

ENVIRONMENTAL HEALTH

**HEALTH AND SAFETY AT WORK
SERVICE PLAN**

2009/2010

11 June 2009

RYEDALE DISTRICT COUNCIL

ENVIRONMENTAL HEALTH – HEALTH & SAFETY AT WORK SERVICE PLAN 2009/10

1. SERVICE AIMS AND OBJECTIVES

1.1. Aims and objectives

- (a) To ensure that those work places for which Ryedale District Council has enforcement responsibilities have a safety culture giving the Authority confidence that those premises are safe places in which to work and visit.

In particular to:-

- (a) Maintain a robust, risk based inspection/intervention programme for Local Authority enforced premises in the district.
- (b) Provide assistance and advice to local businesses to enable them to provide safe systems of work.
- (c) Take appropriate enforcement action against those who contravene Health and Safety law in accordance with Ryedale's Health and Safety Enforcement Policy and Enforcement Policy Statement.
- (d) Investigate work place accidents and incidents promptly and efficiently and where appropriate in close co-operation with the Health and Safety Executive and other relevant bodies.
- (e) Act in accordance with all relevant guidelines issued by the Health and Safety Executive and the Health and Safety Commission,
- (f) Participate in local and national initiatives that target specific areas of concern associated with workplace safety.

1.2. Links to corporate objectives and plans.

The Health and Safety at Work Service Plan is an integral part of the Health and Environment Service Delivery Plan for 2009/10. Maintaining high standards of health and safety in the work place clearly contributes to this objective and is part of the department's annual Service Delivery Plan. This Plan sets out, within the Council's overall statement of aims and objectives, the main outputs that will be achieved in the various service areas.

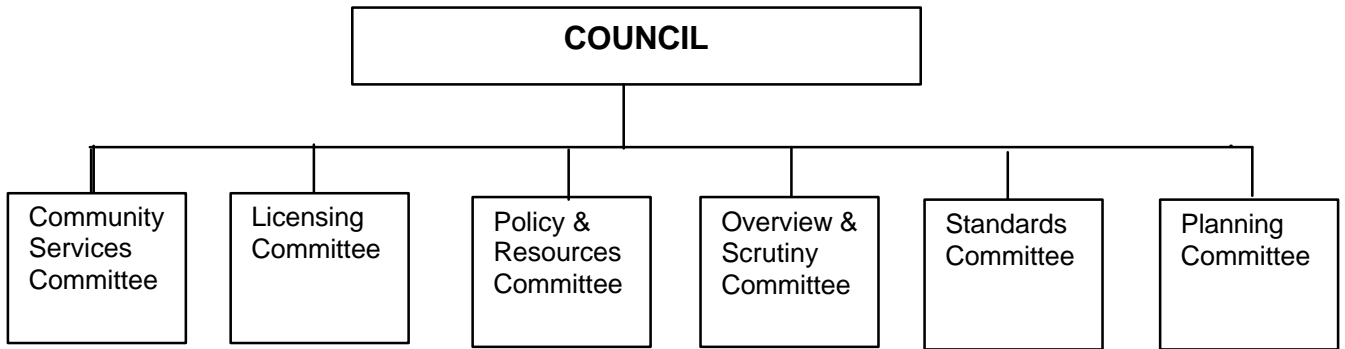
2. BACKGROUND

2.1. Profile of the local authority

A district council with a population of approximately 51,000. The area is largely rural in nature incorporating a substantial part of the North York Moors National Park. The market towns of Malton, Kirkbymoorside, Pickering and Helmsley form the main centres of population.

