

ENVIRONMENTAL HEALTH SERVICES

**HEALTH AND SAFETY AT WORK
SERVICE PLAN**

2008/2009

May 2008

RYEDALE DISTRICT COUNCIL

ENVIRONMENTAL HEALTH – HEALTH & SAFETY AT WORK SERVICE PLAN 2008/09

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.
- (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 Environmental Health Service Delivery Plan for 2008/09. 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.

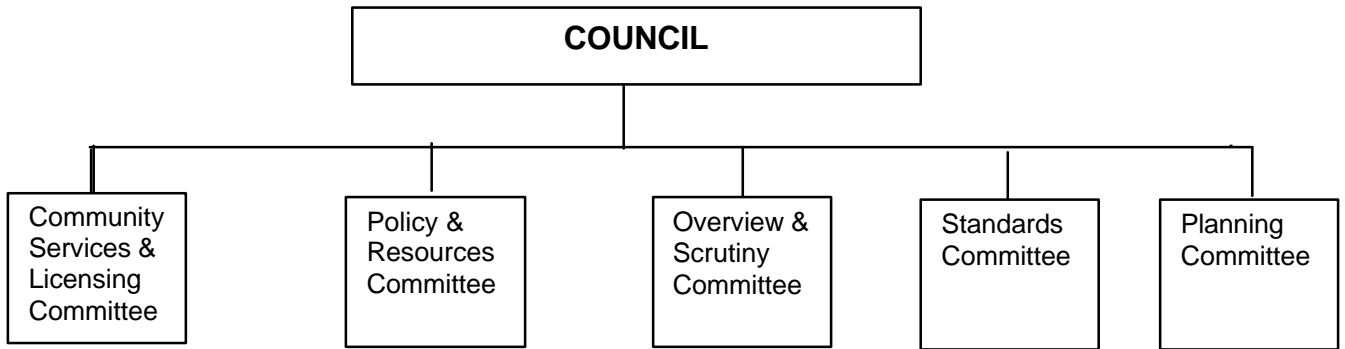
2. BACKGROUND

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.

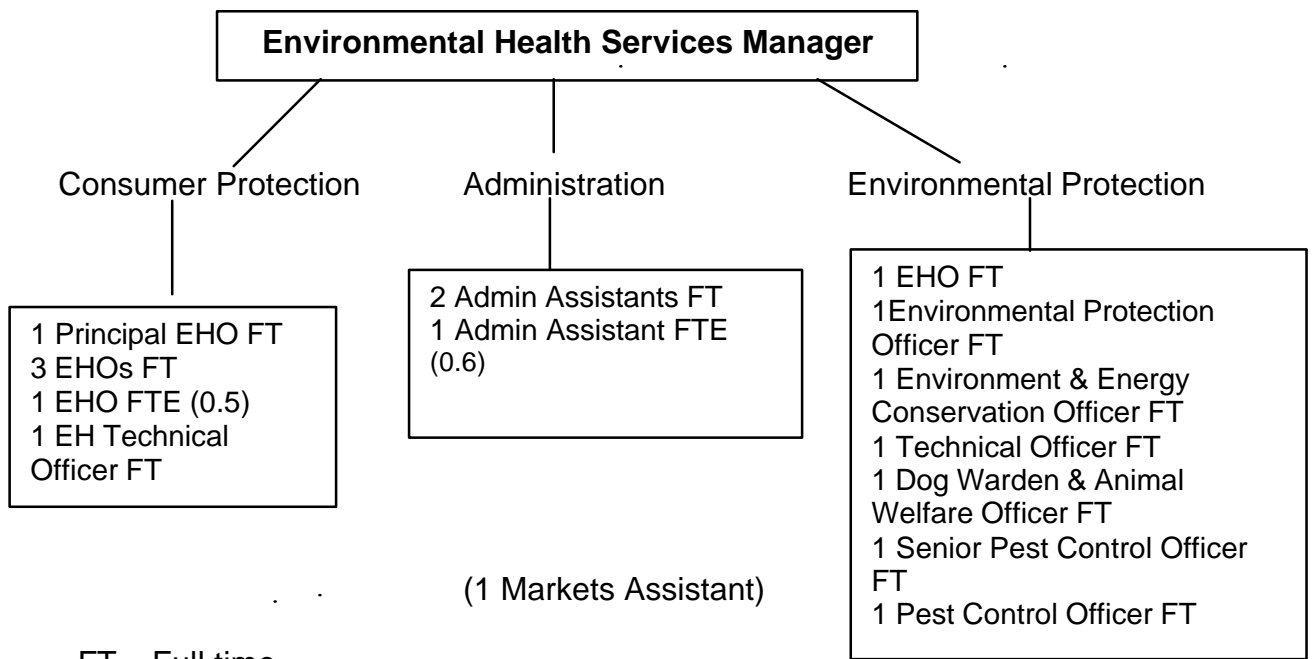
Total area in hectares - 150,966

2.2. Committee structure from May 2007



Number of Councillors - 30

2.21 Structure of Service



FT – Full time
 FTE – Full time equivalent

A Management Team consisting of a Chief Executive and 2 Directors heads the officer structure of the Authority. Included among the heads of service is the Manager of Environmental Health Services. The Environmental Health Service Manager reports to the Community Services and 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 Environmental Health 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 establishments; and
- (f) the management of 3 retail markets.

