



# Local Authorities and HSE Working Together

## Building on best practice



### INTRODUCTION

The enclosed portfolio of information sheets describes examples of good or best practice and activities that exemplify the new partnership approach being developed as part of the Local Authorities and HSE Working Together Strategic Programme.

This meets a commitment in a high-level 'Statement of Intent' agreed in July 2004 between the Health and Safety Commission (HSC), the Health and Safety Executive (HSE) and the bodies representing local authorities (LAs) in England, Wales and Scotland, including LACoRS (the Local Authorities Coordinators of Regulatory Services).

As an HSC Commissioner, as Chair of the Strategic Programme Steering Group and as an elected member of a local authority, I am pleased to see the wide range of examples of joint working and the developing infrastructure. This is evolving to suit local and regional arrangements and priorities, and is helping to build the partnership between HSE and LAs throughout Britain.

It is still early days in this evolving partnership and we anticipate further examples of best practice (with evaluation of their impact), indicating that partnership working is sustainable at all levels. Meanwhile, I commend the enclosed summary of activities helping to implement the extensive commitments in the Statement.

**Joyce Edmond-Smith**  
Health and Safety Commission  
*March 2005*

## THE STATEMENT OF INTENT

The Statement of Intent (Sol) agreed between HSC, HSE and local authority representative bodies in July 2004 contains seven 'commitments'. These are:

- 1 Developing an effective and coherent partnership between HSE and LAs, based on the principle of making the best use of their respective strengths, and applying collective resources in the best way to tackle national, regional and local priorities for health and safety.**
- 2 A joint approach to developing the arrangements to deliver these commitments.**
- 3 Improving communications between HSC, HSE and LAs to ensure, in particular, that LAs and their representative organisations are adequately involved in the development of policy advice to the HSC, and in the planning and delivery of the operational activities which carry them into effect.**
- 4 Providing information, guidance and support to enforcing authorities equitably.**
- 5 Examining and adapting as necessary the institutions and legal framework which currently underpin the relationship between HSC, HSE and LAs.**
- 6 Developing arrangements for monitoring and auditing the work of the enforcing authorities which properly reflect the status of HSE and LAs as partners.**
- 7 Contributing effectively to current and future initiatives to improve the consistency and coordination of central and devolved government requirements which impact on regulatory services, in the context of expectations, priorities, minimum standards, monitoring and intervention.**

The Sol and further information on the Programme is available at <http://www.hse.gov.uk/lau/strategic.htm>.

### Examples of best practice

Each of the enclosed sheets contains examples reflecting one of the seven commitments in the Sol. The range of examples given are intended to build on and publicise practical activities that can help to develop and sustain true partnership working nationally, regionally and locally, between LAs, between LAs and HSE, and with other organisations and agencies. Some initiatives are relevant to more than one commitment. However, as the Programme was only established just over a year ago and the infrastructure is still developing, it is too early to have delivered measurable outcomes for all seven commitments.

There are many areas where HSE and LAs are already working closely together and we expect this will be enhanced as the new partnership develops. Further examples illustrating the development of partnership working and the infrastructure to sustain it will be publicised as the Programme progresses.

Information on examples of effective joint working is already available, eg in the Annual Reports of HELA (the national HSE/LA Enforcement Liaison Committee). These contain many examples of joint working initiatives which have led to improved understanding and a closer working relationship between HSE and LAs, as well as improved awareness and compliance with health and safety legislation. The HELA Annual Reports are available on the Local Authority Unit (LAU)/HELA page on HSE's website at <http://www.hse.gov.uk/lau/publications.htm>.

In addition, in recent years, HELA has run an annual Award for Innovation, inviting LAs to submit their initiatives demonstrating implementation of the HSC and HELA's objectives. In response to this scheme, a wide range of activities and initiatives have been reported. Many illustrate effective partnership working between LAs and other organisations, as well as HSE. Summaries of some of these are available at <http://www.hse.gov.uk/lau/hela/events.htm>.

## HOW TO CONTACT US

If you need further information on any of the initiatives mentioned in any of the best practice sheets or other sources mentioned, or if you have identified an opportunity to build sustainable partnership working, then please contact HSE's Partnership Manager in the relevant region:

### Partnership Managers: contact details

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# Local Authorities and HSE Working Together

## Building on best practice



### COMMITMENT 1

*Developing an effective and coherent partnership between HSE and LAs, based on the principle of making the best use of their respective strengths, and applying collective resources in the best way to tackle national, regional and local priorities for health and safety.*

*This includes developing mutual understanding of LAs' and HSE's respective strengths, of local and central interventions, and to contribute to relevant local strategic objectives, eg safer and healthier communities.*

Joint inspection campaigns are the most immediate and obvious demonstration of working together, but a key factor in developing and promoting true 'partnership working' is involving all parties in joint planning and delivery, with mutually agreed priorities and objectives. Other effective activities include organising joint seminars, safety and health awareness days (SHADs) and other events for businesses, providing guidance and training for duty holders and inspectors. Some recent examples from around Britain include:

#### Joint working – inspection campaigns

- In the **South East**, the launch of a 'Transporting Food Safely' campaign by HSE and Kent and Medway Councils attracted significant media attention as it heralded the country's largest ever workplace transport safety campaign. This targeted the food supply chain, from producer and importer through to consumer. It was conceived, planned and executed by a steering group of representatives from all LAs in Kent and HSE Inspector groups who participated in the event. Joint training was provided and enforcement guidance produced to ensure consistency. The initiative was launched to a mixed audience of press and councillors, providing local media with the chance to engage with local politicians about sensible health and safety.