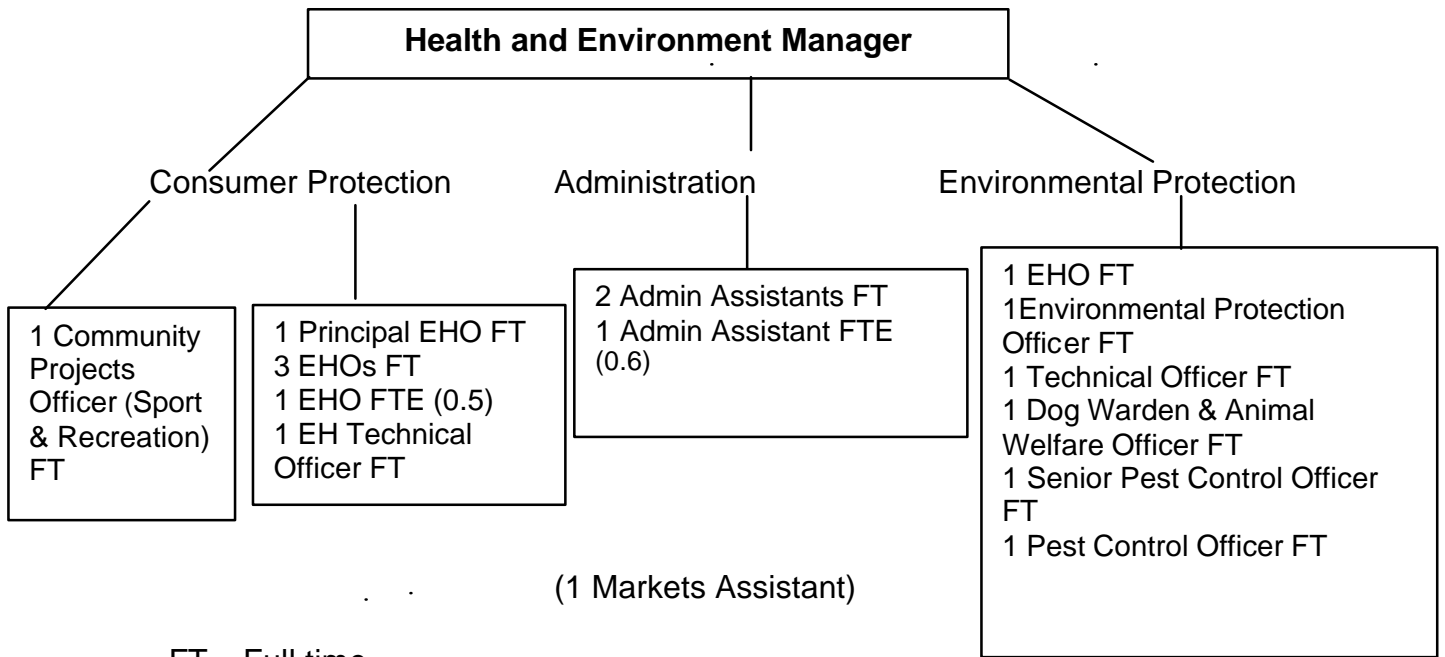
Total area in hectares - 150,966

2.2. Committee structure from May 2007



Number of Councillors - 30

2.21 Structure of Service



(1 Markets Assistant)

FT – Full time
FTE – Full time equivalent

The Corporate Management Team consists of a Chief Executive and 2 Directors heads the officer structure of the Council. The Health and Environment Manager reports to the Head of Environment and both Community Services and the Licensing Committee

Organisation within the Environmental Health Service

All the Consumer Protection staff (with the exception of the markets assistant who is attached to another service) sit together in a small defined area. All staff are provided with their own networked computer. The Principal Environmental Health Officer manages the section. Within the Service there is no officer solely dedicated to Health and Safety matters although reactive work in this field is normally routed through a particular Environmental Health Officer

The service delivery point is:	Hours of operation:	
Ryedale District Council	Monday - Thursday	8.30 - 17.00
Ryedale House	Friday	8.30 -16.30
Malton	Telephone	01653 600666
YO17 7HH	Fax	01653 600764

Out of hours: -

The Council's emergency number provides 24 hours a day contact point. Health and Safety concerns will be then passed on to the Health and Environment Manager or the Principal Officer if one or other is available - Telephone 01653 697737. Ryedale District Council's web site (www.ryedale.gov.uk) has an open enquiry page.

