartered Status must complete 30 hours CPD per year.</p> <p>Training needs are identified by examining:</p> <ul style="list-style-type: none"> <li>• Operational requirements arising from the Service Plan;</li> <li>• Individual needs highlighted at Personal Performance Plan review meetings;</li> <li>• The introduction of new legislation/Codes of Practice.</li> </ul> <p>How these needs are met may vary, but the typical sources of training include:</p> <ul style="list-style-type: none"> <li>• Day release courses;</li> <li>• On the job training;</li> <li>• In house short courses;</li> </ul>
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	<ul style="list-style-type: none"> <li>• External short courses and seminars.</li> </ul> <p>Training must be approved before it is undertaken and it is evaluated after the event. All training received will be documented as part of The Service's assessment competency.</p> <p>Personal Performance Plans (PPP's) are completed, implemented and reviewed.</p> <p>The HSE's Regulators' Development Needs Analysis (RDNA) Tool will be used to inform the performance review process of specific gaps in learning and development in the health and safety field.</p>
<p><b>5.0.0 QUALITY ASSESSMENT</b></p> <p><b>5.1.0 Quality Assessment</b></p>	<p>Within the framework of these documents the following activities are planned:</p> <ul style="list-style-type: none"> <li>• Internal Audits of:- <ul style="list-style-type: none"> <li>- Health and Safety Inspections <ul style="list-style-type: none"> <li>a) Post Inspection review of case records and documentation (100% of contractors' inspections are currently checked)</li> <li>b) Accompanied inspections.</li> </ul> </li> <li>- Health and Safety Enforcement <ul style="list-style-type: none"> <li>a) Prohibition Notices (100% quality monitored)</li> <li>b) Improvement Notices (100% quality monitored)</li> <li>c) Accident Investigations</li> </ul> </li> </ul> </li> <li>• External Audit:- peer review through Essex Health &amp; Safety Liaison Group.</li> </ul> <p>The Service also operates a system of peer review whereby officers carry out joint inspections to ensure a consistent</p>

	<p>interpretation of legislation, codes of practice and national guidance.</p> <p>There is also a Service Plan indicator, which monitors the response times for complaints received (health and safety complaints etc.). The target response time is 5 working days.</p> <p>Where variations from the Service Plan are noted, steps will be taken to address them. These variances will be documented and where additional “non-planned” work has met the desired objective, this will be recorded.</p>
<p><b>6.0.0 REVIEW</b></p> <p><b>6.1.0 Review against the Service Plan</b></p> <p><b>6.2.0 Areas for Improvement / Planned work for 18/19-19/20</b></p>	<p>The Service Plan will be monitored to establish that objectives have been met.</p> <p>In addition, the PEHO will evaluate:</p> <ul style="list-style-type: none"> <li>• Inspections of premises;</li> <li>• Actual resource allocation versus projected allocation;</li> <li>• Responses to complaints;</li> <li>• Reactive work, formal actions and investigations.</li> </ul> <p>A key aim of The Service is to continually improve the quality, efficiency and effectiveness of its Services.</p> <p>Where the review process identifies areas for improvement or development, these will be adopted in accordance with current in-house documented procedure, the HSE Section 18 mandatory standard, Statutory Codes of Practice and National guidance.</p> <p>Appendix A describes some of the strategic interventions that are optional in 2018/19 to 2019/2020, dependant on available resources. The interventions are based on HSE guidelines for work in the Local Authority enforced sector and have been jointly agreed with members of the Essex Health and Safety Liaison group. We will aim to select projects throughout the year dependant on resources and therefore may not participate in all.</p> <p>The following Service developments / interventions are planned for the period 2018/2019 to 2019/2020;</p> <ul style="list-style-type: none"> <li>• In January 2016 the Environmental Health database transferred from Acolaid to Uniform. A Document Management</li> </ul>

<p><b>6.3.0 Concluding Summary</b></p>	<p>System, which works alongside the Uniform database, was also implemented in 2017. The Uniform system still requires further development to ensure it can meet all Service needs and to improve management systems. (ongoing)</p> <ul style="list-style-type: none"> <li>• Review the existing team enforcement policy to ensure it reflects national and local policy and guidance. (ongoing)</li> <li>• Develop the Idox Uniform Enterprise IT application. The Enterprise system is a management tool which helps ensure high quality service delivery. (ongoing)</li> <li>• Review accident investigation grab bag. (completed)</li> <li>• Undertake a review of all the premises registered under the 'Notification of Cooling Towers Evaporative Condensers Regulations 1992'. <i>(completed April 2018)</i></li> <li>• Support a Senior EHO in attaining the highly respected NEBOSH Health and Safety Diploma. (ongoing)</li> <li>• On 11<sup>th</sup> October 2018 we organised and hosted a training course on Beverage Gas Safety for Local Authority EHOs from across Essex. 30 delegates attended and 13 Essex Authorities were represented. The half day course provided practical information; hazard spotting and risk assessment requirements for cellar and beverage gases, a National Priority topic for H&amp;S targeted interventions in LAC 67-2. The speaker was Simon Fisher from GasCon who has worked with the HSE and other local authority regions training in this field. Following on from the training Harlow is intending to send a mailshot to relevant local businesses to raise awareness of the potential hazards, explain how to seek advice on suitable control measures and outline their legal duties in relation to this topic area. Compliance can then be assessed at future interventions, once awareness has been raised and the business has had an opportunity to take appropriate action.</li> </ul> <p>The Councils Health and Safety Service remains committed that this Service Plan will allow for the diverse and wide reaching effects of Health &amp; Safety regulation to be applied proportionately, take action against those who fail to do so whilst protecting employees, customers, residents and others. Respecting the continued value of joined up working across all Health and Safety Services in the region as well as continuing to deliver its work plan in partnership with Central Government departments and key agencies and organisations within the Consumer Landscape, together with legitimate businesses.</p>
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	Local Government continues to undergo significant resource pressures and the Service has clearly recognised this and continues to do so, emphasising the need to adapt to the challenges presented by the new and evolving regulatory landscape of the future.
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# APPENDIX A