This was also the first time that HSE and LAs in Kent, the Police and the Vehicle Inspectorate had worked together and combined their resources on such a major project. It is proposed to adopt this joint approach across the region to develop other partnership initiatives. Similar initiatives have already taken place based on this success, eg in Hampshire and the Isle of Wight and LAs in other parts of the Division want to be involved in planning partnership work now, with one group looking to produce a five year plan.

- Mid-Bedfordshire District Council and HSE inspectors carried out joint inspections as part of an ongoing campaign across the **East and South-East** of England. Inspectors gave advice and guidance on HSC's priority topics of workplace transport, falls from height, slips and trips, musculoskeletal disorders (MSDs) and stress. Businesses were offered free support and training, and given an opportunity to remedy areas needing attention.

- One project in the **Midlands**, started in 2004, focused on MSDs in carpet fitters and furniture delivery. Systems of work for deliveries, handling and fitting operations were assessed and information/best practice guidance produced, to assist in reducing the incidence of work-related MSDs in the retail and wholesale industry. Both of these jobs involve working in domestic or other premises controlled by others. A further problem with peripatetic activities is that they fall between the LA and HSE and can be overlooked.
- Joint HSE/LA projects in the **South West** include a 'brewery project' initiated in co-operation with Taunton Deane District Council. This was designed to cover the priority topics in delivery of beer, ie from brewery to outlet. A seminar was held for publicans followed by joint visits to public houses, following the delivery vehicle to identify common problems and solutions. The LA organised the seminar and HSE supplied speakers, with joint planning for inspections. This project was extended to include Salisbury and has now been widened into Dorset. The lessons learnt have been used to plan a further seminar in North Dorset, with all of the Dorset authorities involved in the organisation and identification of invitees. It is then intended to carry out joint inspections over a wide area of Dorset.
- To raise the profile of health and safety in North Somerset, where there is a high concentration of industrial estates containing mostly SMEs, liaison has been established between HSE, the LA and Business Link West to coordinate a one-day event. Business Link has assisted in local publicity and will provide its office and training facility on one of the estates as a base station where the HSE and LA staff will be available to provide information for visitors – employers or employees.
- LAs in **North West London** and HSE's General Manufacturing Group for the area have met regularly over the last year resulting in several initiatives, including a rolling programme of secondments for HSE's Compliance Officers (COs). They spent a week working in an EH department, observing the way things are done and accompanying EHOs on visits. These attachments have proved helpful in understanding how LAs are organised and how best to communicate with them and involve them in joint work. As a result, the COs have been closely involved in developing partnership work, organising local joint inspection campaigns with the London Boroughs and other events such as a gas safety seminar in Camden, a SHAD for small businesses in Harrow, and a briefing morning for dry cleaners and launderette operators, covering environmental issues as well as health and safety.

### Joint working – seminars and other events

- In the **North West**, as in many areas, safety and health awareness days (SHADs) have been run jointly between HSE and LAs to promote awareness and compliance, particularly among small to medium enterprises (SMEs). SHADs involve a series of practical demonstrations highlighting HSC's priority topics. They are often used to target particular sectors and are associated with local joint inspection initiatives. In one high-profile event, HSE worked with five LAs (Trafford, Salford, Manchester, Tameside, and Oldham) in partnership with Manchester United Football Club to run a 'Safety and Health Awareness for Managers' event at Old Trafford. This event also covered standards of footwear and flooring design, as well as managing asbestos.
- In the **Midlands** an extensive project to contact builders merchants during 2005-06 is also being planned between LAs and HSE. This will primarily involve SHADs for SMEs but audit-type inspections will also be carried out at selected premises of large, multi-site businesses. The priority topics will be highlighted, with an additional session on accidents. Builders merchants have been chosen because they are 'dual inspected'; their yards are LA-enforced but when carrying out deliveries they generally come under HSE's jurisdiction. Standards for personal protective equipment and materials for construction may also be covered. Attendance at one of these SHADs, together with an agreement to produce an action plan, will be in lieu of a traditional inspection visit. This

The LA and HSE have shared information on known premises and others have been identified from other sources. These have been sifted with the assistance of the LA Partnership Liaison Officer (recently seconded to HSE) and all relevant businesses will be informed about the information point and advised that site visits may be paid on the day. Joint teams of HSE's Inspectors and Occupational Health Specialists and LA Officers will visit as many premises as possible on the day. Transport and manual handling issues will be the main focus of visits, together with health issues such as asthmagens in vehicle repair premises.

project will help to develop greater partnership working between LAs, enabling them to work more coherently and strategically across the region. This initiative will also take account of, and help to promote, existing partnerships between businesses and LAs under the Lead Authority Partnership Scheme. Training will be provided for officers in advance and early discussions with the Builders Merchants Federation have been promising, with a view to providing venues and promoting this approach.