2.3. Scope of Consumer Protection Service

The Authority is responsible for Health and Safety enforcement issues within a range of work places the general description of which is provided in the Health and Safety (Enforcing Authority) Regulations 1998. The range of duties within the section include: -

- (a) health and safety issues;
- (b) food safety issues;
- (c) infectious disease control;
- (d) alcohol and entertainment licensing;
- (e) licensing of gambling premises and activities;
- (f) Licensing of house -to -house collections & street collections etc
- (g) the management of two retail markets; and
- (h) the licensing of a major zoological collection

With respect to health and safety the services' role is the enforcement of the provisions of the Health and Safety at Work etc. Act 1974 and its associated Regulations. This is supported by advising businesses on good health and safety practices during routine visits. Often specific information is sent out from the Health and Safety Executive on areas of national concern and officers assist in getting these important messages across.

2.4. Demands on the Health and Safety Service

- 2.41** The Authority has approximately 1100 premises for which it has an enforcement responsibility with respect to health and safety. Tourist and leisure related businesses and caterers represent a

very significant number of these premises and in consequence contribute to a high proportion of the inspection/visits undertaken.

The types of activity for which the Authority is the enforcing authority include: -

- (a) Sale or storage of goods for retail/wholesale distribution (including tyre fitting, exhausts, etc).
- (b) Office activities.
- (c) Catering activities.
- (d) Provision of permanent or temporary residential accommodation including caravan and camping sites.
- (e) Consumer services provided in a shop.
- (f) Cosmetic services e.g. saunas, solariums, skin piercing.
- (g) Practice or presentation of arts, sports, games, entertainment or other cultural/recreational activities.
- (h) Undertaking.
- (i) Church worship/religious meetings.
- (j) Child care, play group or nursery facilities.

N.B. There are specific exemptions from certain of these activities that fall to the Health and Safety Executive to inspect and enforce.

Ryedale District Council's database of health and safety premises for which the Council has enforcement responsibility was compiled during 2002 and periodically from that date premises have been added or removed as officers have become aware of changes. It had been hoped to comprehensively review the database during 2008/09 but this did not prove practicable. It is therefore hoped to undertake the exercise this year.

2.42 External factors that impact on the service

The area is popular with holidaymakers and day visitors. It is estimated 3.5 million people are attracted to the area mainly during the summer season. There is a theme park and zoo (licensed within the section) that regularly figures within the top 10 visitor attractions within the United Kingdom. The North York Moors National Park draws many visitors to the area to enjoy the recreational facilities within the Park.

2.5. Enforcement Policy

A documented health and safety enforcement policy is available to all health and safety officers. This document is to be reviewed during 2009/10. The policy is incorporated into the Health and Safety Quality Management System, which is operated collaboratively between the 8 North Yorkshire Authorities. At the time of writing it is proposed to submit the system for accreditation to ISO 9001: 2000 standards before the end of the calendar year. The Health and Safety Service embraces the principles of the Government's concordat on good enforcement and the Regulators'

Compliance Code encompassed within the services Enforcement Policy Statement.

3. SERVICE DELIVERY

3.1. Health and Safety Inspection

Health and Safety premises inspections are undertaken in accordance with a programme agreed at the start of the financial year. In addition particular premises are targeted where the national priority hazards, as identified by the Health and Safety Executive, are likely to be present. The standard of inspection must not only be mindful of all the relevant guidance/codes but also 'follow' the North Yorkshire Quality Management system that sets auditable standards common to all North Yorkshire Authorities.

A risk-rating scheme is based on advice in HELA 67/1 (rev. 3), was published in July 2004. Premises are divided into 6 categories and the frequency of inspection (like the food safety inspection system) is linked to a score given by the visiting officer. A rating is determined for each individual premises based on the following criteria:

- Safety hazard.
- Health hazard.
- Safety risk.
- Health risk.
- Welfare.
- Public risk.
- Confidence in management.

