

HELA

2004 Annual Report



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This Annual Report was compiled by the Health and Safety Executive's (HSE's) Local Authority Unit (LAU) on behalf of HELA. It is a summary compilation of initiatives and activities reported by local authorities (LAs) and is submitted to the Health and Safety Commission (HSC). It provides an illustration of the wide range of activities carried out by LAs and HSE in support of HSC's Strategy and the HELA Strategic Plan.

The headings and sections in this annual report mirror the objectives in the HELA Strategic Plan 2001-2004.

HSC's Mission Statement:

To protect people's health and safety by ensuring risks in the changing workplace are properly controlled.

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Introduction

More than 12 million people, almost half of all those employed in Great Britain, rely upon local authority (LA) enforcement officers to protect their health and safety at work. LAs are responsible for regulating health and safety in the services sector, which includes retail, distribution, finance, leisure and hospitality.

LAs have a major role to play in reducing injuries and ill health from activities related to the workplace. With our changing economy, and a resulting greater emphasis on service industries, the 410 councils around Great Britain with this responsibility become increasingly more important. During 2003/04, in recognition of this significant actual and potential contribution by LAs, and as part of HSC's new strategy,¹ consultation took place with local government and others on how to best maximise the effectiveness of this country's two enforcing authorities – HSE and LAs.

HSC's *Strategy for workplace health and safety in Great Britain to 2010 and beyond*,¹ launched in February 2004, recognises the need for a 'genuine partnership' between HSE and LAs. One of the five strategic programmes initially established by HSE to deliver this strategy is centred upon developing a new and effective partnership between HSE and local government. At the annual HELA Conference (entitled 'A Time for Change' and held in December 2003), Minister for Work, Des Browne MP, announced the proposals for this new partnership, and gave it his full support. With a large contingent of local government politicians present, it was the largest and most successful Conference to date. The 2004 HELA Conference will build on this success and further details of the partnership will be announced.

Towards the end of the year, a Strategic Programme Board with representation from LAs and HSE was set up to direct the work of the LA/HSE 'Working Together' strategic programme. This is jointly chaired by the head of HSE's Operational Policy and Support Directorate (OPSD), and the executive director of the Local Authorities Co-ordinators of Regulatory Services (LACORS) on behalf of the local government associations. Members of LACORS now sit on HELA. The programme will be seeking to review the front line work of inspection and enforcement, communications, mutual support and aid, and management arrangements to develop and sustain partnership working and co-ordinate service delivery. A steering group of health and safety commissioners and local government elected members will also guide the work of the Board.

Extensive consultation and planning has been the focus during the latter part of this year with the intention that the new partnership arrangement, and the infrastructure to support it, will be established over the coming two years.

Meanwhile, there is evidence to suggest that the programme of monitoring and audits carried out on behalf of HELA by HSE's Local Authority Unit (LAU) are starting to have a beneficial effect. The significant year-on-year decline over the past five years of full-time equivalent (FTE) officers enforcing health and safety appears to have been reversed. The most recent figures supplied by LAs on their annual LAE1 returns show an increase of 7% in FTEs for the year 2002/03. Approximately half of this FTE increase falls within authorities audited by LAU. Inter-authority auditing is also having a significant impact on LAs' management and allocation of resources.

In response to HSC's new strategy,¹ HELA has agreed to temporarily extend its current 2001-2004 strategic plan, until the Local Authority Strategic Programme is better defined. HELA also endorsed the adoption of topic-based inspections by all LAs from April 2004, following the successful pilot over the past year, which involved some 60 LAs using the HELA training co-ordination website hosted by Salford University. This targeted approach to inspections focuses LAs' interventions on the priority hazards identified by HSC as making the greatest contribution to injury and ill health. It also demonstrates HELA's commitment to improving joint working between LAs and HSE.

This 2004 Annual Report, therefore, continues to be based upon the HELA strategic plan for 2001-2004. The strategic plan outlines the proposed contribution by LAs to HSC's own strategy.¹ It was introduced to assist LAs to plan and target their health and safety programmes to meet HSC's key longer-term objectives. The *National picture of health and safety in local authority enforced sectors* and the supplementary report *Health and safety offences and penalties in local authority enforced sectors* (published online only on the HELA website, <http://www.hse.gov.uk/lau/publications.htm>) complete this reporting package.

We are pleased to report an increase in the number of LAs reporting their initiatives for inclusion in this year's Annual Report. This year's report therefore contains even more examples of LAs' initiatives and diverse range of activities than in previous years. Some of these have been recognised in the annual HELA Award for Innovation. We look forward to this improving trend continuing as the new partnership starts to take effect.



Justin McCracken
Joint HELA Chair
Deputy Director General
Health and Safety Executive



William Myers OBE
Joint HELA Chair
Director of Technical Services
London Borough of Wandsworth

Background

The Health and Safety at Work etc Act 1974 (HSW Act),² and related legislation, is enforced by HSE or by LAs, according to the main activity carried out at individual work premises. The Health and Safety (Enforcing Authority) Regulations 1998 (EA Regulations)³ allocate the enforcement of health and safety legislation at different premises between LAs and HSE.

Over 400 LAs in England, Scotland and Wales have responsibility for the enforcement of health and safety legislation in over 1.2 million premises, and over 12 million employees rely on LAs to enforce health and safety in the businesses in which they are employed. These include offices, shops, retail and wholesale distribution, hotel and catering establishments, petrol filling stations, residential care homes and the leisure industry. While LAs will be the principal enforcing authority, HSE may also have some enforcement responsibilities in certain premises. The EA Regulations³ allow some flexibility and transfer of responsibility between HSE and LAs. HSC may be called upon to arbitrate and decide on allocation in contentious circumstances.

The extent of this report and LAs' involvement in enforcement is, for ease, collectively known as the LA-enforced sector. This working definition may not provide an exact match with others' definitions of these sectors.

A particular feature of the LA-enforced sector is that the nature of the businesses enforced by LAs means that millions of members of the public pass through their doors every year. The diversity of work activities and the involvement of members of the public make the work done by LAs even more challenging.

The Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA)

HELA was set up in 1975 to provide effective liaison between HSE and LAs. It seeks to ensure that health and safety legislation is enforced in a consistent way among LAs, and between LAs and HSE. Currently, HELA provides a national forum for discussion and exchange of information on enforcement of legislation. It also promotes the achievement of good health and safety standards and practices. HELA reports annually to HSC on behalf of LAs.

In its present format HELA comprises LA senior officers and managers from environmental health, trading standards, building control and fire departments representing the Local Government Association (LGA) in England, the Convention of Scottish Local Authorities (COSLA) in Scotland and the Welsh LGA. They promote and protect the interests of LAs in discussion with central government and other stakeholders. HELA is jointly chaired by Justin McCracken, Deputy Director General of HSE, and William Myers, Director of Technical Services at the London Borough of Wandsworth. HELA also includes HSE officials concerned with policy development and operations.

HELA has a number of sub-groups, including the Technical Sub-Committee, and the Petroleum Enforcement Liaison Group.

HELA members

Members of HELA representing the LGA and COSLA in 2003/04 were:

William Myers OBE

Joint HELA Chair

*Director of Technical Services,
London Borough of Wandsworth*

John Arthur

Chief Environmental Services Officer, Inverclyde Council

Bob Christie

Policy Officer, COSLA

Alan Craft

*Environmental Health Manager,
Basingstoke and Deane Borough Council*

Rod Denley Jones

*Environmental Health Manager,
Torfaen County Borough Council*

Robert Docherty

Assistant Fire Master, Strathclyde Fire Brigade

Michael Drewry

*Director of Environmental and Consumer Affairs
City of Edinburgh Council*

Steve Driscoll

Building Control Officer, Southend-on-Sea Borough Council

Peter Foley

*Environmental Health and Housing Manager
Derbyshire Dales District Council*

Ivan Hancock

*Trading Standards Manager,
Royal Borough of Windsor and Maidenhead*

Max Hood

Assistant Commissioner, London Fire Brigade HQ

Janet Russell

*Director of Environment and Transport
Kirklees Metropolitan Borough Council*

Philip Winsor

Chief Environmental Health Officer, Milton Keynes Council

Members of HELA representing LACORS in 2003/04 were:

Derek Allen

Executive Director, LACORS

Mark Du Val

Assistant Director, LACORS

Members representing HSE were:

Justin McCracken

Joint HELA Chair

Deputy Director General, HSE

Allan Davies

Head of Local Authority Unit

Elizabeth Gyngell

Head of Health Strategy, Management and Research Division

Jeanette Reuben

*Head of Food and Entertainment Sector,
Field Operations Directorate*

Nick Starling

Director of Safety Policy

Secretariat:

Margaret Harris

HSE Secretary

Local Authority Unit

Trish O'Flynn

LGA Secretary

Local Government Association

Permanent observers:

Gareth Broughton

Local Authority Unit, HSE

Carole Jackson

Senior Environmental Health Officer, Aberdeen City Council

Alan Plom

Local Authority Unit, HSE

Roger Wastnege

Chester City Council

(representing the Chartered Institute of Environmental Health (CIEH) HASCOG)

Nick Clack

Policy Officer, Health and Safety, LACORS

Local Authority Unit (LAU)

Local Authority Unit (LAU) is now part of HSE's Operational Policy and Support Division (OPSD). The purpose of LAU is, through support to local authorities, to ensure that HSC's strategic plan is delivered in LA enforced sectors. It liaises with other divisions and directorates within HSE to ensure that the concerns of LAs are represented and considered. LAU works with HELA to give national advice, information and guidance to LAs and publishes HELA's strategic plan and Annual Report. LAU is the central focus for the development of LA enforcement policy and guidance. It also facilitates and provides LA officers with training support. LAU includes experienced HSE and LA inspectors, policy advisers and administrators.

LAU and HSE's COSAS (Corporate Science and Analytical Services Directorate) use information collected via the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR),⁴ to prepare comprehensive information for LAs on reported injuries, together with statistics on enforcement and ill health, to help LAs in planning and prioritising their work.

Corporate Science and Analytical Services Directorate (COSAS)

COSAS works in partnership with LAU to produce official statistics, with interpretation on accidents in LA enforced sectors, and on the work of LAs. The team is responsible for processing and validating the annual health and safety returns made by LAs, validating the database of injuries, and producing national figures. The statistics are published annually in the *National picture of health and safety in the local authority enforced sectors* (<http://hse.gov.uk/lau/publications.htm>), along with indicators that allow LAs to monitor their progress against the Commission's strategic plan. COSAS also draws upon other sources of data such as the Labour Force Survey (LFS) to derive an estimate of the level of injury at work and work-related ill health in Great Britain.

Field Operations Directorate (FOD)

HSE's FOD is responsible for enforcing health and safety in a number of sectors, including construction, agriculture, public services and manufacturing. Relevant guidance issued to HSE's FOD inspectors is copied or where necessary, adapted by LAU, for issue to LAs as HELA Local Authority Circulars (LACs) or as other core guidance, to promote consistency in enforcement.

Commercial and Consumer Services, Transportation and Utilities Sector (CACTUS)

CACTUS is based in Glasgow and represents FOD on HELA, working in partnership with LAU with the aim of improving consistency and effectiveness of both HSE's and LAs' inspection efforts, particularly in those sectors of employment where both authorities have an enforcement role. The sector also oversees the work of the regionally-based Enforcement

Liaison Officers (ELOs) working in FOD. ELOs liaise directly with and support LAs in their enforcement role and plan local joint initiatives on priority common objectives and problem areas identified each year by HELA.

Work takes place at a national level through FOD's planned contributions to HELA's strategies and work, and at a local level with individual authorities via the planned activities of the ELOs. The sector also liaises nationally with industry representatives of the major trade associations covering jointly inspected industries such as the bakery, meat and catering industries.

The sector is a central source of advice and guidance to FOD inspectors in practical application and interpretation of the EA Regulations.³ It also monitors accident and ill health data reported to HSE from the jointly enforced sectors of industry to identify relative risks and priorities.

Other sectors

The other sectors within FOD are:

Central and Local Government, Education and Research (CALGER)

CALGER's obligations cover all the responsibilities of central and local government as employers.

Agriculture and Food

Manufacturing

Construction

Health Unit

The Health Unit co-ordinates the handling of health-related issues that are common across many industries (eg stress and asbestos).

Safety Unit

The Safety Unit co-ordinates and supports work on safety issues common across many or all industries (eg transport and product supply).

Health and safety activity reported by LAs, HSC/E and HELA for 2003/04

Effective management of the enforcement function

We are pleased to report *significantly increased* effort and activity from LAs around the country to improve the management of health and safety enforcement in the year 2003/04. In addition to the activity reported in this section, *at least another 50 LAs* have reported initiatives on their annual LAE1 returns, representing an improved dedication to the management of enforcement. Also via their returns, *more than 40 LAs* reported participation in inter-authority audits, best value review exercises or better provision of resource to their authority's health and safety function. To back up their service, *at least 30 LAs* reported, via their returns, an improved or additional provision of training for their inspectorial and enforcement officers.

There is also strong evidence to suggest that the programme of monitoring and audits carried out on behalf of HELA by LAU is having a beneficial effect. There was an increase of 7% in FTEs enforcing health and safety around the country and half of this increase falls within authorities directly audited by LAU.

There now follows a summarised selection of reported activity, supplied specifically by LAs for the purpose of inclusion in this annual report and highlighting the type and range of work carried out in support of HSC and HELA objectives.

Reflect HSC's priority hazards in inspections

Nuneaton and Bedworth BC completely revised its inspection procedures, documentation and focus. All scheduled inspections are now based around the assessment of compliance against the HELA priority programmes. Businesses receive specific written feedback on assessment of their compliance using the headings/subsections used in the priority programme resource packs.

In addition, special project-based inspections are organised on priority topic areas (eg catering activities).

The whole of the health and safety function was reviewed against HSW Act² Section 18 guidance. Revised or new procedures and policies were introduced, covering many aspects of the team's work including inspections, accident investigation and enforcement.

An occupational safety service plan was produced, with clear linkages between elements of the service and the estimated resources required to deliver them.

Mid-Bedfordshire DC worked together with HSE to address health and safety failures, undertaking joint inspections of premises in Sandy and Biggleswade as part of an ongoing campaign across the East and South-East of England. An environmental health officer (EHO) and an environmental development officer (EDO) from Mid-Bedfordshire DC accompanied inspectors at HSE-enforced premises, looking particularly at stress, falls from height, slips and trips, musculoskeletal disorders (MSDs) and workplace transport. They were also able to offer free support and training to qualifying businesses, while inspectors gave advice and guidance during the visits and offered employers an opportunity to address areas in need of attention.

Leeds CC's inspection programme focused on those premises which fell within the priority areas, and had not previously been visited. These premises were identified by the project work of a technical officer. These visits have concentrated on warehousing and supermarkets with potential transport and falls issues. As part of the inspection programme, call centres within the Leeds area were also identified and inspected. The main thrust of these inspections was work-related stress, and inspectors attended an in-house training session prior to starting the inspection programme, to develop their expertise and ensure consistency.

As part of an initiative looking at working at heights and transport issues, the build-up and take-down at a major outdoor event was reviewed. Local HSE construction inspectors supported this initiative.

The Leeds team has also redesigned their inspection report form to reflect the priority areas, and help inspectors to focus on the priority areas during inspections.

The use of display screen equipment in banks and building societies formed part of Bradford MDC's 'high hazard' inspection programme. While most workstations were found to be satisfactory, a number were identified where piecemeal alterations to premises gave rise to unsatisfactory workstation design.

Following a serious injury when storage shelving collapsed onto a young worker in a Bradford solicitor's storage archive, they also targeted solicitors' and accountants' offices that had archive file storage. Inspections concentrated particularly on the stability of shelving, manual handling of files and access to high storage areas. Some shortcomings were revealed in a few companies, but generally conditions were found to be quite good.

HSE and Milton Keynes Council, focusing on working at heights and workplace transport, carried a joint inspection 'blitz' out over three days in November 2003. It involved a team of 15 HSE inspectors and 15 EHOs inspecting a wide variety of premises, including factories, warehouses, retail businesses, nursing homes and construction sites throughout Milton Keynes. Officers also had the opportunity to shadow someone on an inspection from the other enforcing authority as part of the joint working initiative. A freephone helpline was manned by both LA and HSE staff throughout the three-day blitz and was advertised in the local press and on the radio.

Inspections of over 150 workplaces identified situations leading to the issue of 19 enforcement notices requiring action to be taken to deal with health and safety risks. Three of the immediate prohibition notices served addressed the issues of falls from height and transport.

Cheltenham BC organised an open day jointly with HSE, the Fire Service and local safety suppliers, focusing on key priority areas. The council has also been targeting inspections where risks are perceived to be the highest, and analysing self-assessment forms returned from local businesses.

Chichester DC decided to inspect the play areas at pubs and some other premises as a project, because of many related accident reports they had received. Many defects were found, and a number of improvement notices were served. One prohibition notice was served which closed an adventure play park and animal contact area set up on a smallholding. This was so poor that it has remained closed on a permanent basis.

Provision of sufficient resources

Bradford MDC increased its commitment to health and safety during the year by employing two full-time and one part-time EHO to continue its 'high hazard' proactive inspection programme. The main topics covered this year were display screen equipment in banks and building societies, archive storage in solicitors' and accountants' offices, launderettes, tyre and exhaust fitters, workplace transport, and carpet retailers.

A monthly *Environmental Protection and Waste Management Briefing Note* produced by Bradford MDC keeps council members up to date with departmental issues and provides a welcome degree of good news! This year the briefing note contained articles on the department's health and safety service plan and draft enforcement policy, details of two accident-related prosecutions undertaken by the department, the completed high hazard inspection programme of window

cleaning businesses, an update on the activities of the Bradford Area Occupational Health and Safety Forum and news of the Forum's HELA Innovation Award for its activities on the *Securing health together* strategy.

The Bradford Area Occupational Health and Safety Forum progressed with its response to the HSC's *Revitalising and Securing health together* projects. After several months, gap funding was obtained for a replacement full-time development officer who has now secured the involvement of a number of key agencies in the area, including the Primary Care Trusts (PCTs). The consultant who had done paid work for the Forum in its initial response to *Securing*, was so pleased with the progress that he continued as a voluntary member of the sub-group!

Since its Best Value Review, Medway Council has allocated greater resources to health and safety, allowing the council to plan work and concentrate resources on the priority areas as well as local issues that have been identified. The council has been following good practice on contact with employee representatives when carrying out visits and upon follow up. It has also been working with businesses to try to improve awareness of health and safety and standards through targeted inspections, health and safety surgeries and written and verbal advice and information.

Through its newsletter, the council has invited all stakeholders to consult on their health and safety enforcement policy and they hope to be using their website to engage further with businesses.

Hull CC has also continued to invest in health and safety enforcement in the city, implementing improvements identified by a Best Value Review undertaken in 2000, two inter-authority audits, (the most recent being October 2003) and other in-house quality management procedures.

This investment has meant that inspector numbers have remained constant for a number of years while, due to service improvements, performance against the HELA national indicators (ie total visits, visits per FTE, visits per 100 premises, notices per 1000 premises, and the number of informal notices) have all increased, bucking the national trend.

A further 1000 copies of the Health and Safety Section's *Health and Safety Advice for Businesses* booklet have been printed. The booklet was first produced in January 2002, and the original 1000 were distributed mainly to small businesses during routine inspections or sent out with information packs. The booklet has proved to be very useful and so it is now available on the section's website. The HSE leaflets referred to in the text can be accessed directly through links to HSE's own website or by filling in the order form at the back of the booklet and e-mailing it to the section.

The authority also produces a *Service Standards* booklet detailing its performance against targets in each service area including health and safety enforcement. This is also freely available to all service users. It is on the LA's website and has recently been sent to local trade union offices, small business organisations and the Citizens Advice Bureau asking for feedback.

Guildford BC identified the need for additional resources to deliver a health and safety promotion programme, to provide a more balanced service supplementing routine inspection and enforcement work. An additional post dedicated to health and safety promotion was agreed as part of their health and safety service plan and an appointment was made in September 2003. This has enabled the council to deliver targeted promotions, which previously were not a priority area due to pressures to deliver statutory functions. Health and safety promotion initiatives delivered this year include: an asbestos awareness campaign, slip prevention utilizing the Health and Safety Laboratory's (HSL's) slip assessment tool, and a smoking cessation campaign, as well as delivering significant improvements to the health and safety pages of the website.