- In the **South West** 300 motor vehicle repair (MVR) operators across Dorset are to be invited to SHADs. Invites are being sent to all MVR, tyre and exhaust, windscreen replacement and other related firms. Many work peripatetically and therefore may be enforced by both LAs and HSE. Participants will see a selection of priority topic based and industry-specific scenarios, hosted by both HSE and LA staff.
- In the **Midlands**, Leicester City Council worked in partnership with HSE to support the national asbestos campaign. Training sessions were arranged and delivered by HSE's asbestos team for over 80 Environmental Health Practitioners (EHPs). During European Week of Safety and Health, 520 asbestos surveys were carried out. All businesses received a letter, a questionnaire and an information sheet. An advice line, e-mail address and website for further advice were set up and training offered to businesses. The asbestos survey pack developed for this initiative was made available to other LAs via the Chartered Institute of Environmental Health (CIEH) website.

### Joint working – with other agencies and intermediaries

- In the **North West**, the Liverpool and Merseyside Health and Safety Subgroup targeted MSDs and stress in call centres, in both the public and private sectors. Aiming to promote partnerships with and within member organisations, stakeholders included trades unions as well as employers organisations, call centre operators, service providers to the sector, Loughborough University's Institute of Work Psychology, HSE, Medical Inspectors, Liverpool City Council's Occupational Health Department, independent health and safety consultants and other LAs in Merseyside. The Merseyside Call Centre Partnership was formed and supported by the DTI from their 'Partnership at Work' fund. An experienced project leader was employed and

five working groups were set up to identify and produce examples of good practice and guidance material. This is now available in an e-library for all partners and a dedicated website has been set up.

- In the **City of London**, HSE's London Partnership Team, the Corporation of London's Health and Safety Team Leader, the Occupational Health Advisor at the London Chamber of Commerce and HSE's Stress Priority Programme Policy team have been planning an intervention on stress in the financial services sector. The City of London is an obvious focus for this initiative, but the Corporation does not have the resources, people or experience to tackle it alone. HSE's Stress Programme Team will be supplying expertise, training and support, HSE's Field Operations team and the LA will be supplying Inspectors. This means that HSE's inspectors will be crossing enforcement boundaries for the project. The London Chamber of Commerce will be identifying suitable contacts and supplying the venue for a workshop for Human Resource Directors from a number of City firms. They will be encouraged to draw up Action Plans and take part in a 'buddying' programme with enforcement staff over the next 18 months, who will provide advice and support to progress their actions plans.
- In **Wales**, a joint LA/HSE residential conference is to be held and the Strategic Programme will also be promoted at a Welsh Local Government Association conference. Links to the community safety strategy are being developed, eg in Anglesey and Gwynedd. Training proposed for LA officers in Wales also includes a SHAD for LA inspectors and animal welfare officers to raise awareness of agricultural issues, asbestos management and enforcement practice.

### Joint working – developing guidance

- In the **South East**, Eastleigh Borough Council worked closely with HSE and other agencies on their 'Stress-free Eastleigh' initiative to produce supporting 'tool packs', a CD-ROM, a newsletter and a website on stress. A large conference was organised, and a survey and inspections were carried out to promote the initiative. This was achieved with the aid of lottery funding, and by forming a local partnership of organisations including the Council's Health and Social Policy Unit, the local Primary Care Trust and Eastleigh Workplace Health Alliance.

## Joint planning

In addition to providing support for the existing and well-established enforcement liaison system, HSE and LAs in **Wales** set up a joint steering group in 2003-04 to plan and manage joint working. This included representatives from the Welsh Local Government Association and the Chartered Institute of Environmental Health. Members were invited to suggest projects and the steering group agreed 12 in total. These embryonic arrangements have been developed and strengthened, with the clear aim of delivering a comprehensive joint plan for 2005-06 based firmly on programme and project working. Many of these provide development and training opportunities for both HSE and LA staff.

The most significant of the projects during 2004-05 in Wales focused on manual handling in care homes. This started with a training seminar for HSE, LA and Care Standards in Wales (CSIW) Inspectors and joint visits were arranged. The project has collected analysable data enabling impact to be measured. Four SHADs have been arranged for Care Homes and Residential Nursing Homes and most have been over-subscribed. HSE inspectors, LA EHOs and CSIW, as well as Care Forum Wales staff, will be in attendance.

Other work planned includes 'Delivering Safely' (the 'all-Wales' project for 2005-06), seminars for SMEs on MSDs, a SAD for mobile caterers (on slips etc) and a 'HAD' for outdoor workers, as well as a fairgrounds project. Joint food hygiene and health and safety seminars for black and ethnic minority employers in the food industry are also planned.

To further promote partnership working, HSE's Head of Operations is meeting all LA Chief Executives, relevant elected members and Directors of Public Protection. These have so far been successful in engaging these senior figures in the process, with a number suggesting further joint working, commonly with a link to the wider public health agenda in Wales.