In addition, as mentioned in detail in the review section of this report, officers must now adopt an approach to their inspections, which reflect the Health and Safety Executive's principal concerns as to the cause of accidents/incidents and ill health at work.

Estimated inspection outcome for 2008/2009

Category	Frequency of Visit (in months)	Estimated No. of premises
A	12	2
B1	18	8
B2	24	24
B3	36	60
B4	60	635
C		333

It is estimated that the total number of interventions/inspections this year (2009/10) will be 250 and in addition other intervention strategies will be used for category C premises which present the lowest risk. The joint Health and Safety Executive/Local Authority Enforcement Liaison Committee encourage

such strategies. These strategies include the use of questionnaires and the monitoring of incident reports etc. In addition to traditional inspections, be they visits to premises or the use of other intervention strategies, the Health and Safety Executive (HSE) have asked Local Authorities to visit/inspect certain businesses in the hope of achieving national targets set in 2000. These targets relate to a reduction in work related ill health particularly with respect to the number of fatalities, major injuries and working days lost.

The number of proactive inspections achieved during 2008/09 was similar to previous years (187 topic based inspections were undertaken –see table under section 6) and a considerable amount of specific project work was undertaken.

Revisits to businesses are generally undertaken when the Environmental Health Officer/Technical Officer has asked for an improvement in either structural conditions or working procedures. If for example, during the investigation of an accident it appears to the officer that the event may not have occurred or the severity reduced if certain measures had been in place improvements may be required. It is anticipated that approximately 25 revisits will be made during 2009/10.

3.2. Health and Safety Complaints

The North Yorkshire Quality Management System provides guidance as to how officers should record and investigate complaints. It is anticipated there will be approximately 25 complaints and requests for service during the year.

7 complaints relating to health and safety matters were received during 2008/09. Complaints usually relate to working conditions that employees found unacceptable or concerns from members of the public visiting commercial premises in Ryedale.

3.3. Reports of Accidents and Dangerous Occurrences

The Authority receives reports of accidents and dangerous occurrences from a variety of sources and regularly accesses the RIDDOR Reporting Centre at Caerphilly. The reports are evaluated in accordance with national guidance and acted upon in accordance with the Health and Safety at Work Quality System procedures on Accident Reporting. The reports include accidents to members of the public in places where the service has enforcement responsibility.

RIDDOR ACCIDENT NOTIFICATIONS
(Reporting of Injuries and Disease and Dangerous Occurrences Regulations 1995)

Code	Reference	2007/08	2008/09
AEO1	3 day injuries – employees	13	12
AEO2	Major injuries – employees	1	4
AEO4	Fatalities – employees	0	0
AEO5	Fatalities – public	0	0
AEO6	Public taken to hospital	17*	20*
Total		31	36

* Some of these were classified as major injuries.

There were 36 reportable accidents during 2008/09 and all were investigated. Many as in previous years were as a result of trips or falls. With this cause of injury being the most common it is hoped that the continuing work by officers in this field will increase awareness of the problem and hopefully lead to a reduction in future years.

3.4. Advice to Business

The Authority is fully committed by its objective at 1.1 (ii) to provide advice and assistance to business. It is estimated that there are approximately 60 requests for advice per annum from existing and proposed businesses.

3.5. Lead Authority Partnerships

The Authority subscribes fully to the Lead Authority Partnership Scheme (now Primary Authority scheme) and its importance is recognised in the Health and Safety Quality System.

In addition the council endorsed a November 2004 Statement of Intent which is an agreement between the Health and Safety Executive and Ryedale District Council to develop an effective and coherent partnership based on the principle of making the best use of respective strengths.

No businesses have yet opted to participate in the Primary Authority Scheme, which came into force on 6 April 2009. As from this date companies have the right to form a statutory partnership with a single local authority, which is then charged with providing robust and reliable advice other councils need to take into account when carrying out inspections or dealing with non-compliance.