The council has also continued to carry out regular self-audits against the HSW Act² Section 18 guidance to LAs, in order to identify the action required to help deliver full compliance.

An internal restructuring process within **Glasgow CC** resulted in the creation of a dedicated health and safety enforcement and licensing team. The ensuing specialisation has allowed enforcement officers to focus on one area of environmental health resulting in a more competent inspectorate. In addition, a health and safety advice team was established to provide the business community with 'a one stop shop for information and advice, free from any threat of enforcement action'.

The **Greater Manchester Health and Safety Group** has engaged the services of a training consultancy on several occasions to provide tailored courses covering a variety of aspects of health and safety enforcement practice, case preparation and court appearances. These events have proved so successful and relevant, with their practically based approach for field officers, that **Rochdale MBC** decided to widen participation to all, from the chief environmental health officer to all environmental health and licensing staff. The first two-day event has recently been held with half the staff attending and excellent feedback, a second event is planned for 2004.

Officers from across **Greater Manchester** attended a training session arranged by Salford University and the Human Factors Unit, Better Working Environment Division of HSE. The event concentrated on the consistent application of the manual handling assessment charts (MACs) by the use of various scenarios. It was also an opportunity for HSE and LA officers to assess and further develop video training material, which is intended to accompany the MACs. A need was identified to include more wide-ranging scenarios that reflected LA input. A number of LAs, including **Rochdale MBC**, **Oldham** and **Bury**, approached local businesses and arranged for further video footage to be taken of 'real' scenarios, which has proved to be very valuable to enhance the training package.

Selby DC's local best value performance indicator states that the section would achieve 50% of all health and safety inspections within this year and the authority has set a target to achieve 100% of inspections by the year 2005/06. The

health and safety section achieved 53% of its two year programme of inspections, by the use of questionnaires for C-rated and new low risk premises, allowing focus on A and B1-rated premises. This meant that 100% of A-rated premises and 50% of B1-rated premises were inspected.

In conjunction with the local business partnership, **Gravesham BC** has carried out work to raise the profile of health and safety with small businesses in the borough. For 2003/04, funding was secured from the Small Business Partnership to support the post of a partnership liaison officer. This officer has been based within the environmental health regulatory team – working closely with health and safety field staff on educational initiatives and survey work, establishing contacts with small businesses particularly on light industrial estates.

Kirklees MBC strives to find new ways of working and engaging small and medium-sized businesses in-line with *Revitalising health and safety*. Their local public service agreement (LPSA) allows the health and safety team to divert away from risk-based inspections. For example, they have piloted a new approach with the residential care home sector. All care homes were written to and advised that an officer would inspect their premises in the near future (with regards to slips and trips and manual handling only) and that a high level of compliance would be expected. However, to assist businesses in preparing for the inspection, they were each offered two places on a (free) one-day training course. Attendance was encouraging, with 51 delegates, representing 27 homes, and the course received excellent feedback. The programme of inspections has started, and a full evaluation will be carried out once the project is complete.

The health and safety advice team within **Glasgow CC** has formed closer partnerships with other council services, such as building control and planning, for the benefit of building professionals and other developers. Leaflets highlighting the need to address priority issues such as slips and trips, falls from height and workplace transport have been created to combat these hazards at the design stage.

Glasgow CC has established a health and safety advice team, in an attempt to promote awareness of health and safety more effectively. Its remit was based in general terms, ie 'to deliver an advisory service to the business community on the subject of health and safety' but was extended to include, among other duties, enforcement officer training.

Section 18 guidance, compliance and inter-authority auditing

HSC has asked HELA to monitor the performance of LAs more closely in order to assure itself that LAs are making adequate arrangements to enforce health and safety effectively. The arrangements that HSC wishes LAs to adopt are set out in the mandatory Section 18 of the HSW Act.² Section 18 guidance requires all LAs to undergo an audit at least once every five years, and to develop any subsequent action plans.

Inter-authority auditing (IAA)

A number of inter-authority groups have carried out comprehensive auditing activity during the year. LAU is taking forward a programme to monitor LAs' progress in achieving their respective audit action plans and it is asking LAs to submit appropriate progress reports. Where necessary, LAU will visit LAs who are failing to implement their audit action plans effectively. Over 100 inter-authority audit reports and action plans have been submitted to HELA and this has provided a comprehensive picture of LA performance in enforcing health and safety.

LAU has produced audit-training packages for LAs to help promote consistent standards. A model audit has been placed on the HELA training co-ordinator website to provide a benchmark and example of a complying LA. This was based on the HELA audit of Blackburn with Darwen in July 2002, and has been supported by training for LAs and IAA groups as appropriate.

HELA audit programme

HELA has carried out over 30 audits of LAs since the programme commenced in late 2001. During the year, a number of re-visits have been carried out to assess LAs' implementation of their audit action plans. Over half of all LAs audited have now been assessed as fully complying with their statutory requirements following the successful achievement of their action plans. A number of these LAs are now demonstrating good practice and have taken forward effective enforcement activity to target key risk areas and HSC's priority programmes.

A number of LAs have secured additional resources, either as a result of the audit, or in anticipation of it. Similarly, a number of LAs have used benchmarking exercises, such as the information provided in the HELA *National picture* or the Hampshire and Isle of Wight quality matrix, to identify a shortfall in staff resources for health and safety. A sample of LAs audited during 2001 and 2002 highlighted that there had been a 500% increase in the level of resourcing and 300% increase in inspection activity following the audits.

The audits also revealed that LAs are making a positive contribution towards HSC's and HELA's priority programme topics. The new requirement on LAs to produce a health and safety service plan has had a significant impact with respect to this. The main reason for some LAs getting low compliance scores (level 0 and 1) is a continued failure by those LAs to implement effective risk-based programmes of activity. In many such instances, these LAs have been found to be carrying out very little proactive work, at the expense of reactive work, due to insufficient resources. It has also been frequently noted that the pressure to achieve other statutory performance targets and the increases in reactive work, have diverted resources away from health and safety enforcement.

A representative from **Bracknell Forest BC** regularly attends and participates in the activities of the Berkshire Health and Safety Group to improve the service and achieve greater consistency. There is an ongoing training programme in place for all health and safety enforcement officers. One officer is currently undertaking part II of the NEBOSH Diploma. A new

formalised and documented quality monitoring procedure has been implemented. The council's written enforcement policy summary has been amended to include HSC's principles of transparency, consistency and proportionality and a copy is distributed at all visits. An enforcement action plan has been submitted to LAU following the findings of the inter-authority audit. An annual newsletter has been posted to all businesses in the borough giving practical information on health and safety matters. In addition to programmed inspections during 2004/05, they plan to target enforcement at skin piercers, hairdressers and warehouses. An officer from Bracknell Forest BC who attended a two-day lead authority training course is to produce a feasibility study on the implications of establishing a lead authority partnership (LAP).

Nuneaton and Bedworth BC reviewed the whole of its health and safety function against Section 18 guidance. Revised or new procedures and policies were introduced covering aspects of the team's work including inspections, accident investigation and enforcement, revising their procedures, documentation and focus. All scheduled inspections are now based around the assessment of compliance against the HELA priority programmes. Businesses receive specific written feedback on assessment of their compliance using the headings/subsections used in the priority programme resource packs.

An occupational safety service plan was produced, with clear links between elements of the service and the estimated resources required to deliver them. In addition, special project-based inspections are organised on priority topic areas (eg catering activities).

Glasgow CC has formed a partnership with **East Renfrewshire** and **South Ayrshire** councils in order to carry out the HELA protocol for inter-authority auditing and has since audited and undergone audit with these authorities. This has also been supplemented by an internal audit of post inspection communication methods.

The audit protocol requires the examination of the health and safety enforcement service of each council. This assessment includes local arrangements in place for the enforcement of the HSW Act² in premises defined by the EA Regulations.³

The results of all the audits were fed back at a meeting of all authorities concerned, these will be issued to chief officers in the near future.

Leeds CC was one of five authorities (the others being **Calderdale**, **Bradford**, **Wakefield** and **Kirklees**) in the Yorkshire area to take part in an inter-authority audit process. Calderdale audited Leeds and, in turn, Leeds audited Kirklees. The process was an excellent way of sharing best practice between the authorities and working together to progress in common problem areas.

Stoke-on-Trent CC is actively involved in benchmarking and inter-authority auditing with Staffordshire local authorities and the Midlands Unitary Authorities including **Derby**, **Leicester**, **Hull** and **Nottingham**. These exercises have enabled a close examination of how effectively the enforcement function is managed.

Implement the Enforcement Management Model (EMM) and accident investigation criteria

During the year, the Enforcement Management Model (EMM) developed by HSE was introduced to LAs. HELA expects all LAs to be using the EMM from April 2004, as a means of complying with HSC's enforcement policy statement. A self-contained tutorial-based training pack, based on research to identify the most effective method of 'rolling out' this new reference for enforcement, was issued to LAs in 2003. It was made available simultaneously on the HELA training co-ordination website, together with supporting material and PowerPoint slides.

HSE's enforcement liaison officers (ELOs) and divisional development managers also provide training sessions. For example:

- In March 2004, a small training session was held by the ELO for the Cumbrian Authorities, including the **Cumbrian Health and Safety Liaison Group**, to address the EMM. This allowed the officers present to effectively hold cascade training within the authorities and then subsequently determine the sample size for application of the model within Cumbria.
- The EMM was introduced as a trial run for two months by **LB Tower Hamlets** and implemented fully in April 2004. They used the opportunity to hold a full day's training for all staff including EHOs who inspect food premises.
- All health and safety enforcement staff within **Glasgow CC** have undergone EMM tutorials 1 and 2 to introduce the application of the model to health and safety decision making. The model was thereafter trialled by enforcement staff for a period of one month prior to partial implementation. At present, the model is used to determine prohibition decisions and in the investigation of serious accidents. A 'buddy' system operates to enable enforcement officers share opinions and develop consistency.

Compliance

LAs' role in securing compliance through enforcement and promotion is the cornerstone of their contribution to the *Revitalising* targets. As a particular priority, HSC has identified the need for LAs to concentrate on a reduction in slip and trip accidents prevalent in the LA enforced sectors. **We are pleased to report a record number** of LAs reporting compliance activity through attention to the slips and trips programme, as well as the other priority programmes and HELA priority areas. In addition to the many general and topic-specific examples described below, which have been supplied by LAs for inclusion in this report, other LAs reported considerable compliance activity on their annual LAE1 returns.

HSE, working together with five LAs - **Trafford, Salford, Manchester, Tameside, and Oldham** - highlighted key health and safety topics in an innovative way during a 'Safety and Health Awareness for Managers' event held at Manchester United Football Club in March 2004. The event was organised in partnership with Manchester United Football Club.

Using a series of practical demonstrations, the event highlighted some of the major topics of HSC's ongoing *Revitalising health and safety* campaign, including:

- managing asbestos;
- work at height;
- manual handling;
- workplace transport safety; and
- slips, footwear and flooring design.

Each topic was highlighted in a practical manner, to raise awareness of the potential risks in each area of work and the preventative measures that can be taken to eliminate them.

The half-day morning seminar was repeated during the afternoon and attended by representatives of over 300 LA-enforced companies in the Greater Manchester area.

Like many LAs, **Selby DC** targeted residential care homes in their area. Inspections focused on falls from heights (windows above ground floor), manual handling and MSDs. The initiative identified the need to provide information on risk assessments, manual handling, training, and thorough examination of lifting equipment.

Hairdressers continued to be a focus of Selby and other LAs. The main issues highlighted were risk assessment, COSHH assessment, health and safety policy requirements, electrical safety and slips, trips and falls.

Petrol filling stations were also targeted, with over a third of the premises within the district being inspected. The main issue identified was the lack of suitable and sufficient risk assessments, particularly for lone working. A significant amount of time was spent giving employers of petrol filling stations advice regarding risk assessment requirements and informal letters were sent, with follow-up visits to ensure compliance.

Inspection of two tyre and exhaust centres that were part of a national company identified a real risk of falls from height from the mezzanine floor where tyres were stored, due to inadequate guarding. Matters were resolved informally, with the company taking steps to reduce the risk to an acceptable level. As the company was not part of the lead authority partnership scheme, the matter was raised with its health and safety advisor to find out if this was a national issue. Safe routes for pedestrians from the customer car park to the reception area was also identified as an issue at several tyre and exhaust premises, with this matter being resolved informally in all cases.

Following the inspection of several warehouses, informal action was taken to ensure that companies had taken sufficient steps to ensure segregation of pedestrians and vehicles.

While many of these issues were resolved informally, Selby served improvement notices on a national retail store in relation to the storage of stock on a stairway giving rise to a trip hazard, and poor storage practices in the warehouse area. Both notices were complied with. Prohibition notices were also served in relation to staff who had not been suitably trained in how to operate a fork-lift truck, the operation of work equipment with inadequate guarding and an unsafe system of work for working at height using ladders.

Bournemouth BC's inspection programme has focused on the priority topics (slips and trips, falls from height, MSDs, manual handling and workplace transport) from the point of receipt of goods until sale and distribution at:

- builders merchants;
- distribution centres;
- retail premises; and
- supermarkets.

Warehouses were specifically targeted by **Guildford BC** for inspections concentrating on falls from height, workplace transport and MSDs. This required officers to survey the borough's industrial areas, to identify any new and previously uninspected warehouses to help draw up a list of inspections. A standard pre-inspection letter and officer checklist were devised specifically for this initiative. About 40 warehouses were inspected in 2003/04 and more inspections are planned for 2004/05.

Case study

A high proportion of LAs' health and safety inspections are carried out at food premises. As well as the priority topics, there are still the more 'traditional' hazards to be dealt with, as the following case reveals:

Meat cutting initiative undertaken by Manchester City Council

In June 2002 a butcher sustained very serious injuries when his hand was dragged into the rotating worm of an electrically operated mincing machine. The injured person lost his hand up to his wrist and the tendons in his arm, up to his elbow, were pulled out.

The subsequent investigation by **Manchester CC** revealed that the proprietor of the business had deliberately cut through the plate restrictor guard using a hacksaw. The logic behind this was to enable meat to be hand fed into the feed throat, rather than using the polypropylene push stick, speeding the operation up. The investigation also revealed that the extent of the injuries was made worse because the original stop button had been replaced with a very small button which only measured 1 mm x 1 mm. The injured person could not access the stop button, and had to forcibly pull his hand out of the machine while it was still operating.

Legal proceedings were prepared against the proprietor of the business but in the meantime a letter was sent to all butchers in Manchester, warning them to ensure that their mincing machines were properly guarded and employees were properly trained and supervised.

In May 2003, Greater Manchester Police informed Manchester CC about another incident where a butcher had cut the top of his finger while operating a band saw when cutting chops. This involved his fingers coming into very close proximity with the band saw blade (approximately 10 mm). Further investigation revealed anecdotal evidence that very few butchers in Manchester had band saws which used the hinged meat pusher and slice thickness plate, which should be used to carry out small cuts of meat, as it prevents fingers and thumbs from coming within 50 mm of the blade (the distance recommended in HSE's publication *Safety in meat preparation: Guidance for butchers HSG45*).⁵

Manchester CC's Health and Safety Section therefore carried out an initiative to:

- provide information to all butchers in Manchester about what precautions they should be taking to ensure their band saws and mincing machines can be used safely. This was achieved by making a bulk purchase of HSG45⁵ leaflets and supplying them free of charge to all but the largest butchers. A standard letter, included with the leaflet, advised them to carefully read HSG45⁵ and liaise with their equipment supplier before carrying out a risk assessment and to ensure that their equipment and practices were safe;



- follow up the advisory part of the initiative with an enforcement phase, where any equipment or unsafe practices would result in a prohibition notice, improvement notice or even prosecution, where appropriate.

To ensure that officers were fully informed about the actions to be taken in the enforcement phase, and that officers adopted a consistent approach, a visit was arranged to a local catering equipment supplier. The company very kindly gave officers a presentation, which included a selection of mincing machines and band saws, and answered questions relating to safe use of such equipment.

The initial phase was carried out during July/August 2003, officers visited all known butchers in Manchester (a total of 127), and gave them the standard letter and HSG45,⁵ explaining what actions they needed to take to comply before the enforcement phase of the initiative. This began in November 2003 and showed that a number of butchers had either sustained cuts to fingers or thumbs and in one instance, an employee was more seriously injured. A total of 33 prohibition notices were served.

The initiative found that the dangerous practice of cutting small cuts of meat (eg lamb chops, chicken drumsticks) where the operative's fingers and thumbs came into very close proximity to the blade (15 mm) was widespread, and the vast majority of notices served related to inadequate guarding or safety devices on band saws, unsuitable or ineffective controls, and dangerous and defective wiring.

Officers also liaised with HSE following the discovery of equipment imported into the country which was not CE marked.

Slips and trips

A wide range of initiatives specifically focusing on preventing slips and trips have been reported. These included an investigation into the slip resistance of inclined pedestrian moving walkways in a town centre, which was initiated by Bexley LBC following an accident.

Measurements were taken by HSL as part of the research into the performance of profiled metal floor surfaces. Investigation is at an early stage.

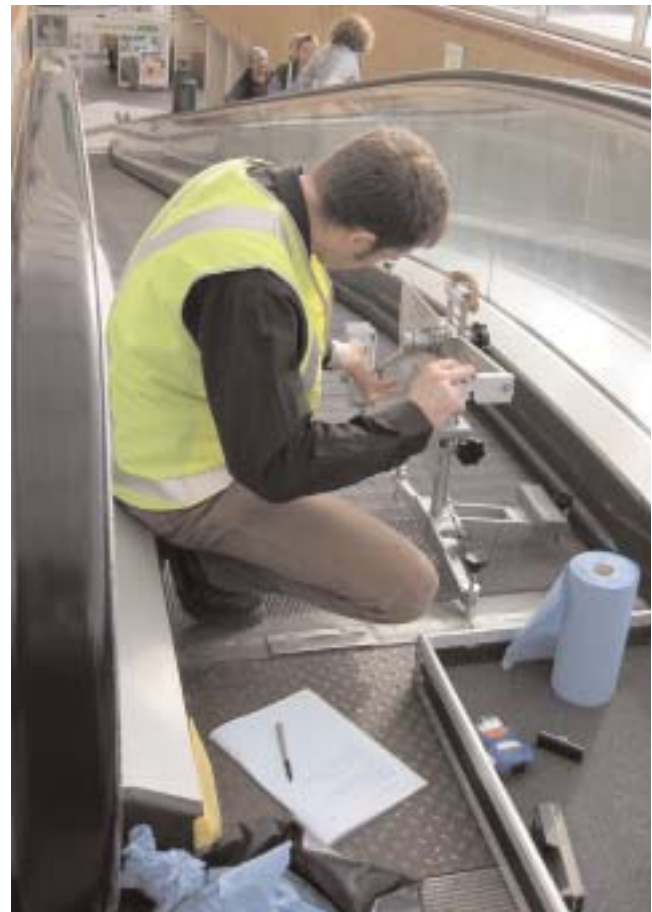


Figure 1:
Measurements of slip resistance being carried out on an inclined pedestrian walkway

Halton BC has received a number of RIDDOR⁴ reports from bakeries within the borough over the last few years. In response to this, they have undertaken a study of the contributory causes of these accidents. This concentrated on a particular chain of bakeries, which had the highest number of slipping accidents. The profile of different floor types was assessed using a Taylor and Hodson Surtronic Duo surface micro roughness meter after the floor had been cleaned. The 'slip assessment tool' (SAT) developed by HSL was used to analyse data collated. The results of the project were then made available to the company to enable them to decide on any remedial measures that needed to be implemented, and to enable them to reconsider the provision of new floor surfaces in refurbishment and new premises.

A review will be undertaken next year to compare accident statistics in light of the improvements introduced following the project.

A slips and trips campaign has also been actively running in food premises enforced by **Medway Council**, aiming to increase awareness and promote the severity of slips, trips and falls to local businesses. All officers have been taking part in this campaign and a staged approach to enforcement has also been adopted.