In **Scotland**, HSE and the 32 local authorities meet on a regular basis through four regional liaison groups and have worked together in the past on a variety of issues. This year they are working together to develop and deliver a programme of work that takes into account local issues as well as the national topics. As an example, one of the liaison groups is planning an intervention strategy covering care homes. This has led to a pooling of information concerning duty holders. HSE's Health and Safety Awareness Officers (HSAOs) have been identifying premises that are not known to FOD or LAs.

Joint planning of the intervention techniques to be used include dealing with public safety issues in a consistent manner and developing common training for those carrying out the work. Means of work recording will also be devised to suit all authorities and ways in which the group is not restricted by geographical boundaries or the Enforcing Authority Regulations will be explored. The LAs have incorporated this work in their service plans for the forthcoming year and elected members and senior managers have been kept informed by regular reports to their committees.

In **London**, an 'early planning' group consisting of representatives from the London All-Boroughs Liaison Group and HSE met to consider the best way of planning together. They came up with a London-wide project called 'Moving Goods Safely'. This aims to tackle major priority topic areas and the awkward interfaces between HSE and LA enforcement, eg some transport/warehouse/distribution centres. Pilot joint visits have already started and these will signal where guidance is needed on joint working and how best to organise this type of work. Resources for this project have been secured by communicating regularly with the Liaison Group and the Association of London Environmental Health Managers.

# Local Authorities and HSE Working Together

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### COMMITMENT 2

*A joint approach to developing the arrangements to deliver these commitments.*

*This includes engagement of elected members and input of HSE and LA staff to the Strategic Programme to develop practical proposals.*

#### National engagement

At the **national** level, this has been ensured from the start of the Strategic Programme by the close involvement of the Local Authorities Coordinators of Regulatory Services (LACoRS) as an integral part of the Programme management team. LACoRS' Executive Director co-chairs the Programme Board with HSE's Programme Director and LA officers are involved at all levels in the Programme Team. LACoRS have set up a 'Health and Safety Policy Forum' consisting of LA representatives from the nine English Government Regions in England and Wales. Elected members meet with HSC Commissioners on the Strategic Programme Steering Group.

#### Regional arrangements

Partnership teams have been created within each of HSE's geographical Divisions in England, Scotland and Wales. The role of the 'Partnership Managers' is to work strategically with HSE and LA staff, in particular senior managers and elected members, representative bodies and other organisations to help develop the infrastructure to support and sustain partnership working. The teams are led by HSE's Partnership Managers and supported by Partnership Liaison Offices (LA Officers on secondment to HSE for up to two years) and Partnership Officers.

In **East and South East** Division, the LA employing the EHO who had been offered the position was keen to play a major part in the partnership programme, but they were concerned about the impact of this loss of resource on their front-line services. It was therefore agreed that the EHO would be released for an initial three-month period, but would be allowed to continue for up to two years as long as HSE could provide operational cover to reduce the impact on the LA's Food and Safety Team. A flexible arrangement has therefore been created giving an opportunity for one or more HSE Inspectors to be seconded to the LA for this period.

The job description, advert and subsequent interviews were devised jointly. This exchange provides a unique opportunity to gain an insight into the cultural differences between the organisations and to learn and share examples of best working practice, in-depth knowledge and experience of health and safety enforcement. This will enable new ways of working in partnership to be identified and progressed. This may be used as a method of securing further LA secondees for Partnership Teams where LAs have concerns over loss of resource.

## Secondments

Secondments from LAs to HSE and vice versa are also helping to develop an understanding of the cultures, priorities and procedures of the respective organisations. In particular, LA EHOs have been seconded to HSE for up to two years to support HSE's regionally based Partnership Managers, to help forge partnerships at the local level. LA secondees are also working within HSE at the national level, eg in LAU and policy units, producing guidance and training material. There are also examples of HSE staff seconded outwards, eg to LACoRS and to the Chartered Institute of Environmental Health (CIEH), the professional body for environmental health practitioners for England and Wales.

## Engagement of Elected Members, senior LA and HSE managers

In **Yorkshire and North East**, an 'Early Days Working Party' was established to explore the concept of partnership working, to seek agreement on how HSE and LAs could begin to work interactively in the Division and to implement arrangements through which an effective and coherent partnership could be built and sustained. Membership includes the region's LA representatives on the LACoRS Health and Safety Policy Forum, as well as others from Chief Officers and local Liaison Groups together with members of HSE's senior management team. All Chief Officers have been kept informed and consulted on work planning, programme direction etc, and on proposed arrangements for programme governance in the Division.

Following the launch of the national Statement of Intent at two events in the Division, a priority for the Working Party was to identify areas to address and the key messages to develop in order to engage with LA Chief Executives and relevant elected members/ portfolio holders. An outcome was the development of a local version of the Statement of Intent. This is intended to be signed by each Council Leader and HSE's Divisional Director, to indicate the commitment of each LA and HSE to mutually support the Programme. Rydale DC signed the first recently. Other areas around the country are considering adopting this approach or are preparing to do so.