3.6. Liaison with other Organisations

The service is a constituent and active member of the West and North Yorkshire Health and Safety Enforcement Liaison Group. It is also an active member of the North Yorkshire Health and Safety Liaison Group, which is responsible for the production and administration of the North Yorkshire Health and Safety at Work Quality System. To ensure the Quality System is robust Inter Authority audits are conducted at all constituent authorities. Job specific training is co-ordinated by the North Yorkshire Chief Officers Training

Group. The service also interfaces with the Health and Safety Executive at Leeds via the Local Authority Enforcement Liaison Officer.

Other organisations with which the service has regular contact include:

- (a) North Yorkshire Fire and Rescue.
- (b) North Yorkshire Police.
- (c) North Yorkshire Trading Standards and Regulatory Service.
- (d) Ryedale District Council's Development Control Service.
- (e) Accident Reporting Centre at Caerphilly.

3.7. Health and Safety Promotion

The service is continuing to develop its website providing more information on health and safety matters. In addition the Council's quarterly newspaper is available as a vehicle to promote Health and Safety topics and significant use is now made of Environmental Health's own Licensing News publication which is published regularly throughout the year and is an excellent means for getting health and safety messages across to our many licensed premises. The service will continue to promote good practice by distributing health and safety information covering specific workplace risks and targeting business sectors highlighted by local and national initiatives. Officers are also available to deliver ad hoc talks to workplace groups, employers, and other interested groups as and when requests are received.

4. RESOURCES

4.1. Financial Allocation

The cost of providing Ryedale District Council's Health and Safety Service for year 2009/10 is projected to be **£88,330**.

Northgate Information Solutions UK Ltd. supply the computer software currently in use. To date an annual maintenance agreement is paid and a new upgrade (M3) was installed in November 2005.

4.2. Staffing Allocations

The Service Delivery Plan provides a complete breakdown of all staff within the Health and Environment Service. Within the Consumer Protection Section there are 4.5 full time equivalent environmental health officers including the Principal Officer. A Environmental Health Technical Officer took up post in July 2007 and he assists in a range of health and safety projects. Experienced technical administrative assistants provide support. All the environmental health officers dealing with health/safety matters are also well experienced and regularly undergo continuing professional development training to ensure they keep abreast of new developments/legislation.

4.3. Staff Development Plan

Staff development is to be subject to an annual appraisal and on going monitoring.

Regular staff meetings are arranged to discuss the range of work, performance etc.

The North Yorkshire Chief EHO's training group is committed to providing funds each year for the training of officers on technical subjects. Officers are able to benefit from any appropriate courses.

The Authority is committed to Health and Safety training as a requirement of the North Yorkshire Health and Safety Quality Management System. The training is all recorded and logged against the relevant officer.

5. QUALITY ASSESSMENT

The Authority is committed to an annual review of the Health and Safety at Work Service Plan and its review will reflect any changes in statute or official guidance from the HSE or any other relevant body. The Authority as a member of the North Yorkshire Health and Safety Liaison Group operates to fully documented quality systems. The systems are the subject of Inter Authority audit by peer authorities. The quality management system requires the formal identification of non-conformities and requires that corrective action is put in place. The Quality Systems Manager oversees all this.

6. REVIEW AND WORK PLAN

6.1. Review of 2008/09

The Authority is committed to review the Health and Safety at Work Service Plan annually to critically assess its performance against the plan and to report the review findings to the Community Services Committee.

In addition to the more routine inspections/interventions the law requiring smoke free environments in virtually all workplaces came into force on 1 July 2007 and a considerable amount of work was necessary particularly during the first year to ensure the requirements were understood and applied. During the year officers tackled a variety of initiatives including continued safety checks with respect to workplace transport, gas safety, work with care providers in relation to manual handling issues and continued raising awareness among the hospitality industry about the Control of Noise at Work Regulations.