Wychavon DC commercial services team runs an annual 'EXPO' focusing on topical issues, and all local businesses are invited to attend. In October 2003, presentations covered the new Licensing Act⁶ and risk assessment. A slips and trips workshop was run in conjunction with the EXPO and in partnership with HSE. The workshop was aimed at companies who have the potential for slip and trip accidents, or who are able to influence others, eg contractors. Three delegates at different levels, eg supervisor, manager, safety representative or cleaning team etc, were invited from companies in both HSE and LA enforced sectors. Attendees represented hospitals, sports centres, a garden centre and food premises, including frozen food manufacturing and a confectionery factory.

During the seminar, an HSE inspector discussed *Revitalising targets*. The *Stop slips: Managing slips to reduce injuries and costs video*⁷ was shown followed by a presentation from an EHO who discussed the legal requirements of risk assessment. Delegates shared their own experiences and were encouraged to devise practical solutions relating to slip and trip hazards. The aim of the workshop was to encourage preparation of risk assessments and develop action plans.

Following the workshop, at the request of some of the delegates, EHOs subsequently visited their premises to look at potential hazards. 'Kenny' (the surface roughness meter used with SAT) was also used in these cases to determine surface roughness of potential problem surfaces. Two months after the workshop, companies were contacted to determine the effectiveness of the workshop and the action they had taken.

In December 2003, the results of the SAT trial were fed back to HSE at the **Cumbria Health and Safety Liaison Group** meeting. The trial was very useful and the authorities involved found SAT to be a useful inspection and investigation tool in addressing slips, trips and falls. A report regarding the trial has been returned to LAU.

Also in December 2003, **Woking BC** used SAT in two local shopping centres and a catering business, to take a series of readings of the slip resistance of floors. These sites were given information on the factors affecting the slip resistance of floor surfaces, and advice on managing slip risk in areas of high public footfall. SAT was made available to the **Surrey Health and Safety Study Group** by HSE, as part of an extended trial period.

EHOs in **Tower Hamlets BC** are also getting to grips with health and safety priorities through the science of slipping, using state-of-the-art technology. Equipment being used by the borough's health and safety team includes the Surtronic Duo micro roughness meter, and SAT, which allows data to be analysed in everyday contexts. Both show how slight

environmental changes can drastically affect the potential for slips, trips and falls.

The team, which deals with 10 500 premises, also launched their project at a joint seminar with local businesses and FOD London. Aimed at small to medium-sized enterprises, speakers from HSE and the LA addressed around 25 businesses at the event.

The second stage of the project used SAT and the micro roughness meter at the 22 premises that had reported a slip, trip or fall related injury last year to check whether they had since reviewed procedures. The team input data from the micro roughness meter directly onto a computer loaded with SAT to give a real time analysis of the slipperiness of the floor.

LB Tower Hamlets inspected their databases to identify accidents that had resulted from a slip, trip or fall. A seminar was then held at the Town Hall, to address both HSE and LA enforced sectors. Using the micro roughness meter, on loan from LAU, they visited 30 premises to take readings and offer advice.

Greater Manchester Health and Safety Group arranged training for LA officers by HSE's Safety Unit and LAU, covering SAT and how to use the surface micro roughness meter (Kenny). As part of the ongoing field trials, the Group also helped to evaluate the practical application, ease of use, Kenny's robustness and the reliability of the software, by sharing the micro roughness meter on a rota basis and feeding back their experiences.

Oldham MBC reported actively using Kenny in seven of Oldham's businesses and over 50 within Greater Manchester. The tool has been used to give advice and widen the perception about the seriousness and possible implications of slip accidents. The final result has been very interesting to the companies visited, and prompted some to rethink their risk assessments and flooring.



Figure 2: 'Kenny', the surface micro roughness meter used with the slip assessment tool (SAT)

Officers from **Barnsley MBC** visited 250 retail premises and undertook slips and trips topic-specific inspections. All businesses reporting 'over-3-day injuries' caused by slips or trips (when the injury was not investigated) were sent a letter relating to the prevention of such incidents together with a copy of the leaflet Preventing slips and trips at work INDG225(rev1).⁸ Flyers were produced detailing the causes and how to prevent slips and trips, and were included with all inspection letters. Any significant breaches identified were subject to enforcement action.

North Cornwall DC's special safety initiative focusing on slips trips and falls targeted children's play areas. Over 260 relevant local businesses were identified and each was sent a self-assessment form via mail-shot, for duty holders to complete and return. The LA published details of the initiative and feedback received in their biannual *Food, Safety and Health* news bulletin, sent to local businesses.

Kirklees MBC ran two half-day slips and trips workshops with **Wakefield DC**, in partnership with HSE. A total of 58 delegates attended the workshops (31 from HSE-enforced businesses, and 27 from Kirklees-enforced businesses). The training covered the identification of slip and trip hazards, risk assessments and a practical workshop on writing risk assessments. The health and safety team also ran two half-day workshops specifically for catering establishments, attended by 72 delegates. The courses received very good feedback.

The council are encouraging businesses to take up a free slipping risk survey whereby an officer will go out to a company and use SAT to carry out a survey and produce a free report. They have produced a flyer with a pre-paid reply slip for this purpose. Following a recent survey at a large supermarket, staff have been provided with safety footwear in a particularly hazardous area of the store.

At the **Kirklees Local Business Partnership 'Business Rules Day'** (an exhibition day for small and medium sized businesses), the health and safety team had an exhibition stand. In particular this promoted the issue of slips and trips, posing the question to delegates 'what do these items have in common?' (eg grapes, bananas, polish, leaves, snow etc) and used the enticement of free grapes to get delegates talking! Officers took the opportunity to speak to representatives of businesses and were able to promote the offer of a slip risk assessment and other services offered by the regulation advice team (eg two hours free advice and training courses).

A campaign to assess slip risk factors in some typical small and medium-sized enterprises was carried out in November and December 2003 by **Guildford BC**. A total of nine locations were visited and slip risk assessments made using SAT. A variety of floor types and environments in each establishment yielded a range of slip risk factors from low to high. The results and recommendations on reducing slip risks were fed back to businesses locally and to their head offices, and also to lead authorities where partnerships exist. An article about the campaign was also posted on the council's website.

On the back of their successful slips and trips campaign in 2002/03, **Stoke-on-Trent CC** continued to raise the profile of this key priority area and hosted the LAU 'Slips, trips and falls' training event for local officers. The workshop was well attended by officers from throughout Staffordshire.

Another successful slips and trips training event for small businesses was also held in February. This event was organised as part of the Good Neighbour Scheme in conjunction with the Directorate of Health Promotion, HSE, the North Staffordshire Health and Safety Group and a local pottery manufacturer. The company kindly provided the conference room at their premises and also offered inspectors places on their relevant forthcoming internal training sessions.

Other priority areas

Manual handling

A campaign by **Medway Council** has looked at moving and handling in larger (over four bed) residential care homes. The council has aimed to promote and enforce the Manual Handling (Operations) Regulations 1992⁹ in this sector and to increase awareness of other health and safety legislation which is applicable to residential care homes, to create links with local care homes associations and to improve officers' understanding of the Manual Handling (Operations) Regulations 1992.⁹



Figure 3: Staff from *Medway Council* take part in a training day for workers in residential homes.

The council identified 69 homes that fall within the scope of the campaign. Training needs for officers were identified and online training using the Salford University website has been carried out. In addition, a one-day update course was held for officers on current good practice and techniques in moving and handling. A half-day seminar on how to carry out moving and handling risk assessments was also run for care home owners and managers.



Figure 4: This exercise demonstrates how to use a slide sheet to move a person on a bed



Figure 5: A Medway Council environmental health officer 'in the sling' as staff are shown how to use a mobile hoist to lift a person from a chair

Work at height

Bournemouth BC's inspection programme has focused on the priority topics (slips and trips, falls from height, MSDs, manual handling and workplace transport) from the point of receipt of goods until sale and distribution at:

- builders merchants;
- distribution centres;
- retail premises; and
- supermarkets.

The council has worked with its economic development team and the Regional Tourism Board to develop and distribute health and safety information packs.

The council has launched a self-assessment questionnaire for new businesses or businesses that have not been contacted for some time. The questionnaire covers all of the priority topics.

A fatal accident in Powys involving an unguarded open trapdoor has resulted in a targeted initiative. Powys CC subsequently wrote to all premises identified as having such facilities, reminding them of their legal responsibility. An information leaflet on risk assessment was enclosed with the pack in addition to more specific guidance on openings such as trapdoors and how best these could be safely managed.

Follow up work is now being carried out in relation to the mail shot to assess if improvements have been made or whether a more direct enforcement initiative is going to be required.

LB Tower Hamlets also carried out a programme of targeted inspections of high-risk operations that involved work at height, mainly concentrating on window cleaning cradles on tall office complexes. The council reviewed how the relationship between client and contractor ensured safe operation of equipment.

Officers from Barnsley MBC assisted HSE in what proved to be a well received and attended 'Working at Height Health and Safety Day'. This was held in Sheffield in March. Barnsley MBC helped to publicise the event by sending letters to approved and prospective contractors located in the borough. They also provided an exhibition stand at the event.

Workplace transport

Using funding provided by a community safety initiative, Comhairle nan Eilean Siar provided two half-day workshops for managers of premises that used fork-lift trucks or had other companies' trucks operating on their premises. Some of these were premises enforced are by the LA, others by HSE.



A local training provider gave an overview of the legislation and the potential problems, then got the managers to do a risk assessment. A defective fork-lift truck was also provided for them to examine.

All attendees found this a very useful and informative presentation.

Powys CC identified businesses (over 65 in total) where workplace transport was relevant, and sent them an information pack containing a host of guidance including a self-assessment form.

A training session was provided for the council's enforcement officers and a proforma produced for officers' use. Visits were made to the businesses to assess their progress with the packs and their self-assessment.

Many businesses were found to have responded positively to the initial guidance sent by post. Others have eventually made positive improvements to workplace transport safety following further on-site guidance and follow up visits from officers.

A number of businesses are earmarked to receive a future revisit, and council officers continue to give high priority to workplace transport safety issues.

Barnsley MBC also carried out workplace transport specific inspections at all 25 distribution centres in the authority's area. Letters were sent to all relevant businesses, offering advice and informing them of their specific responsibilities.

North Cornwall DC prioritised workplace transport in 200 inspections during 2003/04. Before the inspections were undertaken, a self-assessment was mailed to the premises to assist the duty holders in risk assessing their site. The self-assessment that was produced was also published online at www.ncdc.gov.uk.

Bradford MDC allocated one officer full-time to workplace transport inspections. Many businesses in the area have now implemented new or revised traffic systems around their premises. The programme also identified many new businesses, many of them operating from trading estates and multiple-occupied premises. The programme is continuing with a different officer taking over this year.

North Dorset DC, together with HSE, visited the world's largest steam fair event (Great Dorset Steam Fair) to consider site transport safety issues and the guarding of moving parts on steam engines. There was liaison with the event organisers and the national body, the Steam Traction Engine Trust. Follow up visits are planned.

Environmental health professionals from constituent authorities of the Central, Fife and Tayside Health and Safety Liaison Group participated in a one-day training event at a supermarket's distribution centre in Dundee in September 2003.



To support and help develop a consistent approach to the HELA strategy and priority programmes, the group agreed to host an event to raise officers' awareness of the hazards presented by the movement of large goods vehicles and fork-lift trucks in a warehouse environment.

The event comprised presentations by several tiers of site management as well as an accompanied tour of the whole site. The site tour included everything from gatehouse control procedures to the goods despatch area and the associated activities on racking, order picking, battery handling, vehicle parking and internal road network design.

The current safety regime at the site undergoes regular audit, and the company recently introduced IOSH-based training for site managers and an award scheme for LGV drivers. The site operatives have also demonstrated their involvement with an increased number of safety representatives supporting the various action teams.

Feedback from 28 of the delegates has been positive, indicating that generally the event was of value and their knowledge of this topic had increased.

Musculoskeletal disorders (MSDs)

Officers from across Greater Manchester attended a training session arranged by Salford University and the Human Factors Unit, Better Working Environment Division of HSE. The event aimed to ensure the consistent application of the manual handling assessment charts (MACs) by the use of various scenarios. It was also an opportunity for HSE and LA officers to assess and further develop video training material that is intended to accompany the MACs. It was recognised that more wide ranging scenarios, which reflect LA input, were needed. A number of LAs, including Rochdale MBC, Oldham and Bury, approached local businesses and arranged for further video footage to be taken of 'real' scenarios. This has proved to be very valuable to enhance the training package, for all LAs and HSE.



As part of Hull CC's inspection programme, 102 'low risk' premises were visited to assess their compliance with health and safety legislation in general, and in particular the Health and Safety (Display Screen Equipment) Regulations 1992,¹⁰ as amended by the Health and Safety (Miscellaneous Amendments) Regulations 2002.¹¹

The premises inspected were mainly shops and offices. There were 26 businesses with staff classified as display screen equipment (DSE) users, and of these only eight had carried out the required DSE assessments. It was found that aside from ignorance of the law, many businesses, having identified a duty to carry out assessments, lacked the staff to do it and did not know where to get assistance. This was particularly true of small businesses.

Informal action was sufficient to ensure remedial work was undertaken, and good use was made of HSE's latest guidance on the subject, *Safe use of work equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of*

Practice and guidance L22 (Second edition).¹² However, formal action was required at two call centres operated by large national companies. In one instance a number of defective chairs were seized and destroyed and unsatisfactory workstations were identified. In another, an improvement notice was served requiring that suitable and sufficient assessments were made. Over 100 workstations were affected by this notice. The company concerned made adjustments at individual user's workstations and also installed new software using larger characters on screen.

An EHO from Bradford MDC gave a presentation on the DSE Regulations¹⁰ to the regional meeting of a computer user group. This was an opportunity to promote the findings from Bradford's 'High Hazard – DSE' inspection programmes. This provoked interest from the audience and useful feedback on practical considerations of the use of computers, especially in home working.

Stress

Case study

The 'Stress-Free Eastleigh' initiative



With the aid of lottery funding, the 'Stress Free Eastleigh' initiative was introduced by a local partnership of organisations including:

- Eastleigh BC - Environmental Health Service;
- Eastleigh BC - Health Policy Unity;
- Eastleigh and Test Valley South Primary Care Trust; and
- Eastleigh Workplace Health Alliance.

Eastleigh BC has developed a local initiative that aims to assess and support local organisations in managing work-related stress effectively. HSE's Better Working Division has supported the initiative by providing expertise on stress and a speaker for a local conference on stress.

The initiative has so far included:

- A newsletter sent to over 1500 local organisations informing them about work-related stress issues.
- A survey to establish how local organisations in the LA-enforced sector, employing over 50 employees, are managing work-related stress. A self-complete questionnaire was developed and sent to local organisations. These are reviewed on their return and responses that indicate that an organisation is not meeting any of the HSE performance measures (PMs) for stress will be sent a tailored 'action plan' detailing the actions they need to take to meet the stress PMs.
- Development of a 'tool pack' for local organisations that includes practical advice and resources to support organisations as they tackle work-related stress and help them to undertake a risk assessment. The pack is provided free on CD Rom and accompanies action plans sent to organisations not meeting the stress PMs.

- A conference on work-related stress was attended by over 110 organisations. Speakers included HSE, Zurich Insurance, a local solicitor, a stress management consultant, Eastleigh College (who participated in HSE's pilot project on stress management standards) and a senior health promotion specialist who designed and implemented a stress risk assessment survey for a hospital trust. Exhibitors included a range of local organisations that offer services to help businesses manage stress effectively.
- Development of a 'support model' to outline services available to local organisations being required to complete the questionnaire and actions plans.



Figure 6: 'Stress-Free Eastleigh' conference delegates at the Hampshire Rosebowl take a 'Fit

Next steps

- Development of an employee 'tool pack' that provides information on the following:
 - stress;
 - what you and your organisation should be doing to manage stress;
 - physical activity and the local opportunities available;
 - lifestyle issues including alcohol and drugs;
 - healthy eating;
 - smoking;
 - back pain and other MSDs;
 - working environment;
 - working culture.
- Breakfast and lunchtime seminars on work-related stress issues are planned for organisations dependent on their needs.
- Inspections and enforcement action will be taken where necessary, eg where no co-operation is received in the survey.
- Sharing of this initiative and the resources developed with all local authorities in Hampshire and the Isle of Wight.



Figure 7: The 'Stress-Free Eastleigh' toolkit, including CD Rom



Figure 8: Local businesses and organisers launch the 'Stress-Free Eastleigh' toolkit at the conference

Staff of Hull CC's health and safety section routinely receive complaints throughout the summer months regarding excessive temperatures in workplaces. The authority recognises that excessive heat is not only a welfare issue, it is also a factor which contributes to stress amongst employees.

In preparation for summer 2003 an advisory leaflet was prepared for both employees and employers with tips and guidance on how to combat excessive heat in the workplace. It also included a form that can be used to record temperatures and so build up an accurate profile of the problem.

The leaflet was publicised in *Hull In Print*, the council's free newspaper that is distributed to 135 000 homes and businesses across the city, and it was copied to other authorities in the local liaison group.

During the long hot summer of 2003, over 100 complaints were received about excessively hot workplaces and this, coupled with the excellent publicity the leaflet received, meant that supplies were soon exhausted. Due to demand, the leaflet has been improved and was reprinted for summer 2004. It is hoped that the advice contained in the leaflet will result in significant improvements to the working conditions of many employees and enable the Health and Safety Section to concentrate on those employers who have not responded to the council's advice.

Health and safety officers in the Hertfordshire and Bedfordshire Environmental Health Liaison Group have jointly funded and produced *Stress in a Nutshell*, a pack and exhibition panels to help them tackle stress in the workplace with SMEs. The pack differs from others on stress, with the inclusion of:

- a 'stress assessment tool' providing a starting point for small businesses to tackle workplace stress with their employees;
- a 'Framework for a Workplace Stress Policy'.

The pack carries the HSE Partnership Logo and was produced in partnership with HSE Luton, Bedfordshire and Hertfordshire NHS and a nearby university.

The packs can be personalised to each authority in Hertfordshire and Bedfordshire and are designed for use as a mail out, to be left as part of an inspection, or for use as part of an exhibition.

Each authority will evaluate the outcome of their method of engaging small businesses in their area. A more intensive evaluation of the pack guidance material is currently being discussed with the head of public health information, Bedfordshire and Hertfordshire NHS.

Westminster CC carried out a targeted initiative addressing the management of vulnerable groups in the workplace. The

aim was to highlight to employers that certain groups of staff and visitors are at a significantly higher risk than the majority of employees or those visiting their premises.

High-risk employees include new and expectant mothers, young people, work experience students, disabled and older members of staff and employees whose first language is not English or who have a learning or literacy difficulty. High-risk visitors could include the elderly, disabled persons and children. In some of the cases, the severity of injury could be far higher than would normally be the case.

It was felt that many organisations had not considered these categories and that their systems needed to take account of their special needs in order to provide adequate protection.