## Best practice events

A Best Practice seminar has been organised by the **Yorks and North East** Division's Partnership Working Group. This will include presentations by recent winners and entrants for the HELA Awards for Innovation and others with experience in developing relationships and partnership working. A series of 'relationship building' events have also been arranged for key staff in LAs and HSE in the Division. These are designed to bring the operational teams closer together at a professional level.

## Joint planning

In the **South West** a 'Forum for Regional Excellence in Safety and Health' (FRESH) has been set up. This involves HSE staff and seven delegates representing the 45 LAs within the Region. Meeting three times per year, the Forum will provide a platform for partnership working between the various enforcing authorities. Through discussion of issues ranging from the fundamental, such as agreement on model policies, to the practicalities of joint inspection, the Forum will enable HSE and LAs to achieve consistency and to pursue Revitalising Health and Safety targets more effectively together. It will also facilitate the use of secondment to improve understanding and communication.

The key objectives for FRESH include analysing the training needs of officers within the Region and to facilitate the provision of training; sharing information between authorities on policies, special expertise, local initiatives and significant enforcement action; responding to consultation requests; co-ordinating partnership working and influence the application of HSE's funding to improve partnership working and to seek other sources of funding.

Through joint planning, agreeing inspection priorities and coordinating joint projects, LAs and HSE will be better able to target 'hard to reach' duty holders and employees, such as peripatetic workers. They will be able to coordinate the way in which the health and safety agenda in the South West focuses on the Revitalising priority topics. For example, by jointly planning publicity, seminars and inspection campaigns to raise awareness and improve compliance, FRESH will enable enforcing authorities in the South West to work together with maximum effectiveness and in a way which takes account of local needs.

## Enforcement boundaries

A pilot project is being developed, in the **South East**, to enable a limited number of LAs to carry out initial investigations at premises where the responsibility for enforcement is not clear between HSE and the LA. HSE has no experience of employing 'agency inspectors' and this pilot shows that the Partnership is a real opportunity to try new arrangements to make the best use of our collective resources, by exploring the potential for joint authorisation of inspectors. This project will also contribute to the work stream exploring the boundaries of enforcement and legal infrastructure (see also Commitment 5).

# Local Authorities and HSE Working Together

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### COMMITMENT 3

*Improving communications between HSC, HSE and LAs to ensure, in particular, that LAs and their representative organisations are adequately involved in the development of policy advice to the HSC, and in the planning and delivery of the operational activities which carry them into effect.*

*This includes changing attitudes and culture, enabling LAs to contribute in a timely manner.*

#### Involvement in policy making

In addition to the arrangements at the national level (described in Commitment 2) to ensure LAs have an input right from the formative stage of developing the Strategic Programme, the close involvement of LACoRS, its Policy Forum members and other LA representatives in new policy initiatives is being encouraged and developed.

Secondment of LA officers to HSE, both through formal long-term and short-term contracts, as well as informal arrangements such as involvement in policy working groups, are helping to develop an understanding of the priorities and issues facing the respective organisations and this is contributing to more effective national initiatives.

LA officers are contributing to the design of national projects and development of policy on a range of topics, including:

- LA colleagues representing small and large councils in England, Scotland and Wales, participated in a project group to develop and launch an e-COSHH presenter's pack. The project was managed by HSE's Disease Reduction and Science Co-ordination Unit and produced a comprehensive, free CD-ROM and supporting material to raise awareness and use of e-COSHH with businesses that use hazardous substances. Leeds City and Hambleton District Councils co-hosted a very successful first business breakfast to promote e-COSHH. Guests from SMEs, 'micro businesses' and intermediaries in the local business community were invited to 'sign up' to the e-COSHH Partnership scheme and to cascade the material throughout their own networks. Glasgow City, Aberdeen and Aberdeenshire Councils organised two e-COSHH events in Scotland and the pack was launched in Wales at an HSE/LA organised event for all 22 LAs.

The HSE and LA staff involved used their local knowledge to select appropriate contacts and the Partnership Officers organised the events. All project group members supported each event and feedback confirms that the packs are used during inspections, at seminars and to train and develop other officers. The pack is due to go on HSE's website and the HELA Training Coordination website during 2005.