Smoke free

Ryedale District Council has a statutory duty to enforce the smoke free provisions of the Health Act. In general terms, smoking is prohibited in all enclosed and substantially enclosed premises to which the public have access and work premises and vehicles used by more than one person.

In line with Ryedale's Enforcement Policy the approach to enforcement has been graduated. Unlike the first year officers spent much less time talking to businesses as most are now fully aware of their responsibilities but advice had to be given in a small number of cases to ensure the law was being upheld. In addition a number of queries were raised by employees and guidance was offered in every case. It was anticipated by some that

difficulties may have arisen, particularly during the Winter months, at licensed premises but the investment by some in external smoking shelters combined with the vigilance of landlords and their customers it is pleasing to report very few problems have occurred.

Between 1 July 2007 and 31 March 2008 a total of 936 visits were made to a range of businesses including restaurants, other licensed premises, retail and accommodation providers. Of these only 92 required follow up action, most of which related to signage requirements.

Between 1 April 2008 and 31 March 2009 a total of 209 visits were made to the range of businesses mentioned above. Of these 198 were compliant with respect to appropriate signage etc. The other 11 were given advice and matters corrected.

To date no fixed penalty notices or fines have been imposed on any premises in Ryedale although a few businesses had to make adjustments to their working practices to ensure compliance. The licensing newsletter produced within the section was used to provide advice to all licensed premises within Ryedale.

Workplace Transport

Following on from work in previous years officers followed up checking that the information they had on file was still current and what if any necessary action had been put in place to improve working procedures.

Premises were assessed using a simple pro-forma and a good level of compliance at the premises that were visited was noted.

Control of Noise at Work

The Control of Noise at Work Regulations 2005 requires employers to prevent or reduce risks to health and safety from exposure to noise at work.

Employers in the music and entertainment sectors had until 6 April 2008 to comply with the regulations. Officers offered help and dealt with enquiries particularly to those responsible for entertainment in licensed premises. To date few problems have been highlighted, a very useful booklet which many businesses were forwarded helps the owner/manager assess whether there is intrusive noise at the place of work and suggests controls if levels are judged too high.

Care Providers

All the care homes in Ryedale (except Nursing Homes which are inspected by the Health and Safety Executive) were visited and using a simple pro-forma the controls each home had in place with respect manual handling provision was assessed. It was good to record that the premises visited all had sufficient handling aids and ergonomic assessments had been undertaken.

York and District Health and Safety Forum

The Health and Safety Executive in conjunction with Ryedale District Council and City of York Council have established the Forum in 2007. The Forum is open to any organisation in the area, including manufacturing, retail, transport, warehousing, public sector, health sector, voluntary sector to meet and discuss issues of common interest in the field of health and safety. It is the intention that the forum would hold seminars on a regular basis throughout the year arranging for expert speakers to talk on topics of interest.

This year two events were arranged. The first took place at RAF Linton on Ouse and dealt with the ramifications of the Corporate Manslaughter and Corporate Homicide Act 2007. (Companies are now guilty of an offence if the way in which its activities are managed or organised by its senior management amount to a gross breach of the duty of care it owes to its employees, the public or other individual and those failings caused the person's death.) This event was well attended.

The second event was held at the Central Science Laboratory and entitled Civil Claims and how to avoid them. This seminar dealt with health and safety risk assessments in the workplace, how to comply with the legislation dealing with accidents at work and how to defend a civil claim. An Insurers view of health and safety legislation and loss prevention was also presented. The room was full and the speakers were very well received.

Officers will continue to work with the Health and Safety Executive to hopefully arrange more such events.

Inspection/Interventions

The number of routine inspections/interventions during the year was 187. The staff resources the Service is able to devote to health and safety work is very limited nevertheless a wide range of establishments were visited. In addition a significant amount of specialised training run in conjunction with members of the Health and Safety Executive was undertaken. This helps bring officers up to date in some of the more technical areas of health and safety.