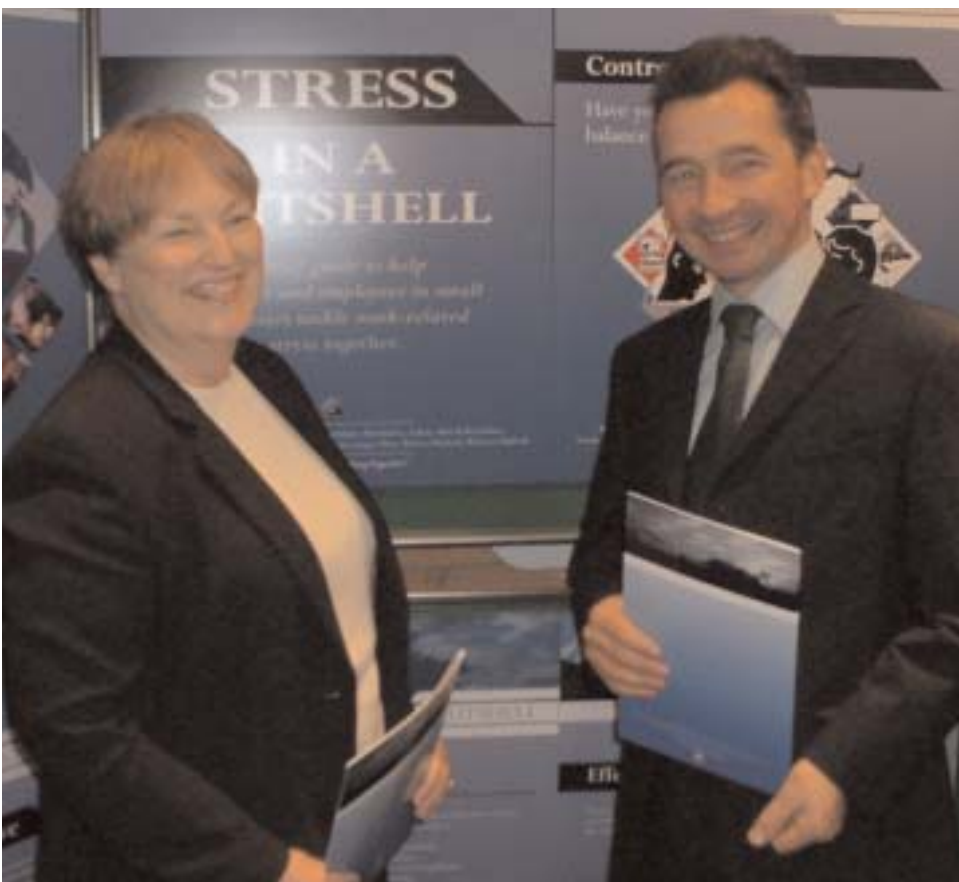


Figure 9: Heather Bruce (Regional Co-ordinator, Hertfordshire and Bedfordshire Environmental Health Group) and **Richard Evans** (Head of Environmental Health Services, Stevenage BC) at an event in Stevenage aimed at demonstrating how employees and employers can work together to tackle workplace stress

Officers were issued with set questionnaires and guidance notes for businesses. It was found that the majority of the premises inspected had procedures in place for the management of new and expectant mothers and young people and many had arrangements for disabled persons in view of the new legal requirements under the Disability Discrimination Act 1995.¹³ However many of the other categories listed above were poorly catered for. Advice

was given to employers on the management of other vulnerable groups.

Follow up action will determine whether organisations have adequately protected these groups of individuals.

Other HELA priorities

Case study

Health and safety team involved in significant reduction of crime levels at internet stores

The health and safety team at Westminster CC, in partnership with the Metropolitan Police, have recently had a significant success in reducing the high crime rates associated with three internet stores located within Westminster. This exercise has demonstrated the benefits of joint working initiatives in tackling issues of mutual interest.

One company operates the three sites, which are open 24 hours a day. The company came to the attention of the health and safety team in October 2002 through service requests from two members of the public. These customers were concerned about their own safety and about the high levels of crime associated with the stores.

The London Fire and Emergency Planning Authority had also raised concerns about insufficient staff being available at each site to organise an evacuation in the event of a fire. The Police, whilst being aware of the high level of crime (mainly involving handbag thefts, verbal assaults and threats), expressed their frustration with the company who appeared to be ignoring the lengthy recommendation's made by their crime prevention officers (CPOs).

An inspection of each of the sites by health and safety officers also revealed poor health and safety compliance, a lack of proper safety management procedures and an absence of suitable and sufficient risk assessments. It was felt that that these issues significantly contributed to the high crime rates being experienced at each of the sites. The number of reported incidents is shown in the following graphs. The health and safety team served

improvement notices, requiring the company to put in place arrangements to properly manage the sites and to carry out risk assessments, particularly with respect to the threat of violence.

The store managers and the health and safety team worked closely with the CPOs at each site, and made suggested improvements, such as the introduction of CCTV, signage, Chelsea clips, staff training and support, and better procedures for dealing with complaints which were needed to address the crime problems. This exercise has had a dramatic impact on the crime statistics at each site. The statistics for a five-month period in 2002 compared with the corresponding period in 2003 show a 65% reduction in crime figures for site 3, a 70% reduction for site 2 and an 85% reduction for site 1 (shown in Figure 10).

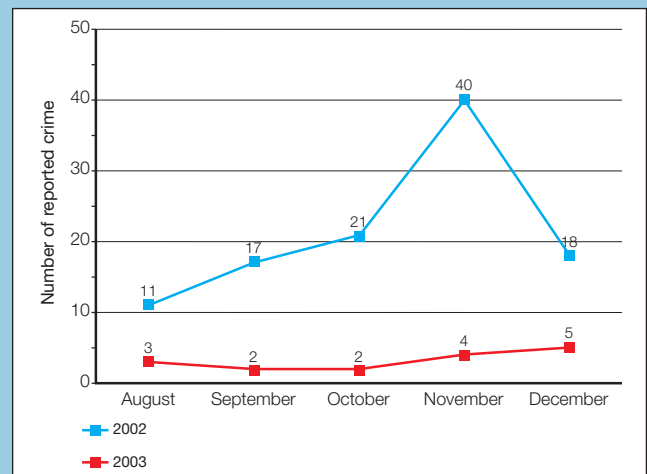


Figure 10: The number of reported incidents at internet store site 1

Skin piercing/nail bars

Following a number of complaints received by Bexley LBC regarding the safety and hygiene of some nail bars, it was found that a number had recently opened within the borough. Visits were made to establish the number of premises involved and also to assess their health and safety systems. The potential for electric nail drills to act as a source of cross infection between customers was identified.



Health care advice and information on cross infection and nail drill cleaning and sterilization was obtained, and the opinion of the Consultant for Communicable Disease Control

(CCDC) was sought regarding the safe use and cleaning of electric nail drills. The CCDC agreed to act as an expert witness in support of any enforcement action should this prove to be necessary.

Re-visits were carried out, in the company of a translator where necessary, to allow effective communication with the non-English speaking business operators. Health and safety deficiencies were identified and advice was given, confirmed in written reports. Deficiencies in the labelling of some hazardous substances were also identified – the supplier's details were obtained and passed to the relevant authorities.

All skin-piercing establishments have been inspected by **Chichester DC**, following serious injuries to clients of tattoo

parlours nationally. A local tattooist had also expressed concerns about red ink, which had caused skin to become inflamed and irritable. The local CCDC became involved. Some individuals affected with the condition required laser surgery.

Violence to staff

Chichester DC have carried out a joint operation with Sussex Police and the Sussex Fire Brigade, visiting selected late-opening licensed premises to check on measures in place to control violence and late night safety issues. Problems with the training and provision of door supervisor staff were identified.



In April 2003, a mail shot was sent to all licensed premises by Derwentside DC, outlining their responsibilities under RIDDOR.⁴ This was followed up by an article in *Inside Derwentside*, the local newsletter for the district, which is distributed to every domestic and commercial premises. The reason behind this was that the environmental health department had been made aware of several incidents of violence towards staff in licensed premises in the area.

North Cornwall DC partnered the local police force in delivering Pub Watch Forums to reduce violent crime associated with alcohol consumption. Issues covered the introduction of the new Licensing Act.⁶ A County Licensing Strategy Group was set up which included representatives from the Police, Magistrates and the licensing trade with an objective of reducing glass-related injuries.

Fire safety

A Christmas-season safety campaign was mounted by Bexley LBC to promote safe working practices in HSC's priority action areas as well as to address fire safety issues that can accompany increased stocking levels in the run up to Christmas. Letters were sent to more than 130 businesses, and a press release was issued to the local media.



Targeted unannounced follow up inspections were then carried out in 39 premises. These were selected on grounds of size of premises and likely number of customers at risk, time elapsed since previous inspection, compliance and complaint history, and the likelihood of stocking large quantities of seasonal gifts. A number of the early inspections were carried out jointly with the Fire Brigade to help reinforce the fire safety message. Conditions found during the campaign were generally better than expected and the inspectors were generally well received during their visits. The inspectors gave advice to businesses and, where necessary, required a range of works to be carried out typically within 24 hours. Due to the overall good level of response from businesses, formal enforcement action was not found to be necessary.

Playground equipment

Staff from Gosport BC inspected playground equipment in six public houses in the borough and found that none had risk assessments for the maintenance and use of the equipment (typically swings and slides). Most of the premises had equipment that was damaged, incorrectly installed or which had insufficient safety surfacing below.



Enforcement action was taken where relevant, and five of the premises have further work to do. Revisits will be made to monitor progress and further action will be considered where there are serious breaches of legislation, particularly where equipment is found to be faulty.

Steel stockholders

Following up a questionnaire sent out last year, Dudley MBC visited 24 steel stockholders as a result of unsatisfactory returns, or failure to respond. Risk assessments were found to be required in many cases and all companies now have systems in place for the safe unloading of steel at their customers' (usually HSE-enforced) premises. The survey helped to focus on and raise the profile of two components of the priority programmes, and analysis of RIDDOR⁴ reports for the year revealed no incidents in steel loading or unloading within the borough.



Legionella

Following media reports of cases of Legionellosis believed to have been acquired from spa pools nationally, 14 operators of such devices were visited by officers from Dudley MBC to ensure that satisfactory cleaning and disinfection regimes were in place, with suitable and sufficient risk and COSHH assessments. Many spa pool operators were found wanting, and appropriate action was taken to ensure that acceptable control measures were put in place.



Asbestos

In March 2004, a successful asbestos training seminar was organised and held in Cumbria by the Cumbria Health and Safety Liaison Group, and attended by nearly 50 enforcement officers. The seminar, presented by HSE, was designed to increase officers' awareness of the regulations. Asbestos is a topic area being considered for further targeted working.



Powys CC has provided a series of free training sessions on asbestos to businesses and residents across the county. The need for these was identified because the department was regularly being approached for advice in relation to the law and practicalities relating to the identification, removal and disposal of asbestos.

The sessions gave employers and workers an insight into asbestos and what is expected of them under the new duty to manage, and covered the following areas:

- what is asbestos;
- where asbestos was used and where it is likely to be found;
- what are the risks;
- how to identify asbestos;
- how to remove asbestos;
- how to dispose of asbestos; and
- responsibilities under the new legislation.

A very good response was received to this training offer, which has undoubtedly contributed to both workplace and public safety.

As part of a Surrey-wide initiative, a display was devised by **Guildford BC** in order to raise awareness of the hazards associated with asbestos, and the new duty to manage. It covered where asbestos may be found and how it may appear. The display, along with information leaflets, was placed in a local builders merchant for European Week of Safety and Health. The aim was to raise awareness with service engineers such as plumbers and electricians, who may encounter asbestos as part of their work. Leaflets were also distributed to other builder's merchants. The information was well received and additional leaflets were requested. In the order of 1000 leaflets were distributed by Guildford BC during this initiative.

The Food Safety Section of **Bradford MDC** produces a biannual newsletter (*Feeders' Digest*), which is sent to all registered food businesses in the area. Part of each edition is devoted to specific information on health and safety. This year there included a special item on the new management of asbestos duties.

Stoke-on-Trent CC also organised a seminar for businesses about the new duty to manage asbestos in the workplace. It was well attended and feedback from delegates, (mainly architects, surveyors, estate agents and letting managers) was complimentary.

Greater Manchester and Lancashire Health and Safety Liaison Groups carried out a joint initiative during European Week of Safety and Health, to raise awareness of the new duty to manage asbestos. Across Greater Manchester, over 1000 eye-catching information packs were either sent directly to managing agents and others who controlled building maintenance or supplied to local and national building and plumbing suppliers for display and onward distribution to trades people who might be exposed to asbestos. Postage-paid evaluation sheets and questionnaires were included in the packs to assess their impact and whether further information in the form of trade seminars was a worthwhile option. Whilst the response rate was low, the information is being evaluated.

Glasgow CC issued a series of information packs focusing on asbestos to independent motor vehicle repair premises where work on asbestos-lined clutches/brakes is liable to be carried out. This took place during European Week for Safety and Health.

The **Greater Manchester authorities** worked together with the **Lancashire authorities** to promote awareness of the new duty to manage asbestos. An information pack was distributed via trade counters at DIY stores, builders and plumbers merchants by all the authorities. Manchester City Council, on behalf of the authorities, wrote to 42 managing agents who operate across the area and the region enclosing a separate information pack outlining the new duties.

Swimming pools

LB Tower Hamlets inspected all 14 swimming pools in the borough to check water quality and lifeguard provision. They ensured that all duty holders carried out risk assessments and had an emergency action plan in place.



Firework safety

Barnsley MBC has worked in partnership with the **Fire Service, Police, Trading Standards** and the **Pollution Service** to raise awareness of firework health and safety, sales, and abuse. Detailed guidance on organised firework displays and bonfires was produced and distributed to event organisers, who were invited to register with the authority and receive an advice visit.



A newsletter was produced containing information and advice for retailers and members of the public on how to buy, sell, store and use fireworks safely.

Occupational ill health

Here follows a selection of activities reported by LAs aiming to address occupational health issues in the workplace. Further examples have been reported by LAs via their annual LAE1 returns (which are not mentioned here), and some may be included elsewhere in this report, eg under the compliance/priority programme sections. It is notable that a considerable number of authorities highlighted key occupational health issues in their departmental service plans for the first time.

Contribute towards 'Revitalising health and safety' and 'Securing health together' programmes as intermediaries

In June 2003, a 'Worksafe' award scheme was launched by Vale Royal BC to encourage organisations of all sizes within the LA enforced sector to actively promote and demonstrate health and safety awareness within the workplace. A booklet was also produced giving an overall picture of the *Revitalising* strategy with the details of each priority area clearly explained and current data presented.

The award scheme focuses on the *Revitalising* strategy, aiming to reduce the amount of work related accidents and ill health, and includes the legal requirements of the HSW Act² and associated regulations.

The award levels were as follows:

- The bronze award enabled employers of less than five employees to participate in the scheme by providing a written procedure for managing and controlling slips and trips, and the provision of a staff health and safety notice board.
- The silver award included the requirements of the bronze award together with the provision of a health and safety suggestion scheme, and a safety committee, which targeted the priority areas of the *Revitalising* strategy. To assist in promoting a safety culture from the top down, the council made a requirement for at least one member of the committee to hold a certificate in occupational health and safety.
- The gold award included the criteria for the bronze and silver awards, with the additional requirement to raise awareness of stress, alcohol/drug abuse, healthy eating and living, together with smoking cessation.

A total of 16 businesses were presented with awards on 5 February 2004 (two gold, 13 silver and two bronze). Promotion of the award will continue through routine inspections, training courses, seminars and press, with particular emphasis on companies with less than five employees to participate.

The council members, the Cheshire Local Authorities Technical Officers Sub-Group, local business partnership and PCT were all consulted prior to the launch of the 'Worksafe' scheme.

Nuneaton and Bedworth BC produced a special *Occupational Health* edition of their *Health and Safety Matters* newsletter, featuring occupational stress and a range of occupational health issues. This was distributed to all business premises in the area.

In May 2003, the **Cumbrian Health and Safety Liaison Group**, together with HSE's Carlisle-based ELO, organised a *Revitalising* training day for LA officers, specifically covering slips, trips and falls and workplace transport. Officers from the six Cumbrian authorities and **Lancaster CC** attended the seminar.

A special health and safety awareness day was arranged with the full support of Manchester United Football Club. This event organised by HSE, Groundwork and five Greater Manchester LAs (**Oldham, Salford, Trafford, Tameside and Manchester**) provided two half-day sessions for Greater Manchester businesses (LA and HSE-enforced) to 'refresh' them on the *Revitalising* topics. The 400 delegates were given practical perspectives about all the *Revitalising* topics and feedback seemed very positive.

Also, in February 2004, **Oldham MBC**, Groundwork and HSE organised an Essentials of Health and Safety for Ethnic Minority Businesses, which proved to be a useful and interesting day for the delegates.

Barnsley MBC officers have been involved in the work of the 'Work and Health Partnership'. This is a national group of occupational health service providers linked to trade unions, the Chamber of Commerce, academic institutions and PCTs. The members of the group are committed to introducing high standards of health and safety in the areas that they work in.

HSC has given its support to the setting up of a scheme within **Kirklees MBC** to pilot HSC's recently launched model for Occupational Health Safety and Rehabilitation Support. This model is a key part of the Commission's strategy to improve health at work in the UK.

The aim of the pilot is to provide a holistic, integrated service, which pulls together all the agencies that can contribute in providing support, in particular to small and medium-sized businesses, on occupational health and safety matters. The central support service will build upon the infrastructure already in place, and being provided by the Kirklees regulation advice team and the Kirklees Business Partnership, and will have the local PCTs as active partners.

Leeds CC undertook partnership work with the Mental Health Promotions Unit of a local PCT. Together with an HSE medical specialist and consultants from other organisations, a member of the team participated in a breakfast conference focusing on stress. Large employers such as the NHS attended this event.

The **Bradford Area Occupational Health and Safety Forum** progressed their project set up in response to HSC's *Revitalising* and *Securing health together* strategies. After several months, funding was obtained for a replacement full-time development officer, who has now secured the involvement of a number of key agencies in the area,

including the PCTs. The consultant who had done paid work for the Forum in its initial response to *Securing*, was so pleased with the progress that he continued as a voluntary member of the sub-group!

The **Bradford Forum** is now in its tenth year and is still gaining in strength of membership and partnerships. The inclusion of representatives from the local PCTs on the Forum's management group is a most welcome addition and is a great source of encouragement in its continuing response to the *Securing health together* targets.

Stoke-on-Trent CC has also worked in partnership with a local PCT to develop a 'Working for Health' action plan. This is driven by regular meetings of the North Staffordshire Workplace Health Forum.

Provision of occupational health data by local surveys and enquiries

Between May and July 2003, a research project was carried out into the provision of occupational health support available to businesses in the **Woking BC** area. This was done to meet the dissertation requirements of the MSc in Occupational Health and Safety being completed by a student EHO at the time. The research consisted of 25 in-person interviews with business proprietors or managers, done at the end of health and safety visits during the study period. Information was gathered on occupational health provision and business attitudes towards occupational health management, and compared against the findings of other research into this subject.

The results obtained indicated that non-medical solutions were important, particularly for small firms, and consideration was given to the role of health and safety regulators, and particularly environmental health practitioners, in influencing businesses to manage occupational health effectively. This information will be considered during priority planning of enforcement and promotional work, in order to try and raise awareness of occupational health issues generally.

A previous HELA Award winner (in 2003), **Leeds CC** again joined forces with a range of other bodies under the banner of the Leeds Safety, Health and Welfare at Work Partnership. Membership includes business organisations, academic institutions, not-for-profit bodies, regulators, and health professionals, such as:

- Leeds North West PCTs, acting on behalf of all the PCTs in Leeds;
- Leeds City Council Neighbourhoods and Housing Department (of which the enforcement team belongs);
- Leeds Occupational Health Advisory Service (LOHAS).

The group has commissioned a study into the cost of occupational ill health in the Leeds area. Leeds Health Action Zone funded the study. Between £35.1 and £43.1 million is a conservative estimate of the cost of occupational ill health to the Leeds economy. The findings are due to be launched at a conference organised by Leeds Occupational Health Service.

Focus on key occupational health issues in enforcement service plans

Nuneaton and Bedworth BC's award-winning *Health and Safety Matters* website passed the milestone of 300 000 hits since its launch in September 2001 and now averages almost 12 500 hits per month. It was included as a case study in the best practice review carried out by the Office of the Deputy Prime Minister (ODPM) sponsored project developed to provide Planning and Regulatory Services On-Line (PARSOL) and was the subject of an extensive feature in the national occupational safety journal, *Safety and Health Practitioner*. For further information, visit: <http://www.nuneatonandbedworth.gov.uk/business/healthsafety/default.asp>

In conjunction with **Hinckley and Bosworth BC** and **North Warwickshire BC**, the council successfully launched the Heart of England Health and Safety Forum during European Week for Safety and Health 2003.

Officers established working contacts with a local workers rights advice centre, attending training sessions and contributing articles for their newsletters.

They also continued to develop their working relationships with training providers and attended a major local careers convention for all school leavers in the area.

The council also produced its first occupational safety service plan, which was the subject of stakeholder consultation exercises.

Outline agreement was also secured to establish a lead authority partnership with a national high street clothing retailer.

Promotional features on health and safety topics and the work of the occupational safety team were published in both in-house and external council newsletters. A promotional CD ROM containing information and publicity material on occupational safety (eg the council's occupational safety service plan and stakeholder feedback/comment sheet, *Revitalising health and safety*, *Securing health together* etc) was supplied to all VIP guests attending the official opening of the council's new leisure centre.