**List of activities/sectors for proactive inspection by LAs<sup>1</sup> – only these activities falling within these sectors or types of organisation should be subject to proactive inspection**

No	Hazards	High Risk Sectors	High Risk Activities
1	Legionella infection	Premises with cooling towers/evaporative condensers	Lack of suitable legionella control measures, including premises that have: <ul style="list-style-type: none"> <li><input type="checkbox"/> Not yet demonstrated the ability to manage their legionella risk in a sustained manner, includes new cooling towers/evaporative condensers, or</li> <li><input type="checkbox"/> Relevant enforcement action in the last 5 years and have not yet demonstrated sustained control of legionella risk.</li> </ul>
2	Explosion caused by leaking LPG	Communal/amenity buildings on caravan/camping parks	Caravan/camping parks with poor infrastructure risk control/management

		with buried metal LPG pipework	of maintenance
3	E.coli/ Cryptosporidium infection esp. in children	Open Farms/Animal Visitor Attractions <sup>2</sup>	Lack of suitable micro-organism control measures
4	Fatalities/injuries resulting from being struck by vehicles	High volume Warehousing/Distribution <sup>3</sup>	Poorly managed workplace transport
5	Fatalities/injuries resulting from falls from height/ amputation and crushing injuries	Industrial retail/wholesale premises <sup>4</sup>	Poorly managed workplace transport/ work at height/cutting machinery /lifting equipment
6	Industrial diseases (occupational deafness/ occupational lung disease - silicosis)	Industrial retail/wholesale premises <sup>4</sup>	Exposure to excessive noise (steel stockholders). Exposure to respirable crystalline silica (Retail outlets cutting/shaping their own stone or high silica content 'manufactured stone' e.g. gravestones or kitchen resin/stone worktops)
7	Occupational lung disease (asthma)	In-store bakeries and retail craft bakeries where loose flour is used and inhalation exposure to flour dust is likely to frequently occur i.e. not	Tasks where inhalation exposure to flour dust and/or associated enzymes may occur e.g. tipping ingredients into mixers, bag disposal,

		baking pre-made products.	weighing and dispensing, mixing, dusting with flour by hand or using a sieve, using flour on dough brakes and roll machines, maintenance activities or workplace cleaning.
8	Musculoskeletal Disorders (MSDs)	Residential care	Lack of effective management of MSD risks arising from moving and handling of persons
9	Falls from height	High volume Warehousing/Distribution <sup>3</sup>	Work at height
10	Manual Handling	High volume Warehousing/Distribution <sup>3</sup>	Lack of effective management of manual handling risks
11	Unstable loads	High volume Warehousing/Distribution <sup>3</sup>	Vehicle loading and unloading
12	Crowd management & injuries/fatalities to the public	Industrial retail/wholesale premises <sup>4</sup> Large scale public gatherings e.g. cultural events, sports, festivals & live music	Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue
13	Carbon monoxide	Commercial catering	Lack of suitable ventilation

	poisoning	premises using solid fuel cooking equipment	and/or unsafe appliances
14	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling e.g. betting shops/off-licences/hospitality <sup>6</sup> ) and where intelligence indicates that risks are not being effectively managed	Lack of suitable security measures/procedures. Operating where police/licensing authorities advise there are local factors increasing the risk of violence at work e.g. located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign
15	Fires and explosions caused by the initiation of explosives, including fireworks	Professional Firework Display Operators <sup>7</sup>	Poorly managed fusing of fireworks

<sup>1</sup> See LAC 67/2 (rev 7) for guidance on the application to certificated petroleum storage sites.

<sup>2</sup> Animal visitor attractions may include situations where it is the animal that visits e.g. animal demonstrations at a nursery.

<sup>3</sup> Typically larger warehousing/distribution centres with frequent transport movements/work at height activity.

<sup>4</sup> Includes businesses such as: steel stockholders; builder's and timber merchants.

<sup>5</sup> For supermarket and other chain bakeries etc check to see if there is a Primary Authority inspection plan with more specific guidance.

<sup>6</sup> Pubs, clubs, nightclubs and similar elements of the night time economy.

<sup>7</sup> Specific guidance on the application of the Explosives Regulations 2014 to the activities of professional firework display operators is available on the HSE website - [www.hse.gov.uk/explosives/er2014-professional-firework-display.pdf](http://www.hse.gov.uk/explosives/er2014-professional-firework-display.pdf)

January 2018 Version - (for use with LAC 67-2 Rev 7)