The Health and Safety Executive (HSE) have asked local authorities to work towards the priorities established through the Executive's Strategic programmes as a way of delivering the Health and Safety Commission's (HSC) targets. These targets were set in 2000 and were for the health and safety system as a whole not just the HSC or HSE. Specifically by 2010 it is hoped to achieve a:

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

In order to do this 9 major industry and topic areas that contribute most significantly to injury and ill health were identified nationally and intervention strategies put in place. As far as local authorities are concerned 5 topic

areas (out of the 9) were selected in that it was felt by focussing on these local authorities could achieve most. They were:

- Falls from height.
- Musculoskeletal disorders.
- Slips and Trips.
- Work related stress.
- Workplace Transport.

Like the previous year during 2008/09 officers assessed businesses they visited against 4 of the above criteria (work related stress was not assessed) and the performance of employers was rated with respect to compliance in these areas. Those businesses where officers considered improvements could be effected were tasked to make the necessary improvements.

Premises Inspected						
Topics	Catering	Hotel	Care Home	Leisure	Retail Shop	Warehouse
Falls from height	64	10	12	1	22	1
Transport	1			0	4	1
Slips and Trips	113	13	8	10	42	1
Musculoskeletal	111	12	10	1	37	1

Each of the 4 topic areas were examined against 3 criteria:

Falls from height	Relevant activities & precautions Selection, use & maintenance of equipment Procurement & control of contractors
Transport	Safe site Safe vehicles Safe driver
Slips and Trips	Floor contamination Suitable floors & footwear Prevention of trips
Musculoskeletal	Avoidance control Instruction and training Management commitment/worker involvement

Premises were assessed on their level of compliance in the 12 criteria listed above. Grouping the results together:

95% were broadly compliant with respect to - Falls from height

100% were broadly compliant with respect to – Transport (NB 6 inspections only)
80% were broadly compliant with respect to – Slips and Trips
90% were broadly compliant with respect to - Musculoskeletal

No premises were assessed as having no compliance in any of these areas.

Reportable Accidents

The number of reportable accidents (36) was similar to last year (31). It was disappointing to see the increase in major injuries to employees (from 1 to 4) but no trend could be isolated from these low figures. The classification 'major injury' includes fractures other than to fingers, toes or thumbs. All accidents were investigated and as usual many were as a result of low level falls, slips and trips. Like previous years in some cases it was possible to associate the accident with ground conditions etc but in many a simple miscalculation by the individual was the apparent cause with no faulty external factors contributing to the event. 20 members of the public were taken to hospital from businesses within Ryedale and these accidents too were largely as a result of slips and trips.

Advice

Numerous requests for advice were received from persons either setting up a new business or as employers concerned they may not be fulfilling their health and safety duties. Particularly common are concerns regarding the adequacy of the assessed risks in their business. Environmental Health Officers have through the use of a good range of helpful documentation on the subject been able to provide useful and pertinent guidance and comment on prepared draft assessments. All concerns/complaints about alleged poor health and safety practices were followed up and matters corrected if the complaints were substantiated.

Work Plan for 2009/10

As mentioned previously it is hoped that this year we will be able to include the health and safety service at Ryedale within our present ISO 9001: 2000 system which already covers our food enforcement service. We have held this registration since November 2002. We had hoped to try for registration last year but there is a significant amount of work attached to such an application and we must be confident that our quality systems can pass a detailed audit as well as operating in a similar manner to the other North Yorkshire authorities who are joining us in the project.

With respect to inspections/interventions planned we have submitted our intentions to the Health and Safety Executive as part of their Injuries Reduction Programme. This work will be in addition to the normal reactive work following notifiable accidents etc. The work includes:

Slips & Trips – reducing slips and trips in hotels, other catering premises, food retail, care homes

Safe Interventions – inspection of compactors and bailers in warehouses/supermarkets
Asbestos – raising awareness of the duty to manage asbestos under the Control of Asbestos Regulations 2006
Dermatitis – checking standards and raising awareness in hairdressers, food/catering healthcare
Musculoskeletal disorders – preventative inspections/raising awareness