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 1300 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 is now sometime since the database was comprehensively reviewed and it is hoped such a review will take place in 2008/09.

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 regularly revised (approved by the Community Services and Licensing Committee February 2002) and is available to all health and safety officers. The policy is incorporated into the Health and Safety Quality Management System, which is operated collaboratively between the 8 North Yorkshire Authorities. The Health and Safety Service embraces the principles of the Government's concordat on good enforcement and the Regulators' Compliance Code.

3. SERVICE DELIVERY

3.1. Health and Safety Inspection

Health and Safety premises inspections are undertaken in accordance with a risk assessment programme. In addition particular premises are targeted where the national priority hazards as identified by the then Health and Safety Commission

(now merged with 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.

The risk-rating scheme is based on advice in HELA 67/1 (rev. 3), which 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	Inspections planned for 2008/2009
A	12	6	6
B1	18	17	13
B2	24	37	22
B3	36	85	30
B4	60	617	150
C		325	See para below

It is estimated that the total number of inspections this year will be 221 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 2007/08 was lower than the previous year (192 as opposed to 222) but a considerable amount of specific project work was undertaken including the very successful introduction of the smoking ban in hundreds of premises.

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 2008/09.

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.

14 complaints relating to health and safety matters were received during 2007/08 that was double the previous year although a substantial number upon investigation revealed satisfactory health and safety practices. 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	2006/07	2007/08
AEO1	3 day injuries – employees	8	13
AEO2	Major injuries – employees	5	1
AEO4	Fatalities – employees	0	0
AEO5	Fatalities – public	0	0
AEO6	Public taken to hospital	19*	17*
Total		32	31

* Some of these were classified as major injuries.

There were 31 reportable accidents during 2007/08 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 80 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 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.

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 with the intention of disseminating information to its largely rural population. In addition the Council's quarterly newspaper is available as a vehicle to promote Health and Safety matters 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 2008/09 is projected to be £96,670.

MVM Software 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 Environmental Health Service. Within the Consumer Protection Section there are 4.5 full time equivalent environmental health officers including the Principal Officer. A Technical Officer took up post in July 2007 and he assists in a range of health and safety projects. Experienced 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 2007/08 and the work plan for 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 and Licensing 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 to ensure the requirements were understood and applied. During the year officers tackled two specific initiatives on workplace transport and increasing 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. Officers spent a great deal of time endeavouring to make sure businesses were aware of their responsibilities and they received support accordingly. In particular it was important to ensure licensed premises were able to make the change which would in a number of cases involve investment in external smoking shelters and provision for the extinguishing and disposal of cigarette butts.

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.

To date no fixed penalty notices or fines have been imposed on any premises in Ryedale although a few businesses have had to make adjustments to their working practices to ensure compliance.

Workplace Transport

Following on from the success of the previous years project in this important area officers followed up checking that the information they had received in 2006 was still current and what necessary action had been put in place to improve working procedures.

Premises were assessed using a simple pro-forma. In particular it was important to know that vehicles such as fork lift trucks were properly maintained and examined and that drivers were properly trained. The safe movement of pedestrians, in relation to vehicles, was also considered.

The subsequent reports indicated a good level of compliance at the premises that were visited, which again included timber yards and builders merchants.

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. Therefore details including a useful booklet were sent out to all licensed premises and the officers offered help and dealt with enquiries to hopefully ensure noise exposure limit values are not exceeded. Noise levels within manufacturing premises are enforced by the Health and Safety Executive.

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 this year. 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.

The first seminar to be arranged was for members of the hairdressing profession, which was to be held at York College in January. Unfortunately this had to be cancelled because of a low level of response from the invitees.

A second event on 31 March 2008 at York University entitled "Shattered Lives" which was a seminar on slips and trips in the food manufacturing,

catering and restaurant industries was held and was a great success. Invitations were sent out to over 300 premises and in total approximately 50 business representatives attended the day.

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 undertaken during the year was lower than in 2007/08 (192 as opposed to 222). 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 Commissioners (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 it was 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 2007/08 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
Falls from height	22	7	2	3	3
Transport				2	
Slips and Trips	100	11	9	37	36
Musculoskeletal	101	10	9	32	35

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 2
Inspections only)	
82% were broadly compliant with respect to –	Slips and Trips
92% 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 (31) was similar to last year (32) that had in turn shown a significant drop over the previous year (47 in 2005/06) and all were investigated. As usual many accidents were as a result of low level falls, slips and trips. 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. 19 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.

2008/09

As well as the work already mentioned under the review section of this plan officers will continue undertaking inspections/interventions during 2008/09 and in particular it is hoped to include an assessment of all residential care homes, which we had hoped to cover during 2007/08.

A target for this year is to try and include the health and safety service at Ryedale within our ISO 9001:2000 registration along with the food safety service, which has been registered since November 2002. This is a very ambitious project and will require a great deal of work prior to the first external audit assessment. All 8 North Yorkshire authorities combined to agree a joint ISO registered food safety quality management system and it is the intention that the majority of councils in North Yorkshire will follow a similar route with respect to their health and safety service.