- A number of interested EHOs have formed a useful 'virtual network' and have been assisting HSE's Disease Reduction Programme with a national project on skin disease. This is devising interventions to reduce occupational dermatitis in the hairdressing industry. HSE has appointed an EHO from the Corporation of London on a short-term secondment to help with the project. The National Hairdressing Federation has recently set up a health and safety committee, and an EHO from Guildford Borough Council has been contributing to its work.
  - HSE's Manufacturing, Utilities and Services Sector's three-year Waste and Recycling national project will involve LAs as both duty holders and regulators. LAs are involved in designing this project, including an LA secondee working with the Partnership Manager in Wales. This has meant that interventions with LAs in Scotland and Wales can be started immediately as strategic intervention arrangements are already in place and will support similar events in England. The Manufacturing Sector has provided a briefing seminar to LAs in Wales and this was well received.
  - Another example of the practical benefits from involving LAs more directly in policy making was reflected in Glasgow City Council's entry for the 2004 HELA Award for Innovation. One of their senior officers represents LAs on the HSC's Advisory Committee on Toxic Substances. This led to the authority producing advisory leaflets for local firms covering flour dust, wood dust and the use of latex. Guidance was also produced for officers together with an audit/inspection form to promote consistency and selected premises were visited to provide advice.
- (Sol) and have actively sought to involve key elected members and LA Chief Executives as well as Chief Officers and EHOs. This has resulted in a local version of the Sol being produced for counter-signature by Leaders of individual councils and HSE's Divisional Director, to demonstrate local commitment to the principles of the Strategic Programme.
- A student EHO who had spent time on a six-month sponsored placement with HSE and other Government Departments and Agencies, is undertaking a research project within one region to assess the level of awareness and 'buy-in' of both HSE and LA officers to the Strategic Programme.

## Regional involvement – improving communications

At the regional level, LA officers have been seconded into HSE's Divisional Partnership Teams to help develop the relationship locally. Further exchanges are anticipated as the Programme evolves. There are also many examples of strategic involvement in the development of the necessary infrastructure to sustain partnership working. These include:

- The **Yorkshire and North East** 'Early Days Working Party', established to identify joint objectives and training needs, produce joint workplans and provide regular progress reports. The Working Party organised the first regional roll-out events to promote the Statement of Intent

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### COMMITMENT 4

*Providing information, guidance and support to enforcing authorities equitably.*

*This includes developing systems for sharing guidance, training and information.*

At the **national level** numerous initiatives will have a significant impact to support and sustain partnership working in the future.

#### Training and information (on-line)

- The **HELA Training Co-ordination website**, set up under a research contract by HSE to provide LAs with accessible training materials and guidance, was developed and hosted by Salford University. They have worked closely with LAs and HSE to provide the material in a form that LAs need, eg topic-based inspection packs. These have supported the recent topic inspection rollout events, the slips and trips initiative (which included provision of specialist support and purpose-built equipment for LA use) and other topics (eg asbestos, legionella).
- The site also provides a repository for LAs' topic inspection reports and includes many examples of 'good practice' material developed by LAs and individual officers, eg the 'virtual Enforcement Management Model'.
- HSE is developing an 'extranet' to e-enable full and easy access to HSE's guidance and other information available to its inspectors, and to accommodate content from the HELA Training Coordination website. It is anticipated that this facility will be further developed to enable exchange of information between LAs and between LAs and HSE. The 'extranet' is being designed with input from LAs via a User Group which includes representatives from Liaison Groups in the South and South East and other LA nominees from around the country.

#### Research

- Research was commissioned to establish information and training needs and preferences of LA officers. This study by Kings College London (KCL) provided a base-line confirmation of understanding and identified areas for the Programme to focus upon. A more in-depth Support, Information and Training Needs Analysis (SITNA) has been commissioned with the Health and Safety Laboratory to review existing systems and standards to assess and ensure competence, and to identify effective mechanisms for delivery. This will identify and inform training provision.

- A workshop was held to discuss the findings of the KCL study with staff from HSE, LACoRS Policy Forum members and other LA representatives, researchers and other stakeholders to maximise the use of the information and views obtained from LAs. This will enable more effective implementation of the conclusions.

## Local training

At the regional level much joint work is ongoing and planned which will also play a key part in promoting and sustaining partnership working throughout the country. In particular, local training initiatives are developing competencies and promoting consistency, while creating opportunities for better understanding and closer working. There are many examples of training being provided by HSE for LAs, including joint seminars. Some notable recent examples, taking account of local needs and priorities include:

- A series of investigation skills workshops in the **Midlands**, organised by large Metropolitan Borough Councils with HSE. These use roleplay involving characters involved in an incident which reflects the priority topics. The sessions include a presentation on one of the topics involved followed by a joint seminar on the process, linking into good practice and expectations, including use of the Enforcement Management Model. Comparisons will be drawn between HSE and LAs, using templates and 'model' investigation reports. Other training events in the Midlands have included workplace transport, based on material used in the HSE Field Operations Directorate (FOD) training course.
- In **Yorkshire**, Calderdale District Council and HSE inspectors have been shadowing each other in inspection work and during investigations. Training was also arranged locally in combination with HSE, eg on slips and trips and implementation of the EMM. Inspectors found the work both interesting and rewarding, recognising they have very similar approaches to operational work and also to perception of risk and consistency in risk rating. However, the biggest difference identified was under-resourcing of LA inspectors in terms of training and operational support, compared with the support framework from which HSE benefits. These areas are specifically being addressed nationally, as part of the SITNA research project, commissioned under the Strategic Programme.