Bradford MDC, having completed its inspections of display screen equipment at travel agents, turned its attention to the same thing at banks and building societies. Their inspections revealed a reasonable degree of compliance with the requirements of the DSE Regulations,¹⁰ although there were local issues such as workstation layouts that could be fairly easily addressed, while more generic matters needed the attention of the companies' human resources sections.

Develop and share good practice with other LAs

In February 2004, **Derwentside DC** teamed up with other LAs and HSE to hold a Safety and Health Awareness Day (SHAD). Local businesses were invited to the free event and were given talks, presentations and demonstrations on various key topics which included:

- workplace transport;
- musculoskeletal disorders;
- falls from height;
- slips and trips;
- display screen equipment;
- asbestos.

Derwentside DC also targeted inspections of newspaper shops to identify any problems with newspaper deliveries in relation to MSDs. A proforma was produced to aid inspections, and information packs were distributed to all newspaper shops. The packs included information on manual handling, risk assessments and young persons at work.

Leeds CC organised a peer review session for North and West Yorkshire authorities. The session was on workplace transport. Several scenarios were created from premises around Leeds. The aim of the exercise was to share enforcement ideas and create some consistency of approach to various workplace transport issues.

The council also arranged a training session on skin piercing for local authority inspectors. This session was from the 'traders perspective' and helped inspectors gain insight into piercing techniques.

As part of developing sound practical working knowledge in priority programme areas, **Leeds CC's** health and safety team arranged for an HSE medical specialist to come to the department to give a briefing on the MAC tool. This session was made open to nearby authorities.

Stakeholder engagement

Stakeholder engagement is another area where we are happy to report that activity by LAs appears to have increased and improved markedly in 2003/04. In addition to the many examples below, a considerable number of LAs have reported activity involving the provision of a diverse range of methods of communicating with and engaging stakeholders, including newsletters, booklets and other publications, as well as websites, seminars and training events. Many of these are reported elsewhere under the relevant topic.

Through its newsletter, **Medway Council** has invited all stakeholders to consult on the council's health and safety enforcement policy and staff hope to be using the website to engage further with businesses.

Bournemouth BC has sent out its service plan to a number of local businesses and incorporated their feedback into the service plan for next year. This consultation process is helping staff to develop their relationships with local businesses and to find out their health and safety needs on a local basis.

Oldham MBC is proud of the value and continuing success of its business forum for medium/large businesses. The forum consists of ten representatives, who all now actively share useful advice through a well-used e-mail information network. Members attend an annual meeting to discuss the authority's health and safety section's business plan and enforcement policy in addition to actively participating in various special health and safety initiatives.

Numerous additional LAs reported initiatives targeted at small firms, particularly through involvement in European Week for Safety and Health, (the theme of which in 2003/04 was 'Dangerous Substances') and a further 15 LAs reported partnership initiatives with other LAs via their annual LAE1 returns.

Follow good practice on contact with employee representatives

Since its best value review, **Medway Council** has allocated greater resources to health and safety, allowing staff to plan their work and concentrate their resources on the priority areas as well as local issues that have been identified. The council has been following good practice by contacting employee representatives when carrying out visits and upon follow up. Staff have also been working with businesses to try to improve health and safety awareness and standards through targeted inspections, health and safety surgeries, and written and verbal advice and information.

Barnsley MBC officers have been involved in the work of the 'Work and Health Partnership'. This is a national group of occupational health service providers linked to trade unions, Chamber of Commerce, academic institutions and PCTs. The group is committed to introducing high standards of health and safety in the areas that they work in.

The guidance leaflets drawn up by Glasgow CC as part of its asthmagens project, to raise awareness of the hazards of wood dust, flour dust and latex, were all the subject of stakeholder consultation. This involved dialogue with two trades unions, two first-aid organisations, and representatives from a craft bakery, a care home, and a large catering company. All were much appreciative of the exercise and made useful contributions to the final leaflets.

The management group of Bradford MBC are actively involved in the Bradford Area Occupational Health and Safety Forum. The management group comprises 16 members, of which three places are allocated to trade union representatives.

The Forum's Spring 2004 presentation dealt with accident prevention and accident investigation and was delivered to an audience of over 100, comprising employers, employees and trade union representatives.

Develop contact with small firms (including support for European Week for Safety and Health 2003 - Dangerous Substances)

Bexley LBC has produced series of health and safety guides for small businesses. These are being used to guide duty holders following inspections and are currently being developed for free access/download from the council website.

The website guides contain electronic links to relevant documents produced by HSE, DoH etc documents. Current guides available are:

- an overview of health and safety;
- risk assessment (general);
- risk assessment in pubs, clubs and bars;
- risk assessment in warehouses;
- risk assessment in catering;
- risk assessment in hairdressing; and
- risk assessment in nail treatments and piercing/tattooing.

Other guides are in preparation including:

- risk assessment in offices;
- risk assessment in animal establishments; and
- risk assessment in retail shops.

During European Week for Safety and Health, Powys CC officers visited approximately 40 premises that sell potentially hazardous/harmful substances (eg cleaning chemicals, solvents, pesticides etc). The types of premises targeted included: garden centres, agricultural suppliers, builders' merchants, DIY premises, ironmongers and other retail premises. Officers checked on appropriate health and safety procedures (including Control of Substances Hazardous to Health (COSHH) assessments) and the storage/retail location of chemicals. Virtually all these products state 'keep out of

reach of children' on the label instructions yet during the initiative, it became apparent that in many cases retailers were ignoring safety precautions/instructions on labels and safety data sheets by displaying COSHH chemicals on low shelves or on the floor. Part of the reason for this appeared to be instructions issued from head office, which tell managers where to display products on the shelves.

Officers gave out free European Week action packs at the end of the visits. Various premises were advised on spillage/leakage procedures. Verbal advice was given with follow up letters sent if appropriate.

Since the initiative, some large retailers have contacted the authority and confirmed that the positions of chemicals on display shelves are being changed or are under review.

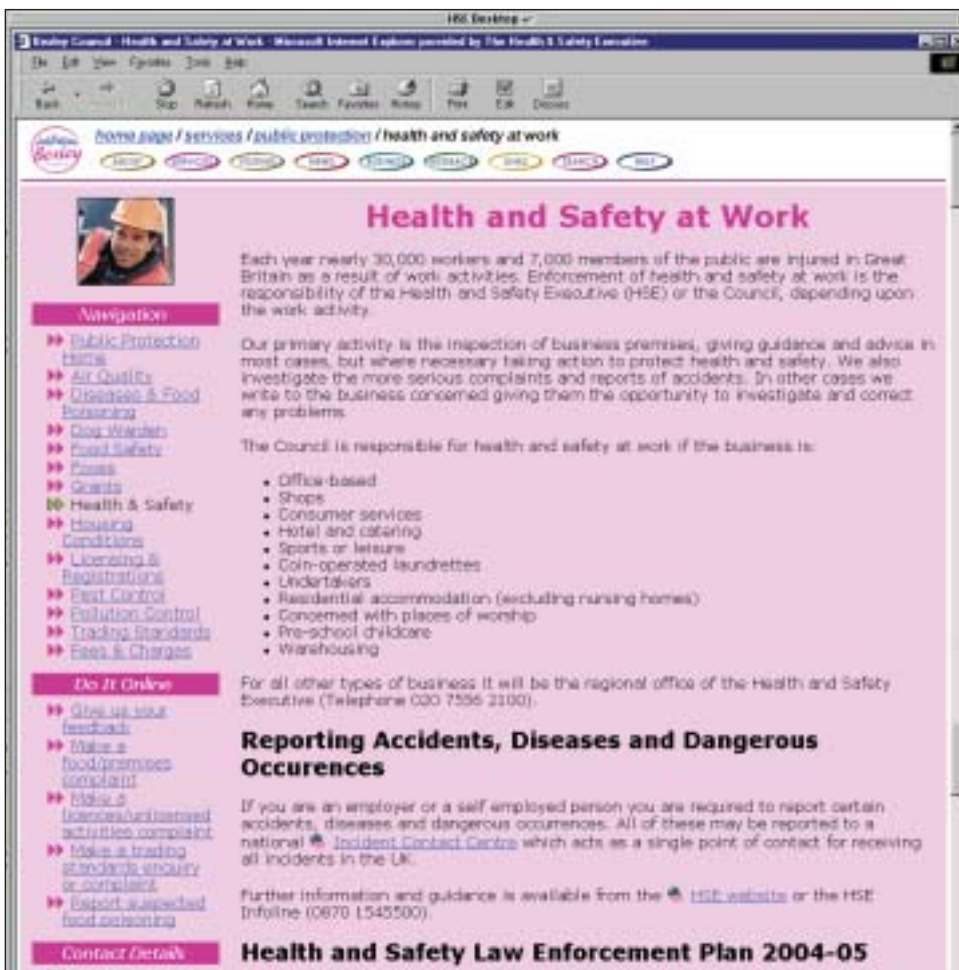


Figure 11: Bexley LBC health and safety home page

Bournemouth BC have attended sector-specific forums arranged by Business Link, where the council has provided a display, business health and safety information packs and advice on health and safety. These forums so far have targeted wholesale and retail businesses, residential care homes and the hospitality trade.

From August to September 2003, Derwentside DC carried out inspections of hairdressers, and those who demonstrated high standards of health and safety were awarded a certificate at a presentation ceremony in October

2003, to coincide with European Week for Safety and Health. With the theme being hazardous substances, the inspections focused on the use of chemicals, personal protective equipment, occupational dermatitis, asthma, and latex allergies. Each premises was guided through producing a COSHH assessment and risk assessments where appropriate. The department was awarded a regional prize from HSE for this initiative.

Health and safety training has been provided to local businesses at low cost by Gosport BC. The courses are



Figure 12: Councillor Denise Bennett, Chairman of Derwentside District Council with 10 of the 11 successful salon representatives, pictured at the awards ceremony

advertised on the council's website (www.gosport.gov.uk) and have resulted in a good uptake. All attendees are given an attendance certificate to include in their training portfolio. The most popular courses are:

- induction;
- manual handling techniques;
- asbestos awareness;
- fire safety;
- risk assessment; and
- COSHH assessment.

Gravesham BC has carried out work in conjunction with their local business partnership (LBP), to raise the profile of health and safety with small businesses in the borough. For 2003/04, funding was secured from the Small Business Partnership to support the post of a partnership liaison officer. This officer has been based within the authority's environmental health regulatory team – working closely with health and safety field staff on educational initiatives and survey work, and establishing contacts with small businesses, particularly on light industrial estates.

During 2003/04, health and safety articles have been included in two editions of the LBP newsletter, which is sent to all business ratepayers in the borough.

In addition (via the LBP), the council ran a half-day health and safety seminar in November, which attracted 60 delegates from a wide mix of local businesses. Sessions were well received and included presentations on COSHH and asbestos management. As well as speakers from Gravesham BC, there were speakers from HSE, Kent Fire Brigade, Inland Revenue and Groundwork. Delegates particularly enjoyed a workshop exercise to carry out a COSHH assessment.

The seminar also hosted an exhibition with trade stands and a stand from each LBP partner organisation. The venue was a local college whose students contributed to the organisation of the day and also attended some of the sessions.

In February 2003, **Peterborough CC** held a seminar to raise awareness of health and safety issues within the warehousing sector. The event was held at a new state-of-the-art distribution centre in Peterborough.

The day included risk assessment group work, a video and a manual handling discussion session. The highlight of the seminar was a tour of the warehouse. This included a demonstration of the evacuation procedures used for the crane operators, who work in a storage area that is 23 metres high.

It was attended by a variety of companies ranging from larger multi-site national organisations to very small companies with less than five employees. An HSE representative was also in attendance. The aim of the day was to promote discussion between the different company representatives. The evaluation forms confirmed that all attendees found the day and the format useful, particularly the opportunity to be able to talk to other businesses about managing health and safety.

A 'drop-in' event for all businesses enforced by **Rochford DC** was held in October 2003, on the theme of 'Dangerous Substances: Handle with Care', to coincide with European Week for Safety and Health. Letters were sent to all businesses for which Rochford is the enforcing authority, inviting them to the event.



Figure 13: *Elaine Hanlon, Principal Environmental Health Officer, and Councillor R A Amner, at Rochford DC's training day on dangerous substances held during European Week for Safety and Health at Work*

This consisted of two alternating seminars held at half-hour intervals throughout the day. The seminars covered COSHH, asbestos, dermatitis, health surveillance and general health and safety issues. Videos, display boards and a range of leaflets were also available as well as staff from the Safety, Food and Regulation Unit. One display stand was supplied and manned by the Castle Point and Rochford PCT, working on behalf of South Essex Smoking Cessation Service. The speakers were engaged by using contractors from Food Hygiene Matters and a speaker from HSE.

The **Royal Borough of Kensington and Chelsea's** Directorate of Environmental Health has received recognition for its entries to the European Week of Safety and Health in the form of an award from HSC. During 2003/04, small and medium-sized hospitality businesses were able to take advantage of low-cost health and safety training thanks to a European Social Funded project run in co-partnership with the London Central Learning and Skills Council. The recently developed health and safety website has received acknowledgement from some neighbouring local authorities. This website was developed for businesses and employees. <http://www.rbkc.gov.uk/EnvironmentalServices/HealthAndSafety/default.asp>

In **Rushmoor BC**, the establishment of the Good Neighbours Health and Safety Forum in 2000 as a council-led initiative paved the way for health and safety enforcement officers to be able to communicate more widely with local businesses in an informal setting. The forum follows the HSE model.

This development went hand-in-hand with the publication of a new business newsletter, *Partnership Matters*, which was warmly endorsed by the North East Hampshire Local Business Partnership in its mission to guide businesses through the 'red tape' maze.

Both these innovative initiatives have grown in strength and continue today on a quarterly basis. They have proved to be useful mechanisms for promoting health and safety awareness, keeping local businesses up-to-date regarding new legislation and encouraging a culture where the council and its officers are seen as people happy to assist and advise first, rather than enforce.

Nowadays, over and above the free forums arranged each year, covering issues including health and safety practice and management, the environment, and business law etc, supplementary training and education awareness sessions are also organised by Environmental Health Services on specific topics. These are either in response to an identified health and safety HELA priority or to help businesses get 'ahead of the game' in respect of new or changing legislation and regulation. During 2003, the council ran bespoke sessions on asbestos risk management and competent portable electrical equipment testing, alongside their planned Good Neighbours Programme.

Between 30 and 40 representatives from local businesses attend the forum on a regular basis and its value has been confirmed through recent evaluations. Its success appears to rely heavily on having a practical focus on 'how to do it' rather than lecturing businesses on 'what to do'.

During European Week for Safety and Health at Work, **Spelthorne BC** wrote to all 24 hair and beauty premises in the borough regarding dangerous substances in the workplace and also sent out a questionnaire. They also sent out the European Week action pack in order to provide further information.

Environmental health officers are following up the premises who responded and the non-respondents, in order to provide further information.

Weymouth and Portland BC have developed, published and distributed to all businesses enforced by them, a comprehensive leaflet outlining the responsibilities that businesses have towards their employees as regards health and safety and how to get further advice.

During European Week for Safety and Health, an asbestos workshop was arranged for employers, safety practitioners, union representatives and building owners, including LA duty holders, by **Dudley MBC** to introduce the requirements of the new duty to manage. The HSE presentation pack was used and attendees all left with copies of the workshop pack for delegates.

Nuneaton and Bedworth BC, in conjunction with **Hinckley and Bosworth** and **North Warwickshire** councils, organised seminars for local businesses on asbestos and catering safety.

They also distributed special *Asbestos* editions of their *Health and Safety Matters* newsletter to all businesses in their area. **Selby DC's** website has continued to develop and includes a large amount of health and safety information such as:

- health and safety inspections;
- health and safety risk assessment;
- accident investigations; and
- slips, trips and falls.



Figure 14: One of a series of newsletters sent during the year to all businesses in Nuneaton and Bedworth BC's area. This newsletter gave priority to publicising the new duty to manage asbestos in non-domestic premises contained in the Control of Asbestos at Work Regulations 2002¹⁴

During the year, progress has been made in the development of a Health and Safety Forum to engage with businesses. Over 600 local businesses were invited to register representatives to attend the forum. Following this process it is planned to hold at least two meetings of the Health and Safety Forum in 2004/05, focusing on current health and safety issues and issues raised by attendees.

With regulation 4 of the Control of Asbestos at Work Regulations 2002¹⁴ coming into force on 21 May 2004, a mail shot was produced and sent to local businesses advising of the implications of this requirement. It is intended to further develop the campaign through a presentation at the health and safety forum and guidance and advice during programmed health and safety inspections.

The council also continues to play an active part in the **North and West Yorkshire Health and Safety Liaison Group** and the **North Yorkshire Health and Safety Liaison Group**.

The council works to the North Yorkshire Health and Safety Quality System, and members of the group audit all authorities across North Yorkshire at least once a year. This will help to determine compliance with the mandatory HSW Act² Section 18 guidance and the EMM.

Rochdale MBC and **Oldham MBC** are active partners to a bid being made by Oldham and Rochdale Groundwork for funding from the Workers Safety Advisor Challenge Fund. If successful, the project aims to complement the work of EHOs, by engaging businesses on key *Revitalising health and safety* themes and topical legislation.

The project proposes to target SMEs involved in retailing and hospitality activities in Rochdale and Oldham, particularly small businesses with between one to five employees. These businesses often lack resources to gain knowledge of and address health and safety issues. The project's partners and other business support agencies will be able to refer businesses to Groundwork.

North Cornwall DC supported the European Week for Safety and Health by running a campaign on hazardous substances safety. A self-assessment questionnaire was mailed to 100 of the council's higher risk businesses that were identified as using hazardous substances. As a result, 40 businesses received a follow-up inspection. North Cornwall also promoted the HSE action pack and ran articles in their *Food, Safety and Health* biannual bulletin highlighting dangerous substances in the workplace.

Glasgow CC was represented at a personal enterprise show organised for new business start-ups. The show attracted a good cross section of age, gender and ethnicity, with approximately 50 people making contact with the staff on duty.

Glasgow CC also ran a 90-minute presentation for solicitors, covering topics such as health and safety management, MSDs and the control of slip, trip and fall hazards in the office environment. This presentation proved a convenient means of accessing a potentially 'hard to reach' group.

Another hard to reach group - a community forum (volunteers and part-time catering and janitorial staff who help manage local centres) - was targeted by Glasgow CC. Several of these groups attended presentations covering the concept of risk assessment, first aid, manual handling, and accident prevention.

As part of an initiative for European Week of Safety and Health, **Guildford BC** carried out targeted inspections of all of the hairdressers within the borough, involving some 60 premises. The inspections focused on risk assessment, substances hazardous to health, occupational dermatitis and infection control, including disinfection of equipment. Officers used specifically designed pre-inspection letters and checklists. Most premises welcomed advice given by officers during the visits and positive customer feedback was

received. In general there appeared to be a lack of manufacturer's hazard data sheets available to hairdressers although overall standards were generally found to be acceptable. However, in one case, formal action was required and is still ongoing. It is proposed that follow up visits are made to a sample of the hairdressers to monitor the improvements being made.

Leeds CC arranged for the first of several asbestos seminars to be held to coincide with the launch of European Week for Safety and Health. The seminars used HSE's asbestos presenter pack and were aimed at increasing awareness of the Control of Asbestos at Work Regulations 2002¹⁴ in small to medium-sized businesses. The seminars were supported by a mail shot and a press article.

The 'high hazard' inspection programmes carried out by **Bradford MDC** have resulted in contact with many SMEs, most of whom had either never been inspected or had not been visited for some considerable time. As a result, many companies are now not only aware of their duties, and are complying with them, but they now know who to contact for health and safety advice and where to report notifiable injuries.

In February, **Birmingham CC**, in partnership with HSE, West Midlands Fire Service, **Sandwell MDC**, and the local 'Workwell' health advice project, organised a seminar entitled 'Health and Safety for Small Businesses'.

The seminar was aimed at black and ethnic minority small businesses in particular, and provided practical advice and guidance on a range of health and safety topics including risk assessment, manual handling, slips and trips, asbestos, and workplace transport. The seminar was well attended and well received.