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### COMMITMENT 5

*Examining and adapting as necessary the institutions and legal framework which currently underpin the relationship between HSC, HSE and LAs.*

*This includes considering how to deliver effective governance at local and regional level, with support of Elected Members; HSE to put in place a locally-based framework of staff support and other necessary resources.*

#### Institutions for effective governance – framework of support

- The relationship between HSC, HSE, LA representative bodies and LAs themselves is being reviewed jointly. Meanwhile, HSE has created the post of Partnership Managers within HSE's geographical Divisions. Their role is to work strategically with HSE and LA staff, in particular senior managers and elected members, representative bodies and other organisations, in order to develop the infrastructure to support and sustain partnership working. LA officers on secondment to HSE and other HSE staff now support them.
- Following the establishment of the Partnership Manager in HSE's **Yorkshire and North East (Y&NE)** Division, an 'Early Days Working Party' was formed. to explore the concept of partnership working, to seek agreement on how HSE and LAs could begin to work interactively in the Division and to implement arrangements through which an effective and coherent partnership could be built and sustained. Membership includes the region's LA representatives on the LACoRS Policy Forum, as well as others from Chief Officers and local Liaison Groups together with members of HSE's senior management team.

Other areas are building on existing groups or developing new forums for discussing, developing and agreeing common objectives and priorities.

#### Local statement of intent

- The Y&NE Working Party is setting a foundation for local governance by producing joint objectives, workplans, training needs analysis and regular progress reports. They have been actively involving elected members and LA Chief Executives as well as Chief Officers and EHOs. The Y&NE local Statement of Intent is intended to be signed by Leaders of individual councils and HSE's Divisional Director, to demonstrate the commitment of each organisation to the principles of the Strategic Programme.
- Other Partnership Managers are also seeking to engage with senior LA managers (Chief Executives and Directors/Chief Officers) as well as elected members, eg through new Partnership Groups or by using existing networks, special events, local meetings and individual contacts.

## Legal framework

- In the **South East**, following a proposal by Rushmoor BC, the Partnership Team are currently looking for volunteer LAs and HSE groups to run a trial to explore the benefits and implications of jointly authorising officers, enabling them to undertake initial investigations where the actual enforcing authority is not clear. This will avoid wasting resources dealing with allocation of accidents and new premises and will also enable examination of enforcement boundaries and warrants issued under the HSW Act, as a precursor to reviewing the legal infrastructure and arrangements for division of enforcement under the Enforcing Authority Regulations. This pilot provides a real opportunity to try new arrangements to make the best use of our collective resources and will help to enable flexibility in response and allocation of resources.

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### COMMITMENT 6

*Developing arrangements for monitoring and auditing the work of the enforcing authorities which properly reflect the status of HSE and LAs as partners.*

*This includes arrangements to oversee the performance of HSE and LAs.*

#### Auditing of LAs

- LAs delivery of service and overall performance is measured against HSC's Guidance to LAs, issued under Section 18 of the Health and Safety at Work etc Act 1974 (HSWA). Evidence suggests that the programme of monitoring and audits carried out by HSE's Local Authority Unit (LAU) on behalf of HSC and HELA have had a beneficial effect. The significant year-on-year decline over the last five years in full-time equivalent (FTE) officers appointed under HSWA and working on health and safety enforcement appears to have been reversed.
- Over recent years, a total of nearly 40 audits will have been carried out by LAU. A review of the audit programme in 2003 indicated a 500% increase in resources and a 300% increase in inspection activity in the audited LAs. However, it is evident that the impact of audits has been much more widespread than just in those LAs. In the most recent confirmed figures (2002-03) an increase of 7% (in full time equivalent staff) over the previous year was indicated. LAU audits have also included visits to better performing LAs to identify and share good practice. Some examples are highlighted on the HELA Training Coordination website.

#### Peer review – inter-authority audits

- LAU has worked closely with a number of LA Liaison Groups on behalf of HELA and the HSC to take forward a programme of peer review to improve LAs delivery of service and overall performance. HSE has provided training, guidance and support to assist LAs in developing inter-authority audit (IAA) programmes to help them develop effective arrangements for the enforcement of health and safety. One such example has been a joint LA/HSE peer review across all of the London Boroughs. A positive benefit is that audited LAs have identified good practice and they have developed a structured programme of continuous improvement to raise standards across all of the participating LAs.

#### Auditing – HSE and LAs

- There is a commonly held view that HSE is not subject to the same level of scrutiny as LAs and that any such scrutiny of HSE is not so transparent (either it is not published or disseminated to LAs). HSE's Audit Committee (chaired

by an HSC Commissioner and including the HSE's Director General and other senior HSE staff, together with representatives of the National Audit Office) is very interested in the kind of information generated through combined audit and peer review of regulatory decisions. They consider that this is essential information about the performance of regulators, and that this should be done regularly and extensively. The Audit Committee is keen to see, among other things, whether we could look at regulatory decisions by LAs in the same way that HSE's are scrutinised.

- During 2004-05, HSE's Internal Audit Unit co-ordinated a project to examine and assess HSE's arrangements for regulatory decision-making (RDM). Sample cases were considered by an experienced peer review panel, which included an LA enforcement officer. This was in itself an important step forward to breaking down some of the perceived barriers. The RDM approach is to be extended to an audit of complaints that have been handled across HSE's Operational Directorates and Divisions. It is proposed that this could be extended to include a small sample of LA cases, with further LA involvement on the peer review panel. Complaint investigations already form an integral part of the HELA audit protocol and if this approach is successful, then it will be considered as part of the programme to develop a common audit framework for both HSE and LAs.
- During 2004/5, HSE inspectors in **Wales** have been supporting and 'moderating' the programme of IAAs agreed by Directors of Public Protection and Heads of Environmental Health Services, to implement a coordinated improvement programme. HSE inspectors have been participating in all of the IAAs in Wales, to identify areas for improvement and to establish examples of good practice that can be shared between HSE and all of the LAs. As part of this exercise it is proposed that FOD Wales will also 'open' itself for audit by LAs (using the same audit mechanism as the LAs). This will provide an opportunity to review the existing LA audit framework and protocols, and to develop a common audit framework for both HSE's and LAs' management of health and safety enforcement.

line with the 'new ways of working' has been initiated, with the help of a seconded LA officer. It is proposed that LAs' software providers will be consulted to see what potential there already is in existing software to enable recording more in line with HSE, eg time-based recording, topic categories etc. The 'new ways of working' being adopted by LAs could also then be more accurately reflected in Service Plans and Performance Indicators.

## Performance monitoring – work recording

- Also in **Wales**, a project to modify LAs' work recording systems, and to recommend revisions to the Annual Enforcement Return form (LAE1) in

# Local Authorities and HSE Working Together

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### COMMITMENT 7

***Contributing effectively to current and future initiatives to improve the consistency and coordination of central and devolved government requirements which impact on regulatory services, in the context of expectations, priorities, minimum standards, monitoring and interventions.***

*This includes promoting a consistent approach by different Government Departments and following the principles of the Enforcement Concordat and HSC's Enforcement Policy Statement.*

#### Hampton Review

- Philip Hampton, who is leading a review set up following the 2004 Budget to consider the scope for reducing administrative burdens on business by promoting more efficient approaches to regulatory inspection and enforcement, has said that the HSC's strategy has been influential in shaping his thinking. In his keynote speech to the HELA Annual Conference on 8 December 2004, he commended the approach being adopted by the 'Local Authorities and HSE Working Together' Strategic Programme.

His interim report, published on 2 December, recognises that more systematic, risk-based approaches have been adopted and that this has had results. He states that the challenge is to build on these initial steps and that this will mean building greater cohesion between regulators. A better, more consistent enforcement system will benefit everyone, regulators will be able to move resources to where they are most needed, and businesses will experience more efficient and more joined-up regulation.

Hampton considers that the changes needed to bring this about will take time; some will require legislation, others a shift of long-established culture and practice in regulators. His initial report can be accessed at <http://www.hm-treasury.gov.uk/hampton>. Following further consultation, a final report with recommendations is expected to be published in March 2005.

- HSC sees it as particularly important that the risk-based approach to inspection is applied in an integrated way across the whole regulatory regime and there should be a more rational basis for allocation of resources between different LA regulatory services. To this end, it is vital to raise the profile of the health and safety function, to encourage closer working and promote greater consistency, on the lines that is being pioneered as part of the Strategic Programme.

#### Working with other Government Departments and Agencies

- LACoRS has taken the lead on behalf of the Local Government Association in recent discussions with Government Departments and Agencies with an

interest in LA regulatory services, to seek a more joined-up approach from them and thus reduce burdens on LAs. HSE is also working closely with other Government Departments and Agencies such as the Department of Trade and Industry, the Food Standards Agency and Environment Agency in developing joint working and is actively seeking to promote the involvement of LA representative bodies in developing Government policy at the earliest stages.

- This has included work shadowing, to promote consistent standards and to share and develop good practice in peer review and performance monitoring. HSE has also been represented on the ODPM/Audit Commission's 'Local Services Inspectorate Forum' and its working groups, endeavouring to develop a framework and methodology for CPA 2005, to share and develop common systems and information, including the Good Practice and Information Portal for the Inspectorates of LA functions.
- The new **Health and Safety Committee for Scotland** will provide a forum to give a clear focus for health and safety in Scotland. The Committee will enhance delivery through better integrated intelligence and offers a mechanism to co-ordinate partnership action in line with HSC's

strategy. The practical aim is to share ideas and best practice and to plan joint working between the whole range of stakeholders who can make a contribution to improving health and safety in Scotland. This will not infringe on the reserved status of health and safety legislation and the approach would be beneficial to many reserved and devolved strategies.

- In **Wales**, Health and Safety practitioners are now very clearly positioning their work in the context of 'Health Challenge Wales' which provides a new national focus to stimulate even more action for better health as part of a coordinated and sustained effort to improve levels of health in Wales. HSE has seconded a member of staff to the Assembly Health Directorate to contribute to Health Challenge Wales. This work is all aimed at embedding health and safety in future policy-making in Wales, and ensuring that regulatory activity is fully supporting the development of improved public services and the health and well being of the Welsh people. HSE and LA bodies have also been contributing to the Welsh Assembly Committee on Public Services and in the Consultation on 'Making the Connections; Delivering Better Services for Wales'. The agenda for action is expected to be published in late spring.