LB Bexley sent two *Safety Matters* newsletters to all (over 3000) premises where the council is the health and safety enforcing authority. These newsletters are also available via the council's website.

The first newsletter addressed the forthcoming changes in asbestos regulation and included information on:

- health effects of asbestos;
- duty to manage;
- changes in the law;
- asbestos monitoring and surveying; and
- where to get more information.

The second newsletter focused on the theme of European Week for Safety and Health and gave guidance on:

- dangerous substances (description/definition);
- skin diseases;
- occupational asthma;
- asbestos;
- managing dangerous substances safely;
- the main legal requirements;
- practical advice on controlling exposure; and
- where to get further information.



Figure 15: LB Bexley Safety Matters newsletter issue 1



Figure 16: LB Bexley Safety Matters newsletter issue 2

By targeting new and young employees at a local college, Rochdale MBC hopes a long lasting impact will be made in reducing accidents and illness among the future workforce. During European Week for Safety and Health, over 300 first-year students, including trainee bricklayers, joiners, hairdressers and mechanics, took part in a series of lectures organised by council staff. The training focused on hazardous substances, although all of the *Revitalising* topics were covered, raising awareness of the dangers of substances such as asbestos in buildings, solvents in metalworking, diesel exhaust fumes in garages, and skin and respiratory sensitisers, which they may come across during their working lives.

The course was run in consultation with the college's own teaching staff and complimented the students' normal studies involving lectures and informal discussions, followed by a short knowledge test.

Develop and publish local service plans (including innovative use of LA websites and other electronic communications)

LB Wandsworth have been leading on the ODPM-sponsored e-Government National Project known as PARSOL (Planning and Regulatory Services On-Line). This has involved many 'partner LAs' throughout England. It has developed a number of 'demonstrator' web-tools for LAs to use, in order to help authorities meet their 'Modernising

Government' commitments to deliver services electronically by 2005.

These will enable LAs and central government departments and agencies to liaise more effectively. The tools produced include a mechanism and framework for requesting and providing information online, as well as self-assessment tools for businesses, covering health and safety as well as other key functions. For more information, visit the website: www.parsol.gov.uk

Nuneaton and Bedworth BC's HELA Award-winning Health and Safety Matters website passed the milestone of 300 000 hits since launch in September 2001 and now averages almost 12 500 hits per month. It was included as a case study in the PARSOL best practice review and was the subject of an extensive feature in the national occupational safety journal, *Safety and Health Practitioner*. Its address is: <http://www.nuneatonandbedworth.gov.uk/business/healthsafety/default.asp>

Barnsley MBC has developed a comprehensive health and safety website (www.barnsley.gov.uk/healthandsafety). This is similar to the council's health and safety handbook, but allows visitors to download and submit application forms via e-mail for registration.

North Cornwall DC piloted a self-assessment project in 100 low-risk category-C businesses. Each business was sent a self-assessment questionnaire and asked to return it once

completed. None of the businesses concerned would have been routinely inspected and 18% of them asked for further safety information. They plan to extend this self-assessment initiative to cover all category-C premises in the next few years.

In conjunction with **Hinckley and Bosworth BC** and **North Warwickshire BC**, **Nuneaton and Bedworth BC** successfully launched the Heart of England Health and Safety Forum during European Health and Safety Week 2003. Officers established working contacts with a local 'workers' rights advice centre, attending training sessions and contributing articles for their newsletters. Officers continued to develop working relationships with training providers and attended a major local careers convention for all school leavers in the area.

Hinckley and Bosworth BC also produced its first occupational safety service plan, which was the subject of stakeholder consultation exercises. Promotional features on health and safety topics and the work of the occupational safety team were published in both in-house and external council newsletters. A promotional CD ROM containing information and publicity material on occupational safety (eg the council's occupational safety service plan and stakeholder feedback/comment sheet, *Revitalising health and safety*, *Securing health together* etc) was supplied to all VIP guests attending the official opening of the council's new leisure centre.

Bradford MDC publishes an annual departmental service plan, together with a health and safety service plan. These are presented to the council's Overview and Scrutiny Committee and the Executive Committee, which generates a good degree of interest and encouragement from members.

The department's draft Health and Safety Enforcement Policy has been placed on the council website for comment and has been publicised through various media including the Bradford Area Occupational Health and Safety Forum and the *Feeders' Digest* newsletter.

Leeds CC has continued to develop its HELA Award-winning risk assessment course. This year, specialist courses were run for the warehouse industry concentrating on the priority areas.

A CD ROM of the course content was also developed and given out free of charge. A web link to the course was developed for the council's intranet and a press release accompanied it.

Develop lead authority partnership schemes (LAPS) including engaging business and consumer interests

Several new lead authority partnerships were in the process of being set up or rejuvenated during 2003. For example:

Woking BC made significant progress in establishing a lead authority partnership with a fast food chain. Representatives from both organisations attended the LAPS/SMR training course at Loughborough University in June 2003, and following ongoing discussion, it was decided to carry out a

safety management review (SMR), following HELA's new 'flexible approach'. Priorities for the partnership have been jointly agreed, including focusing on slips and trips, MSDs, burns and violence to staff. A service level agreement was drafted in January 2003, and the SMR process started with a review of health and safety related documentation. It is anticipated that the SMR will be completed during 2004.

Glasgow CC increased its commitment to LAPS by entering into a partnership with a local housing association involved in the provision and management of residential accommodation for older people and others in need.

Bradford MDC's four lead authority partnerships continue, the one with a major supermarket chain being the most active. The company provided warehouse training to a large group of Bradford inspectors and also took part in the presentation on accident prevention and investigation at the Bradford Area Occupational Health and Safety Forum's spring seminar.

A brewery that has a lead authority partnership with Bradford MDC hosted a good half-day's theoretical and practical session for inspectors on beer cellar hygiene and safety. It was followed with tea and biscuits!

Hinckley and Bosworth BC secured an outline agreement to establish a lead authority partnership with a national high street clothing retailer.

Promote awareness of health and safety as a core principle and securing a better working environment

Bath and North East Somerset Council, in partnership with local emergency services have created an Event Safety Consultative Group which considers major outdoor events within the local authority. The group provides a forum for organisers to obtain advice from professionals on the safety aspects of their event. The group has also produced a risk assessment form for organisers of small to medium sized events, which provides guidance on how to complete the risk assessment thoroughly.

Numerous authorities have been involved in Safety and Health Awareness Day's (SHAD's) with HSE, targeting many different sectors. For example, in February 2004, **Derwentside DC** teamed up with other LAs and HSE to hold a SHAD, inviting local businesses to the free event, where they were given talks, presentations and demonstrations on various topics. These included:

- workplace transport;
- musculoskeletal disorders;
- falls from height;
- slips and trips;
- display screen equipment; and
- asbestos.

Another SHAD, for businesses in South-East London, was held at Charlton Athletic football ground on 9 March 2004. This was supported by **LB Bexley**. In West London last November, HSE inspectors and officers

from **LB Ealing** undertook joint visits to check standards at small businesses, and distributed a new joint leaflet on local sources of health and safety knowledge and advice.

The council has also set up a partnership with the London Fire Brigade and Thames Water, which has led to distribution of an information pack to all commercial and residential premises in its target areas prior to inspection.

Inspections advised owners on work that needed carrying out, with follow-up visits to ensure that owners are addressing the issues raised. An advice centre has been set up in Southall Town Hall, where owners can drop in for further information.

Cases of organisations being hoodwinked by unscrupulous companies or individuals using health and safety regulations have been reported by a number of LAs. Misrepresentation, misuse and counterfeiting HSE publications, and companies breaching distribution agreements with HSE, are taken very seriously. **Rochdale MBC** played their part in stamping this out, following several telephone calls received over a short period from businesses across the borough, alleging that a man claiming to be working or acting on behalf of the council was selling HSE's health and safety law poster¹⁵ at an inflated price (£20 - £30) and using the threat of prosecution.

Neighbouring authorities were informed of the details by e-mail and a press release was issued. This appeared in the local press and the chief environmental health officer was interviewed on a Saturday morning by local radio. Having seen the press release reported on Teletext over the weekend, HSE contacted Rochdale.

Fortunately one of the complainants had bought and subsequently returned one of the posters to the selling company, and had obtained a VAT number and company details. HSE discovered that the supplier was on their official distribution list but because of these incidents, the agreement was immediately suspended and other distributors informed about the circumstances.

Leicester CC, in conjunction with HSE and Leicestershire Asian Businesses Association (LABA), held an awareness-raising event for ethnic minority businesses. The event, which was the first of its kind in the East Midlands, was held in March 2004 at Comfort Hotel, Leicester

Nearly 60 delegates from various industries, ranging from manufacturing to service sectors, attended the event. The chief executive of LABA welcomed delegates and opened the event by stressing the importance of health and safety for businesses. An HSE principal inspector introduced the event and hoped this would become a regular event for businesses to keep up-to-date on health and safety.

Then Leicester CC's health and safety team manager informed delegates that the authority provided free advice and information to businesses and that a free starter pack for small businesses was available upon request. Delegates attended awareness-raising sessions on various

topics including asbestos, fire safety, slips and trips, manual handling, and upper limb disorders. Speakers included HSE specialists, Leicestershire Fire and Rescue and leading consultants. HSE inspectors and Leicester CC officers were on hand to provide advice and facilitate on the day.

Initial feedback from delegates was that it was 'much needed', 'very informative', 'eye-opening', and the trainers were 'very good' and they wanted 'more of the same'. Following the sessions, delegates had an opportunity to network with other businesses.

HSE and **Leicester CC** intend to organise similar events for ethnic minority businesses, building on the success of this first event, in order to raise health and safety standards in Leicester.

North Cornwall DC formed a training partnership with a local business school and an environmental health consultancy. Through this scheme, low-cost health and safety courses are offered to local businesses.

Bradford MDC's key involvement in the Bradford Area Occupational Health and Safety Forum is a major example of an LA providing a means of promoting good health and safety principles and working in partnership. Enforcement officers from both the LA and HSE work side-by-side with representatives from the public sector, private industry, trade unions and voluntary organisations. The main results of this now long-established working relationship are the regular seminars, annual activities around European Week for Safety and Health, publication of quarterly newsletters, provision of advice to local businesses and an ongoing active response to *Securing health together* and *Revitalising health and safety*.

Bradford MDC is actively involved in the Bradford Area Occupational Health and Safety Forum, which was formed in 1994 and is open to all, providing free seminars and training regularly throughout the year. There is a 16-person management group, which has representatives from all the main constituent areas: the public sector, local businesses, trade unions and the voluntary sector. In addition to the forum's regular work, it is also concentrating on local practical responses to HSC's *Securing health together* programme. It has received a recent boost by the inclusion of two PCT staff on its management group and the knowledge that the PCTs are willing to work as part of the forum to tackle occupational health issues in the area.

The forum ran a conference entitled 'Chemical Warfare in the Workplace' during the 2003 European Week for Safety and Health, for which it received a certificate of recognition from HSC.

Bradford MDC's Public Safety Liaison Group (PLSG) was convened by the council's Emergency Planning Unit and includes representation from Environmental Health, Building Control, the Licensing Unit and the emergency services. It meets regularly to receive information on proposed events in the area and to ensure that arrangements are put into place for their safe running, and also to have contingency plans where appropriate. Regular major events include the three-week-long Bradford Festival and Mela, the Lord Mayor's

Parade and the switching on of the city centre Christmas lights. The PSLG also met regularly with particular group representatives in 2003/04 to discuss the implications of the new licensing requirements.

Developing policy on other initiatives

A number of LA officers have contributed directly to policy development on a wide range of topics. Some have been seconded into HSE, for example to work in LAU, or other parts of the organisation such as the Safety Unit, or on shorter term attachments or as members of standing committees or working groups on particular projects.

For example, a senior EHO from the **Royal Borough of Kensington and Chelsea** represented LAs on behalf of the Local Government Association (LGA), on the National Liaison Committee (NLC) that oversees the protocol for liaison between Police, Crown Prosecution Service (CPS), HSE, LAs and other organisations enforcing health and safety at work legislation in England and Wales.

During the year, the NLC revised the Work Related Deaths Protocol. This was launched and sent to every LA. The Royal Borough co-ordinated the involvement of other local authorities into regional groups set up to improve local liaison throughout the country on the protocol. There is now good LA representation on the regional groups, which will ensure that the profile of the protocol is raised and that there are effective and efficient local arrangements or procedures in place for liaison between the investigating authorities (Police, HSE, CPS and LAs).

Other LAs are developing local policies that will provide models for future working. For example, **Kirklees MBC** has developed a Community Strategy, 'Vision 2012'. One element of the strategy is to 'Make Kirklees Safer', and one of its priorities for action is to prevent accidents in the home and workplace through training, education, raising awareness and use of safety equipment. The target is to reduce accidents and injuries in the workplace by 17% by 2012 (in line with the LPSA and RHS targets).

Partners include HSE, the local business partnership, National Care Standards Commission, West Yorkshire Fire Service and the authority's food safety team.

Kirklees meet on a quarterly basis with their partners from the PCT to performance manage the public service agreement projects and to ensure that the service is on track to meet the targets.

One particular initiative involved joint training for residential care homes on individual falls risk assessments. In doing this, hip protectors were offered at subsidised rates, funded in part by the Local Public Service Agreement pump priming money.

Some of their partners provided exhibits at the residential care home training day. This allowed delegates access to broader range of information and to meet and discuss issues with other regulatory bodies. In addition, a manual-

handling advisor for social services delivered the training session on manual handling.

In September, **Birmingham CC**, in partnership with HSE, undertook a three-day inspection blitz of Birmingham's Jewellery Quarter, with the aim of raising standards and identifying unregistered premises which had not previously been visited.

In particular, the inspections focused the HSC and HELA priority areas for compliance. Some of the visits were jointly carried out by HSE and LA inspectors, which enabled both parties to gain a better understanding of each other's work. The initiative has paved the way for further partnership working between HSE and Birmingham CC, which will take place during 2004/05.

HSE activity

HSE supports LAs in their achievement of the HSC and HELA objectives at all levels, both nationally and locally. At the centre, LAU supports HELA and its sub-committees, prepares and issues guidance and training materials on behalf of HELA and responds to enquiries, complaints and official correspondence relating to LA enforcement and other aspects from LAs, the public, businesses, trade unions and other organisations. The various parts of HSE's Policy Group are also becoming more aware of the potential contribution of LAs and are increasingly engaging with LAs or individual officers directly. Much of this work is reported elsewhere.

HSE's Field Operations Directorate (FOD) supports LAs principally through the work of the Commercial and Consumer Services, Transportation and Utilities Sector (CACTUS) and via its 'front-line' support to individual LAs via the Enforcement Liaison Officer (ELO) network in the divisions.

FOD Headquarters, Safety Unit, Health Unit and other sectors have also contributed significantly on particular topics (such as micro-pigmentation and semi-permanent tattooing or safety in care homes).

The following is a summary of some of the work carried out during 2003/04, but it should be noted that some of the activities detailed are described elsewhere in this report.

Joint LA/sector engagement with industries

Effort has continued to maintain LA involvement on national liaison forums where the industry concerned is inspected by both HSE and LAs. The aim of this work is to allow LA input into preparation and agreement of standards and guidance throughout the process.

For example, the national forum for the window cleaning industry agreed guidance on use of ladders, suspended-access equipment and rope access techniques that was published as a series of HSE information sheets. These have been issued to LAs.

The Hospitality Industry Liaison Committee, where FOD and LA representatives have engaged with stakeholders representing a wide cross section of this diverse service industry, continues to meet and produce guidance for the use of employers, HSE and LA inspectors. Unfortunately, the committee's work on revising and updating the key HSE publication, which is still in demand from employers, was halted by HSE's moratorium on producing and publishing guidance, whilst HSE reconsiders the role and impact of such publications.

LAs are also represented with HSE on the Broadcasting Joint Advisory Committee, which is working on, amongst other things, a health and safety essentials for theatres booklet. Similarly, the long-established HSE Meat Trades Joint Working Party and the Motor Vehicle Repair Forum also have LA representation.

Safety Unit co-ordinated HSE's continued action into problems of sterilising semi-permanent tattooing equipment and together with LAU has provided LAs with advice and guidance on safe cleaning methods.

The joint LA/HSE liaison group for the road haulage industry, formed in recognition of this industry's size and high numbers and rates of reported incidents, is now well established. LA involvement in this industry is similar to FOD's, and their representation was essential. The group has met several times and publication of an industry-specific leaflet highlighting the extent of the problem, key areas requiring attention, and giving basic guidance on topics most involved in accidents was issued in December. This has been publicised by all industry stakeholder groups involved, including major trade associations, professional bodies and trade unions.

The next step will be to building on this initial publication to reduce harm and CACTUS has planned and issued instructions for a programme of joint working between HSE and LAs to inspect the activities of operators of commercial vehicles both at their base premises and while making deliveries.

CACTUS has also recently revised the information dealing with inflatable amusement devices (bouncy castles etc). This information is predominantly of interest to LAs as they are responsible for enforcement in the majority of cases.

The Manufacturing Sector represents HSE on the tripartite lead authority partnership for the Steel Stockholding industry (SSLAP). Since SSLAP's first meeting in 1999, HSE has worked with **Wolverhampton MBC**, the lead authority, and the National Association of Steel Stockholders (NASS), to update the industry's existing health and safety guidance and to publish new guidance.

Linked to this work in developing standards and producing guidance, HSE's industry-based sectors have started to use the internet much more widely. For example, on the HSE website there are now specific web pages and portals for the hospitality, road haulage and motor vehicle repair (MVR) industries. These are aimed at employers in these spheres but are also of help to inspectors dealing with these industries.

Closer LA/HSE co-ordination

Various actions and activities have taken place to more closely integrate the work of HSE and LAs at a national operational level. Both Safety and Health Units have been working to develop suitable support mechanisms to local authorities in line with developing thinking under the new LAs and HSE 'Working Together' Strategic Programme. The ultimate aim is that LAs will have equal access to both these units and, where relevant, to HSE sectors.

CACTUS in particular is planned to take over the past LAU role as the source of sectorial input and guidance for all the areas of employment that are currently LA enforced. Funding for two new staff, including an LA secondee, has been agreed by FOD for 2004 and it is hoped also that greater understanding and shared objectives will grow from the secondment of the head of HSE's Safety Unit to LACORS on a part-time basis over the forthcoming year. In addition to these foundation actions, several specific activities have taken place as they have in previous years.

For example, members of Safety Unit and others (in particular, HSL) have given many presentations at regional LA seminars on slip and trip prevention at work. A number of LAs took part in field trials of the pedestrian slip assessment tool and attended joint training days with FOD staff. Health Unit and Safety Unit have also run roadshows on the other *Revitalising* priorities.

FOD Headquarters has met with LA representatives to discuss FOD's new approach to inspection and the arrangements for focusing on the priority topic programmes, with a view to sharing developing practice and guidance. Inspection topic packs prepared during the year within FOD for each of the priority programmes have been made available to some LAs as a pilot, and wider distribution will occur in 2004. Some LAs have been recording information from their 'topic-based' inspections on the HELA training co-ordination website. This has provided useful data for the priority programme teams.

HELA has endorsed this approach to inspections and wants to see it adopted by all LAs during 2004/05, subject to more specific guidance and training material being made available to assist rollout to LAs. This is being developed and co-ordinated by an LA secondee to LAU.

Enforcement liaison officer (ELO) conference

The annual conference of HSE's ELOs, held jointly with LAU, was organised by CACTUS with the usual extensive input from FOD. A number of local authority inspectors attended. HSC Commissioner Joyce Edmond Smith and HELA joint chair Bill Myers also attended and contributed positively to extensive discussion on LA/HSE liaison in future. The future LA/HSE Strategic Programme was the focus of most of the discussions, and this laid the foundations for the subsequent emergence of the full-time partnership managers who are at the heart of the divisional contribution to the implementation of the strategic programme. It is intended that the partnership managers will work 'strategically' alongside

ELOs, leaving the ELO role to continue in support of LAs front-line day-to-day enforcement activities, eg providing interpretation and guidance on technical and legal issues, including allocation under the EA Regulations,³ facilitating specialist support from HSE and HSL for investigations etc.

Health and Safety (Enforcing Authority) Regulations 1998 (EA Regulations)³

Throughout the year, LAU and CACTUS have continued to deal with numerous questions from both HSE and LA inspectors, arising from interpretation of the EA Regulations.³ CACTUS has maintained its growing database of advice, which was used as the basis of the 'A to Z' guidance local authority circular (LAC). Equally, ELOs have dealt with and resolved many enquiries locally.

Revision of internal FOD and corresponding HELA circulars has been postponed pending the review of these regulations.

The register of transfers has been maintained and monitored, and the usual below-the-line information paper presented to HELA (Note: This will be made available on the HSE/LAU/HELA website). As HSE and LA staff have become more relaxed about working with the regulations and closer working has developed, the number of transfers has declined to just nine in the past year.

Reports from HSE's ELOs on joint working with and supporting LAs

As ever, a wide range of activities has been reported, but those which illustrate partnership working and the potential for the future have been highlighted. This section also gives an interesting perspective from the point of view of HSE and its ELOs.

The first example is London, which demonstrates the various ways in which HSE is engaging more closely with LAs. Other areas report similar activities and support for LAs, and these illustrate the wide range of training and joint working that is already taking place. These summary reports are presented in no particular order.

London

FOD London has developed a strategy for working with LAs that was initially aimed at identifying opportunities for joint working to raise standards of health and safety in workplaces in the boroughs. The strategy sought to engage with LAs at chief executive and divisional chief level, as well as establishing working relationships with environmental health departments to arrange joint initiatives.

Work has begun to engage with LAs on joint enforcement blitzes, educational workshops and to develop arrangements for exchanging intelligence (eg construction planning applications) and other information of mutual interest. The enforcement liaison function has facilitated this by establishing the relevant contacts with the LAs and arranging

joint meetings. This is being developed further to establish relationships with other departments in LAs, eg planning and building control, for the exchange of information on construction activities.

Examples of joint initiatives include a motor vehicle repair initiative, an asbestos management seminar and safety and health awareness days in co-operation with HSE's intermediaries team.

Contact with the chiefs of environment health departments in London LAs has established a working relationship with their representative body, the Association of London Environmental Health Managers. This forum is used to promote not only joint working, but also the wider strategic view on the relationship with LAs that is currently being pursued.

An interesting development is the look at the role the LAs' strategic partnerships may be able to play in promoting health and safety in the community. Strategic partnerships are legal entities charged with promoting the well-being of the community in a wide sense.

FOD London has also been able to devote more time to the traditional enforcement liaison role, and is able to spend more time helping individual LAs with their investigations and enforcement difficulties. This has included overseeing both the provision of HSE and external specialist help, and one example of this has been the assistance given to an LA's investigation of a recent lift fatality.

Wales and South West

With the support of the directors of public protection Wales, and the heads of service, a joint steering group has been set up in Wales as a pilot, with a view to moving to joint planning and monitoring of projects from April 2005. So far, it has agreed a number of joint projects for 2004/05, primarily aimed at addressing the RHS topics, and including an all-Wales project on manual handling in care homes.

Innovative work has also taken place with the Welsh Syniad/WLGA benchmarking forum. One of the outcomes has been the production of best practice guidance on complying with HSW Act² Section 18.

In contrast, many South West LAs appear to give a low priority to health and safety, after food safety and other council services, but it is hoped to address this with the establishment of the partnership manager and closer working during 2004.

ELOs have experienced continuing demand for interpretation of the EA Regulations;³ particularly work on the road near LA premises. In response to a fire, FOD Wales and South West worked with LA officers investigating arrangements for dispensing liquefied petroleum gas (LPG) at a petrol filling station. Through this investigation, which involved supply and installation standards issues, the LA and HSE are learning together about regulation in a new area of technology.

Co-operation from LAs who are fairground lessees in the South West has helped ensure traveling funfair operators produce plans against which they can be monitored. This partnership approach in the South West has also broken new ground in national fairground inspection strategy.

FOD Wales and South West has organised and contributed to a wide range of training events for LA inspectors – from training in investigating serious accidents, to EMM, managing asbestos, project management, and ‘matters of evident concern’. They have also undertaken a number of educational and promotional activities jointly with LAs, including a stand at the Pembrokeshire show, which featured a manual handling demonstration by LANTRA (the training organisation for the agricultural sector), and a series of manual handling seminars for SMEs.

East and South East

The system for ELO work in East and South East (ESE) division, with support being distributed across the division, has continued during the year and has now bedded in, with many issues being dealt with at these levels. The system has led to greater co-operation, liaison and contact between HSE and LAs (especially county groups), particularly in the SE part of the division (due to staff stability). The opinion of LAs generally, particularly in the SE, is that the liaison system has been improved.

With a better understanding of interpretation of the EA Regulations,³ the number of formal transfers has been reduced. Those transfers that have taken place were to enable elimination of dual inspection and satisfy LAs’ concerns about conflict of interest.

Increased liaison has also resulted in an increase in joint projects and requests for assistance with technical inspection and investigation issues. This demand has been met mostly by specialist groups and from ELOs/general inspectors. There has also been increased contact over other enforcement issues, for example, a noticeable increase in requests for advice and assistance regarding gas-fired catering equipment, nail bars and similar establishments, and regarding slips and trips issues.

The latter area was largely as a result of the programme of slips and trips roadshows held by LAU. Following one of the roadshows held in Surrey, LAs are piloting the HSL slip assessment tool. Each LA is trialling the system for a month in turn.

It is clear that LAs are now generally becoming increasingly confident about the need to concentrate on *Revitalising* issues at inspections, although there are exceptions. They are gradually accepting the need to apply the EMM, and then realising the advantages when they do so.

Trial buddy schemes between HSE inspectors and EHOs have been set up within ESE division. These schemes allow local inspectors to give mutual support, and improve awareness of each other’s roles and techniques, eg by joint visiting and increasing knowledge. These are largely proving successful, and it is proposed to extend the schemes next year.

Two joint HSE/NCSC/LA events for care/nursing home inspectors have been held. Both were successful, although the large numbers of inspectors involved at one event stifled some discussion.

A joint workshop was held with **Peterborough CC** on *Revitalising* issues for small firms in the warehousing and transport industries. A joint project targeting transport firms and distribution depots was also held in **Tonbridge and Malling**, and a series of joint visits were undertaken. The project was felt to be of mutual benefit and will be extended next year.

Other joint working areas have included arboriculture, landscape gardening, homes/schools for children with behavioural problems, recreational dive shops and fairgrounds.

ESE has given briefings and undertaken joint visits to fairgrounds with EHOs from **Brighton, Worthing and Runnymede** councils. ESE and London divisions are currently engaged in a joint project to draft national guidance for LAs and their roles with fairs.

A joint exhibition, opened by HSC Commissioner Joyce Edmond Smith, was held with **Crawley BC** in a local shopping centre. The event was during European Week and concentrated on dangerous substances and violence at work. Two joint LA/HSE workshops on slips and trips targeted at medium-sized firms were also held during the year.

Discussions have been held with all LA county liaison groups to encourage them to place more emphasis on *Revitalising* issues in inspection programmes, and with regard to possible projects for joint LA/HSE working for next year. LAs have suggested several projects, for example, **Cambridgeshire LAs** have agreed that a third of their programme will be devoted to such projects. HSE recognises that to demonstrate good will, it will be necessary to carry out some joint work that is only on the LA agenda – eg passive smoking. Some LAs, though, appear to be largely unwilling or unable to participate in such projects due to lack of resources.

LAs throughout ESE division have participated with HSE operational groups and workplace contact officers (WCOs) in blitzes and targeted inspection initiatives across the region. The scale of participation has varied, but has included joint planning, joint targeting, joint visiting and pre-blitz information gathering. A jointly-staffed business helpline was set up during a three-day blitz in **Milton Keynes**, but unfortunately, this was lightly used.

Input both from ELO and the Employment Medical Advisory Service (EMAS) locally and from HSE Policy Unit was provided to an **Eastleigh BC** project on stress, which resulted in a seminar for larger local businesses, a toolkit and a self-assessment questionnaire for firms.

A regular ‘what’s new/proposed’ information sheet was produced for discussion at LA team meetings. Originally designed as an aide-memoire for discussion at county liaison group meetings, it has also been sent to health and

safety groups for them to report to members at their monthly meetings. It has also been used by inspectors attending meetings of other health and safety related organisations and groups.

There has also been continuing liaison with fire brigades and trading standards departments over the Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR)¹⁶ and gas safety issues. In particular, the operational group at East Grinstead co-operated with Surrey Trading Standards in their aptly named 'Surrey House of Horrors' operation, intended to catch rogue traders including gas fitters.

Discussions have been held with LA housing officers in Kent to allow the officers to deal with more gas safety matters, and to streamline procedures to allow speedier progression of those matters that are for HSE to deal with.

Midlands

Training has been a major feature in the Midlands Division. Training on the use of the EMM was provided to **Birmingham CC** EHOs and to EHO liaison groups across the division. In all, seven training sessions were held, resulting in a number of LAs now using the EMM.

Technical and legal training has been provided to several smaller local authorities with slender health and safety resources. This included the loan of an inspector for three days to one small LA, to help with the investigation of a fatal accident in a care home.

Following a presentation by HSE, there has been joint work on care homes with the National Care Standards Commission (NCSC) and EHO groups. HSE, LAs, the NCSC and the local fire service also ran a safety and health awareness day for care home owners and managers in **Derbyshire**.

There has also been work with LAs across the division on fairground safety. In **Birmingham**, two seminars were held with nine LAs and the Showman's Guild, concentrating on the inspection of fairground rides. In Nottingham, a co-ordinated LA/HSE approach to health and safety and enforcement duties was arranged by holding a series of meetings with **Nottingham CC** prior to the annual Goose Fair. As a result, the LA implemented a pre-site check of all rides before the fair opened.

A conference for 15 LAs on the 'Work Related Death Protocol' and 'Investigating Fatal Accidents' was held following difficulties encountered when helping LAs with fatal accident investigations. This will help to promote closer liaison following fatal accidents and other serious incidents in future.

On the inspection front, a joint blitz with **Birmingham CC** was undertaken to industrial estates focusing on the *Revitalising* topics over three days. In **Sandwell** a joint workplace transport blitz was carried out, targeting firms on trading estates.

A joint visit by HSE and an LA was made to a company's headquarters to deal with the duty to manage asbestos. The

company has premises enforced by both agencies. This helped to ensure a consistent message was given. The company wrote saying they appreciated this joint approach.

The gas safety of catering appliances has been raised by **Midlands LAs** following HSE's prompting, both nationally and locally. Specialist group support has been given, specifically to one LA to deal with the safety of a mobile hog roast unit using LPG.

Yorkshire and North East

There has been significant effort with LA training in the Yorkshire and North East (YNE) Division, including joint sessions on DSEAR, the new duty to manage asbestos, the manual handling assessment tool and the EMM.

Targeted effort in the North East has been impressive in encouraging and persuading LAs to take up the *Revitalising* challenge on project work.

For example, the delivery of white goods has been looked at in partnership with **Doncaster MBC**, focusing on a company in a lead authority partnership scheme with an LA. This has identified a number of areas, particularly in relation to getting information from customers on access, to allow for better pre-planning of deliveries etc which could reduce MSD risks.

Support work has also been done using the pedestrian slip assessment tool, involving HSL training. LAs now borrow the equipment on a rota basis from HSL Sheffield.

A major initiative in **Grimsby and Hull** has led to the sorting out of enforcement allocation in and around food factories and food warehousing operations.

North West

Partnership work included HSE's workplace contact officer (WCO) and **Lancashire CC** staff working together on new premises in the Lancashire/Morecambe areas, and similar work in Preston. Joint visits were also made to mills where residents were concerned about working practices.

HSE has been dealing with transport issues directly outside LA-enforced premises and was involved in the investigation of a fatal accident at a motorway service station lorry park, when a driver was crushed under the wheels of an HGV. There was a question as to who was the enforcing authority for this area (part of motorway slip road) and the LA was reluctant to investigate as they had little experience of this activity. Joint investigation with the LA (and police) was initiated at an early stage until enforcement responsibility was agreed in accordance with the new 'Work-Related Deaths Protocol'. It was decided that the LA was the enforcing authority but the FOD North West multigroup assisted in the investigation.

Again, instead of spending time trying to ascertain enforcement responsibility in a case where there was uncertainty, HSE worked in partnership with **Copeland BC** to jointly investigate a near-drowning incident at a swimming pool.

Other joint activities with LAs throughout the area include visits looking at slip and trip issues following a joint slips and trips event and joint visits to fairgrounds (this is to be carried forward as a project next year).

A presentation on the HSC strategy paper was given to all northern EHOs at a professional development day. Training was provided on the *Revitalising* topics, plus asbestos, investigation of fatalities, application of EMM, DSEAR, LPG storage and use, and MSDs.

HSE's specialist group (SG) have supported numerous LA investigations, including a vehicle collapse and an investigation into lifting procedures at a steel stockholders, which resulted in a successful prosecution. SG has also provided support on asbestos contamination at a tourist attraction and at a motor vehicle repair premises, on emissions from an HSE-enforced activity at an ex-collery tip, noise enforcement in pubs and clubs, unsafe storage of LPG cylinders at a retail outlet, a lift problem in a hotel and electrical issues in a theatre.

SG support was also provided following the collapse of a suspended ceiling / soundproofing in a cinema. The Construction Group subsequently investigated the design issues. In another 'standards' case, involving the failure of safety stirrups at a horse-riding establishment, this was passed to the local trading standards department, after consideration of Section 6 HSW Act.²

In addition, specialist support from HSL was arranged for investigation into a fatal accident, and for enforcement on slip and trip hazards in a large Blackpool public house.

During the year, HSE's services group has also assisted an LA with an investigation following a fall of a resident from a window in a care home. They also gave LAs advice on standards applying to graveyards, legionella, gymnasium lifting equipment, and on-site and off-site transport risk assessments at builders' merchants.

Scotland

ELO attendance at regular meetings of the four regional health and safety liaison groups, covering the 32 unitary authorities in Scotland, has continued throughout the year. The ELO has also attended the quarterly Health and Safety Co-ordinating Group (HASCOG) meetings.

During the year, inspectors have dealt with a number of enquiries from EHOs on a variety of enforcement and liaison issues. Gas safety has figured prominently especially in relation to 'chapatti flaming devices' discovered in Indian restaurants.

During February, a number of EHOs from the various LAs attended a pilot slips and trips training event, alongside FOD inspectors. This was organised and delivered by FOD's Safety Unit and HSL. Three slips and trips workshops have since been held in conjunction with **Aberdeen CC**, **Aberdeenshire Council** and **Shetland Island Council** for employers whose premises were likely to contain this

particular hazard. Specialist group has also been involved in assessment of floor surfaces at leisure and food premises.

A number of HSE staff gave presentations to EHOs attending the health and safety update course in November, organised by the Royal Environmental Health Institute of Scotland (REHIS).

Five training/briefing days have been undertaken concerning the new duty to manage asbestos. These were delivered by two FOD inspectors to a wide number of EHOs from all the LAs at various venues around Scotland.

FOD Scotland has also briefed two LA liaison groups on liaison arrangements with the Scottish Care Commission.

A number of joint initiatives have taken place with LAs, including flour dust in craft bakeries, delivery of consumer goods, furniture and white goods, builder's merchants as customers of the extractive industry, and saturation inspections of specific geographical areas.

Working jointly with EHOs from **Edinburgh CC**, an inspection strategy has been developed for the Royal Mail premises in the city. This has involved a central management approach followed by inspections of sorting offices and delivery activities. Priority topics for this initiative are MSD, workplace transport and slips, trips and falls. Although it is believed that this approach should be successful, it is too early to evaluate it.

Assistance to EHOs undertaking inspections and investigations has continued to be provided throughout the year. This has involved input from a variety of HSE staff including general and specialist inspectors, EMAS, various sectors and HSL. Areas covered included lifting devices and passenger lifts (including assisting with an investigation following a fatality at an Edinburgh hotel), cellar hoists and mobile elevated work platforms (following a number of equipment failures), manual handling of coins at various cash handling facilities and goods delivery at an out of town shopping complex. Workplace transport issues have been dealt with at a depot of a national builders' merchant, and involving a fork-lift truck overturn.

A process safety specialist inspector accompanied EHOs to a number of Indian restaurants to give advice on gas operated 'chapatti flaming devices'.

HELA activity

HELA conference

This year's HELA Conference was held, for the second year running, at the QE2 Conference Centre, Westminster, London. Its theme was 'A Time for Change', in response to the call to develop a 'genuine partnership' between HSE and local authorities, as formally announced in HSC's new *Strategy for 2010 and beyond*¹ when it was launched in February 2004.

It was decided to increase the profile of this year's event by adopting a new approach and targeting a wider and different audience, to help convey the vital messages about HSC's



Figure 17: Des Browne MP, Minister for Work, addresses the 2003 HELA Conference

new strategy and the potential contribution of local authorities directly to the 'decision makers'.

This includes elected members, and as an inducement to encourage their attendance, a free place was offered to accompany every health and safety manager/practitioner delegate. As a consequence, the Conference attracted its largest audience and was a full capacity event. Some 300 people attended, including about 60 elected members, nearly all of them for the first time.

Bill Myers (Director of Technical Services at LB Wandsworth and co-Chair of HELA) chaired the morning session. The keynote speech was presented by the Minister for Work, Des Browne MP, who gave his commitment to the creation of a better partnership between local government and HSE. In response, LACoRS and elected local government representatives from the local authority associations from Scotland, England and Wales in turn welcomed the HSC's proposed strategy, the Minister's acknowledgement of the work of local authorities and looked forward to future opportunities for working together.

The Chair of HSC, Bill Callaghan, emphasised that one of the main thrusts of the Commission's emerging strategy was the role of local authorities as key players in improving health and safety. He reported that the Commission had met the day before the conference to consider the responses to the consultation on their proposed strategy.

HELA Awards for Innovation

As in previous years, the conference was used as the platform to announce the winners of the HELA Awards for Innovation for 2002/03. The theme for the 2003 Award was 'Delivering the HELA Strategy'. The awards were presented

by HSC Commissioner Joyce Edmond Smith, who was pleased to note that a record number of entries had been received, demonstrating the increased regard in which the Awards are being held.

The main 2003 Award for Innovation went to **Leeds CC** for their health and safety risk assessment training forum initiative. Leeds identified a gap in the local authority service provision to SMEs in the city and obtained funding for their project from the Leeds Health Action Zone. Leeds then planned, prepared and delivered a training forum providing half-day training sessions, with follow-up support where required. The judges were impressed by the way the information presented at these training sessions had been incorporated into a free CD ROM that can be used as a stand-alone training package. This included information on the cost of accidents and ill health and the material has also been successfully adapted to target priority hazard and sector-specific businesses. The risk assessment training package has also recently been made available as a free-to-access tutorial on the Internet. Steve Woods, Principal EHO accepted the award on behalf of his colleagues at the authority and gave a presentation on the evolution and aims of their initiative.

A number of other authorities were highly commended for their initiatives. **Bradford MDC** targeted occupational ill health. The multi-agency Bradford Area Occupational Health and Safety Forum employed a consultant to work with its members to examine how it could produce a local occupational health strategy, in the light of *Securing health together*. A strategy document was produced and circulated to key stakeholders for consultation. Following this, a conference was convened in Bradford. A particularly interesting direct result of this initiative has been that the Forum has just appointed a Health Action Zone (HAZ) funded development worker who will take the project

forwards by developing links with PCTs and linking in with the training of GPs by providing them with specific information on work-related ill-health subjects.

The Hampshire and Isle of Wight CIEH Branch Health and Safety Advisory Committee targeted the priority programme on stress. Initially, the project developed a continuing professional development (CPD) accredited training course for LA officers. As an outcome of this course, a draft stress assessment tool was developed and piloted in four local authorities. This tool was finalised in the light of *Tackling work-related stress: A managers guide to improving and maintaining employee health and well-being HSG218*¹⁷ and was launched as part of European Safety and Health Week 2003. It is designed to be used in a variety of ways, ranging from self-assessment for businesses through to a framework for formal inspection.

The Liverpool City Council and Merseyside Chief Officers Health and Safety Sub-Group were highly commended for their Merseyside Call Centre Project. This excellent project targeted occupational health issues in call centres. After securing funding from the Department for Trade and Industry (DTI) to take the project forwards, working groups were set up to produce examples of good practice, examples of implementation and guidance material. This material, along with a wide range of other identified resources and guidance, is available in an e-library to all members of the Merseyside Call Centres Partnership. The project was formally evaluated by Loughborough University.

Full details of the winning entries for the 2003 HELA Awards can be viewed on the HSE/LAU website at <http://www.hse.gov.uk/lau/hela/awards2003.htm>, where they have been included as examples of good practice.

Over lunch, delegates had the opportunity to view presentations and exhibition stands from LACORS, the Incident Contact Centre, Salford University (HELA training co-ordination website) and members of HSE's priority programme teams.

The afternoon session was introduced by Justin McCracken, HSE's Deputy Director General and co-Chair of HELA. It started with 'Question Time', the format closely following that of the well-known TV debating programme. Panel members represented not only local authorities and HSE, but also the environmental health profession, trade unions and the business community. The panel took questions from the audience and then debated the questions among themselves. The debate was honest, lively, provocative and peppered with humour.

Bringing the afternoon to a close was a three-way session entitled 'Working in Partnership and Why it is Critical'. The Union of Shop, Distributive and Allied Workers (USDAW's) 'Freedom from Fear' campaign, which addresses violence in the retail sector, was outlined. A representative of the Federation of Small Businesses presented the small business perspective and finally, the chair of the Employers Organisation, a councillor, spoke on 'Raising the Profile of Health and Safety in Local Government', reinforcing the important messages of the day to the elected members in

the audience, and also took the opportunity to emphasise the responsibility and potential contribution of local authorities as duty holders towards meeting the targets set by the Government in *Revitalising health and safety*.

Feedback from delegates was extremely positive, although a number expressed the view that they were expecting more detail about the new partnership and how it was going to work. However, this was not possible as the framework for establishing the new partnership is the task for the Local Authorities Strategic Programme which was yet to be established. Work on the programme has now begun following discussions between the LGA and HSE, and the infrastructure to develop and support the programme is being put into place.

HELA guidance

HELA has continued to issue guidance and training material for local authorities, a key part of its role in promoting consistency in enforcement and approach, between LAs and between LAs and HSE. Several key local authority circulars (LACs) were issued in support of HSC's guidance to LAs issued under Section 18 of the HSW Act,² and numerous others provide general and specific technical and legal advice on a wide range of issues.

Virtually all LACs are now only issued electronically on the HSE/LAU/HELA web page (<http://www.hse.gov.uk/lau/hela/index.htm>), although a few have been issued in hard copy as well, and sent to directors/chief officers of environmental health under cover of an introductory letter from the chairs of HELA or head of LAU. For example, the annual guidance on work planning (*HELA Strategic Plan 2001-2004: Developing joint working between LAs and HSE in 2003/04 LAC40/6*).¹⁸

HELA has also encouraged the development of training materials, posted on the training co-ordination website. An example was the tutorial-based training package, introducing the EMM to LAs.

Enforcement Management Model (EMM)

The EMM is an important contribution to HELA's primary aim to promote consistency. The EMM was originally developed by HSE for its inspectors, but following research commissioned by LAU, to identify the most suitable and effective mechanism to deliver training on the EMM to all 3000-plus LA staff holding HSW Act² warrants, additional guidance and introductory material was developed. HELA announced that it expects all LA officers involved in making enforcement decisions to be familiar with the EMM by April 2004, and to be using it from that date.

Examples of prosecutions and fines 2003/04

The following examples describe a selection of typical incidents related to the priority topics and other situations which resulted in prosecutions by LAs. The more comprehensive *Health and Safety Offences and Penalties in Local Authority Enforced Sectors* is available on the HSE/LAU website (<http://www.hse.gov.uk/lau/publications.htm>).

Warehouse accidents/workplace transport

Two Peterborough firms received fines totalling £20 000, plus costs of £3205, for separate warehouse accidents involving manual docking plates.

In one, a fatality was avoided when the colleague of a man pinned between the docking plate and the tail lift of a reversing vehicle alerted the driver by shouting. The man suffered internal injuries.

In the second incident, a man fell from the tail lift of a goods vehicle, landing on a pallet that had fallen from the docking plate and broken. Protruding nails on the pallet left him with puncture wounds to his abdomen.

Peterborough CC prosecuted both firms for failing to ensure the health and safety of their employees. Each pleaded guilty in court to offences under Section 2 of the HSW Act² and regulation 3 of the Management of Health and Safety at Work Regulations 1999.¹⁹

Wigan MDC and HSE successfully prosecuted a steel stockholding company following a series of unannounced inspections, which revealed safety hazards that risked major or potentially fatal injuries. Council officers, helped by a lifting methods specialist from HSE, found failures to provide safe systems for moving steel stock, maintain safe site access, or plan or supervise lifting operations. Also, there were no measures in place for safeguarding the health and safety of site visitors.

The company pleaded guilty to three offences under the HSW Act² and one offence under the Lifting Operations and Lifting Equipment Regulations 1998.²¹ It was fined £22 750, with costs of £4500 awarded to the council.

The company, which supplies steel sections for the construction industry, has since taken remedial steps and invested in health and safety training for all employees.

A Bedfordshire firm has been handed out a large fine after one of its employees had to have the lower part of his right leg amputated following a horrific incident last year.

The accident happened at a warehouse in Dunstable, last January. At the hearing held at Luton Magistrates' Court, the firm pleaded guilty to breaching the HSW Act² and was fined £30 000.

The employee had been loading a case of mineral water onto a pallet truck when he was hit by a fork-lift truck cutting a corner as it turned right into his aisle. The truck's outrider struck the inside of the employee's right ankle, crushing it between the outrider and the pallet on his pallet truck.

His ankle was severely crushed in the incident. He also suffered compound fractures of his right tibia and fibula and additional fractures in his right foot. The injuries were so severe that his right leg had to be amputated from about 15 cm below the knee.

South Beds DC Environmental Health Service found that a company had failed to enforce its own rules for fork-lift truck operators. Despite stating that drivers should keep to the left, there were no demarcation lines on the floor to separate personnel and workplace transport, and no other measures to enforce the guidance.

The investigating team also concluded that the area in which the fork-lift truck was turning was a contributing factor.

The fork-lift truck operator involved has since undergone retraining in materials handling equipment. The firm has also moved the pallets and placed warning notices and stickers on fork-lift trucks to remind drivers about the direction of travel, the importance of driving on the left and the need to maintain a clear line of vision.

In local publicity, South Beds DC's environmental health manager, said: 'It is hoped that this case will highlight to all companies that they must have safe systems of work in place and that they should be monitored and reviewed on a regular basis.'

A Leeds-based company was fined £20 000, with £4000 costs, after an employee was crushed in an incident caused by an untrained fork-lift truck driver in a warehouse for motorparts.

The injured employee was absent from work for several months after she was hit by a stacking container (or stillage) dislodged by the truck.

Leeds Magistrates Court were told that the driver had received no instruction, was not authorised to use the truck, and there was no effective system to segregate fork-lift trucks from pedestrians. Previous advice on managing health and safety had not been implemented.

The company pleaded guilty to charges under Section 2 of the HSW Act² and the Provision and Use of Work Equipment Regulations 1998.²⁰

Leeds MDC's health and safety service manager commented that mixing vehicles and pedestrians in the workplace has long been known as a major factor in serious injuries.

A company that failed to carry out an adequate risk assessment has been fined £75 000, following a tragic accident that cost a 17-year-old employee his life. The employee suffered internal injuries at the store in Lincolnshire, after being hit by a load of frozen chicken and a pallet.

The objects had fallen about 10 metres from a mobile racking system into the main pedestrian aisle where he was standing. His father, who worked in the same store, accompanied him to hospital in the ambulance. He briefly recovered consciousness during the journey but was declared dead on arrival.

The company, which stores and transports frozen foods, had produced a risk assessment, but it did not identify the risk of loads falling into the aisle.

An EHO investigation identified numerous factors, including the condition of the pallet, the overhang of load over the sides of the pallet and the clearance between the top of the load and the bay it was drawn out from.

The company was issued with an enforcement notice and has since amended its risk assessment to prevent pedestrians from being at risk. The company pleaded guilty to an offence under Section 2 of the HSW Act,² at a hearing at Lincoln Crown Court in February. Costs of £40 000 were awarded to the council.

The commercial manager at South Kesteven DC said the accident had been entirely preventable.

A pharmaceutical wholesale and distribution company was fined £5500, with £5000 costs, after a warehouse employee was struck by a fork-lift truck and unable to work for three weeks.

Bolsover DC EHOs found that the driver was untrained and not authorised to drive the fork-lift. However, it was common practice to leave keys in the ignition of unattended trucks. The company were also found to have failed to control hazards where the trucks operated in areas open to pedestrians. The company pleaded guilty to two health and safety offences.

Unsafe machinery

A butcher at a Manchester superstore was prosecuted after one of his employees lost his hand when it was dragged into an electric mincing machine.

Police called to the scene found that the man's hand had been pulled through the mincing machine while he was feeding meat into it. He was rushed to Wythenshawe hospital but surgeons were unable to save his hand, which had to be amputated.

Manchester MDC EHOs found a series of defects with the machine, including the partial removal of the aluminium safety guard, which had been cut through using a hacksaw. By removing the guard, which is designed to prevent an operator's hand coming near the worm screw or blades, workers were able to feed meat into the mincing machine more quickly but with no protection.

Other defects found at the premises included an incorrect blade guard fitted to the band saw used for cutting meat, exposed electrical wiring on the refrigerated display cabinet, a broken electrical socket hanging off the wall, and several electrical appliances that had been incorrectly wired.

Manchester MDC prosecuted the owner for three offences. He was fined for failing to ensure that an effective guard was maintained on the mincing machine, for failing to carry out a suitable risk assessment, and for failing to maintain electrical equipment. The Court ordered the owner to pay costs.

As a result of this accident and another recent case, where a butcher lost the tip of his thumb while using a band saw, EHOs will be visiting all butcher's shops in Manchester and giving help and advice about safeguarding of meat cutting equipment and safe systems of work.

Supermarkets

A major supermarket chain has been fined £20 000, following an accident in which a customer lost the end of her middle finger in a door.

A female shopper was leaving a filling station supermarket when a door snapped shut on her hand.

An investigating EHO from **Bracknell Forest DC** found that another customer had received a similar injury and undergone hospital treatment the previous month, but the company had failed to make the door safe, pending repair.

The company pleaded guilty to one offence under Section 3(1) of the HSW Act² at East Berkshire Magistrates Court. Costs of £1830 were awarded to the council.

A Nottingham cash and carry has been fined £5000 after an employee was stabbed in the eye in a workplace accident, suffering permanently damaged eyesight.

The employee was slicing shrink-wrapped plastic around a pallet of mineral water bottles, when the craft knife he was using slipped and entered his eye. He is still undergoing treatment for a severe injury.

The company was prosecuted by **Nottingham CC** under Section 2 of the HSW Act.² An investigation following the accident found that the company did not have a risk-free system in place for handling knives and that the employee had received no training.

Nottingham Magistrate's Court was told that the company had also been prosecuted by **Sandwell MDC** a year earlier, when they were fined £12 000 after an untrained employee ran over a fellow worker in a fork-lift truck.

The court heard that the three-year-old company had inadequate health and safety systems at the time of the Nottingham accident, but a health and safety manager had since been appointed.

Slips and trips

A major supermarket chain in South London pleaded guilty to exposing staff and shoppers to risk of injury from wet floors. The company was fined £2500, with £4562 in costs awarded to **Bromley LBC**. EHOs discovered that a refrigeration unit was leaking onto the floor. The company pleaded guilty to failing to make sure that, within reason, floors were kept free of any substance that could cause a person to slip.

Asbestos

A Norfolk retail chain was fined £20 000 and a building contractor fined £6500 for health and safety breaches involving the unsafe and unlicensed removal of asbestos from the chain's Great Yarmouth branch.

Over three days, the contractor ripped down and broke up asbestos insulation board panels from the lobby area of a shop, before taking them away in the back of a car.

The shop remained open for trading during the three-day operation and over 20 people are thought to have been exposed to asbestos dust during this time, including some who helped sweep it up.

Though the shop's manager and the contractor were aware that asbestos was present in the building and discussed the likelihood of the panels being made of asbestos, neither tried to investigate the matter.

Both firms pleaded guilty to four offences under the HSW Act² and associated regulations.

Great Yarmouth DC's environmental health team leader said: 'There was no indication that either firm acted to save money. It was merely a matter of lack of knowledge and understanding of the serious risks.' Full costs were also awarded to the authority.

A firm of building contractors and an engineering consultancy were fined a total of £25 000 for failing to protect their staff from exposure to asbestos.

Birmingham MDC prosecuted the two firms after builders from the maintenance company damaged pipe lagging in a local church cellar which was made from brown and white asbestos, releasing it into the air.

Despite the risk, the workers returned the following day, when they were warned by church staff to leave the site. The workers returned to the church cellar a third time, this time accompanied by employees from an engineering company. None of the workers wore protective clothing or took any steps to protect themselves from inhaling asbestos fibres.

An independent environmental analysis later confirmed that the cellar was contaminated with amosite (brown asbestos) and chrysotile (white asbestos).

The companies both pleaded guilty to offences under the HSW Act.² They were fined £12 500 each with £5948 costs.

Care homes

The death of an elderly resident in a private nursing home in Gloucestershire has led to a £40 000 fine with £5250 costs for a medical equipment supplier.

A bed hoist that had been fitted by the company in the nursing home broke while in use, killing an elderly male resident. It should have been fitted with an upgrade kit, provided by the manufacturer, that would have prevented the accident, but Magistrates heard that the company had serviced the all-in-one hoist only six weeks before the accident.

The company pleaded guilty and was prosecuted by **Forest of Dean DC** under Section 3(1) of the HSW Act.² The case was referred to Crown Court for sentencing, where the judge said that the company had been alerted to problems but was 'dilatatory' in carrying out repairs to the hoist, which had only been half done. Although the hoist had been serviced, the engineer was not told about the faults with the equipment.

Another residential care home was fined £50 000 and ordered to pay £11 000 in costs after a resident was scalded after being left unattended in a shower. The 46-year-old man, who had learning difficulties, died five days later from complications associated with his injuries.

EHOs from **Trafford DC**, who investigated the case, found that the resident had been left for around 45 seconds in a shower chair while a carer went to answer the phone. Being unable to talk or walk, he was unable to call out for help and suffered scalding. In normal circumstances, the injuries would have been described as superficial but in this case complications set in, leading to the fatality.

The company had not done a sufficient risk assessment to examine the risk of scalding. There were also no thermostatic mixer valves on the shower. Temperature readings taken from the shower far exceeded the 41°C laid out in HSC guidance. EHOs have since served an improvement notice to reduce the risk of scalding.

The company pleaded guilty to contravening Section 3 of the HSW Act.²

Explosives

Ealing LBC issued a warning to local traders after a shop in Southall was prosecuted for failing to store fireworks safely.

Trading standards officers who visited the store found hundreds of fireworks on the shop floor, where anyone could have picked them up. Premises registered with the council may store up to 250 kg of fireworks, but only 50 kg can be kept in areas where there is public access. Loose fireworks are completely banned - all fireworks must be stored in enclosed cabinets.

The director of the store pleaded guilty at Acton Magistrates Court to two offences under the Explosives Act 1875²² - storing fireworks in an unsafe and unsecured location and not having fire safety equipment on his premises. He was fined £500 with £186 costs.

Faulty equipment

Following a High Court appeal by **Crawley DC**, an airport authority has been fined £10 000 with £52 800 costs, for an incident in which a woman with limited mobility suffered a serious finger injury.

The woman was being transported through fire doors on an airport passenger buggy when one of the doors began to close, due to a faulty catch. The woman instinctively raised her hand to stop the door and a protruding screw on the push plate caught on her wedding ring, stripping the flesh from her finger.

Crawley DC EHOs took the case to the High Court after Brighton Magistrates accepted the airport's claim that it had no case to answer. In August 2003, a High Court Judge ordered a second hearing at the magistrates court, where the airport's not guilty plea was rejected.

An investigation by a senior EHO found that the airport had failed to act on earlier complaints about the faulty catch. Since the incident, the airport has installed Perspex sides and doors on its buggies.

Falls

A furniture company was fined £8000 and ordered to pay £17 350 costs, following an accident at its warehouse in Rochdale. The company admitted health and safety breaches after a warehouse manager suffered fractures when falling from a fork-lift truck.

The court heard how the man fell 2.4 metres from a platform on the truck's forks, fracturing both his ankles and elbow. He was hospitalised for two weeks.

Rochdale magistrates suggested that he had contributed significantly to the accident by ignoring company rules on using fork-lifts. The man, who is no longer with the firm, had been on a training course but continued using the unsafe practice to dump unwanted materials into a refuse skip. He had also allowed an unauthorised and untrained employee to drive a fork-lift truck. **Rochdale MDC** said the company's failure to monitor its own policy had led to the accident.

An employee of a national clothing chain was seriously injured when she fell down an open trapdoor behind a counter in a shop.

Investigating officers from **Bath and North East Somerset Council** found that the trapdoor had been installed some six years earlier, but the employer had failed to carry out a risk assessment and implement a safe system of work with respect to its use.

The trapdoor provided access to the basement storeroom and had been left open after an employee had retrieved stock from the basement. Unaware that the trapdoor had been left open, the employee stepped back into the opening. She sustained serious injuries to her back and hip and required physiotherapy treatment for some time afterwards.

The company pleaded guilty to offences under Section 2(1) of the HSW Act² and regulation 3 of the Management of Health and Safety at Work Regulations 1999.¹⁹ It was fined £5000 for the former offence and £2000 for the latter. Costs of approximately £3000 were also awarded to the council.

A London nightclub was fined £24 000 after a customer fell from a first floor roof, fracturing his skull and breaking a leg.

The customer was trying to get into the first floor entrance of the club, when he accidentally entered a fire exit and found himself on an unprotected flat roof. After becoming disorientated he fell 5 metres off the roof, which had no guardrails to stop someone falling.

The fall left the man with major injuries to his head and leg. It took 15 days for him to remember the fall and he now has a permanently shortened leg.

EHOs from **Ealing LBC** also found that staff had been using the rooftop to store furniture, putting themselves at risk and potentially blocking the fire exit.

The company that managed the nightclub pleaded guilty to health and safety offences, and was also ordered to pay £2300 in costs.

A fish company has been fined £6500 for health and safety breaches after a worker fell 5 metres in a warehouse, suffering injuries so serious he was unable to continue working for the firm.

Reading BC prosecuted the company after being approached by the injured worker four months after the accident. He had fallen from a stack of loose boxes, dislocating and fracturing his ankle. He was forced to leave his job weeks after the incident due to the severity of his injuries.

The investigating EHO discovered that, as well as failing to report this incident, the company had failed to report another 24 accidents reportable under RIDDOR⁴ since 1994.

The company pleaded guilty to nine health and safety charges including failure to report accidents and failing to segregate pedestrians from fork-lift traffic.

The employee has since had seven operations on his ankle. He has had a permanent metal plate fitted, and continues to visit hospital twice a week for treatment.

Electrocution

Kensington and Chelsea LBC has prosecuted a Notting Hill snack bar after a customer received a severe electric shock and had to be hospitalised.

The customer placed both hands on the counter of the snack bar and received an electric shock so strong he was thrown back 0.6 metres. After the shock, the customer felt pains across his forehead and chest and a tingling sensation in both hands.

EHOs found that there was a broken socket at the bottom of the unit and that the earth wire was not properly connected. When the food counter was switched on and tested, it was found to be 'live'. The owners had ignored instructions to check the equipment.

The two directors were each fined £1000 under Section 3(1) of the HSW Act.² The company operating the business was fined a further £1000. The borough was awarded £4800 costs. In a civil action, the victim received £2000 compensation.

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Key:

BC *Borough Council*
 CC *City Council*
 DC *District Council*
 LB *London Borough*
 LG *Health and Safety Liaison Group*
 MBC *Metropolitan Borough Council*
 MCC *Metropolitan City Council*
 MDC *Metropolitan District Council*
 UC *Unitary Council*

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