

**Health and Safety Service Plan 2009 – 2010
Appendix 1**



**Health and Safety at Work
Draft Service Plan 2009-2010 V3**

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Introduction

This is the health and safety business plan for 2009-2010 (the “plan”) dedicated to the statutory health and safety law enforcement responsibilities that fall to the local authority as an enforcing authority by virtue of the provisions of the Health and Safety at Work Act 1974.

The plan is a comprehensive document, dealing with the authorities role “to ensure duty holders manage and control risks from work activities and thus prevent harm to employees and the public” and it’s duty under Section 18 of the Act to “make adequate arrangements for enforcement” in accord with the HSE Enforcement Policy Statement on the purpose, method and principles of enforcement. It sets out the occupational health and safety team’s service delivery plan framework, including an interventions plan.

The plan works toward compliance with the principles and standards set out within the new Section 18 Standard which will take full effect as of 31 March 2011.

The plan will be submitted to the executive member for agreement through the individual decision making process (IDM). When approved it will be published on the Southwark web site www.southwark.gov.uk <<http://www.southwark.gov.uk>>

If you have any comments or suggestions on the content of this plan, then please contact

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Section One – Context

1.1 The Southwark Corporate Plan

The corporate plan, agreed on April 8 2009, sets out the council's key priorities until 2011 and describes what we will do to ensure progress is made. It is grouped under six priority themes and takes Southwark 2016, our sustainable community strategy as its starting point.

The priority themes identified within the corporate plan for 2009 –2011 are:

- Places where people love to live
- Everyone achieving their potential
- Promoting healthy and independent living
- Valuing the environment
- Tackling the crimes which concern people the most
- Transforming public services

The community strategy and the corporate plan can be found in full at <http://southwark.gov.uk/YourCouncil/keydocuments/corporateplan.html>

Together the corporate plan and the community strategy provide a focus and framework for all service activities. Contributions made by the work of the occupational health and safety team to the priority theme areas are identified within the interventions plan provided within this plan

1.2 Southwark Local Area Agreements (LAA)

Southwark Council has produced a Southwark Local Area Agreement (LAA), which is a three year agreement between central government and key local partners. It is designed to help Southwark and its partners, deliver national outcomes in a way that reflects local priorities, particularly those identified in the community strategy. It contains a range of performance indicators and targets agreed by the Southwark Alliance and central government, against which progress is measured.

The main areas of focus are children and young people, improving vocational skills, increasing the number of local people in employment, supporting business activity, improving the health of the borough's population, reducing crime, improving the environment and increasing the supply and quality of housing.

1.3 National performance indicator framework

The range of performance indicators included within the LAA are selected from a basket of national performance indicators (NPI) introduced in 2008-2009 as part of a new national performance framework, intended to reduce the burden on local government by reducing the number of indicators on which authorities must report.

Two of the NPI (Nos. 173 & 182) are directly relevant to the work of the health and safety team.

NI 173 – Flows onto incapacity benefits from employment – This indicator focuses on local partnership activity to ensure healthier and safer workplaces and reduce the number of people leaving work. It is a measure of the proportion of the working population living in a local authority area that moves directly from employment to incapacity benefits each year.

NI182 – Satisfaction of business with local authority regulation services – This indicator captures businesses’ perceptions of their experience of local authority regulatory services, monitoring progress towards better local regulation.

1.4 Partnership working with the Health and Safety Executive (HSE)

The Department of Work and Pension’s departmental strategy objective is to “improve health and safety outcomes in Great Britain, through progressive improvements in the control of work-related risks”. Progress to 2010/11 is measured on occupational health and safety outcomes by achieving sustained improvement in:

- The incidence rate of fatal and major injuries; and
- The incidence rate of work-related ill-health.

The HSE has worked toward this objective, through its revitalizing workplace health and safety strategy. Key to the strategy has been a close working partnership between the HSE and local councils, with the work of every local authority in improving the health, safety and well-being of their local community a contributing factor.

Indicators of progress achieved to date are provided in the table below

| Measure | 08-09 target estimated out-turn | Target by 2010 |
|--|---|--|
| Reduce the number of working days lost per 100,000 workers from work-related injury and ill health | Oct 08 – 20% reduction achieved nationally | 30% reduction nationally from 2001 base rate |
| Reduce the incidence rate of fatal and major injury accidents | Oct 08 – 8.9% reduction achieved nationally | 10% reduction nationally from 2001 base rat |
| Reduce the incidence rate of cases of work-related ill health | Oct 08 – 16% reduction achieved nationally | 20% reduction nationally from 2001 base rate |

HSE and local councils have jointly helped deliver on this strategy through the FIT3 programme (fit for work, fit for life, fit for tomorrow).

1.5 Recent developments in the national health and safety delivery framework

“Be Part of the Solution”

As this plan is being written the HSE's new strategy "The Health and Safety of Great Britain – Be part of the Solution" (<http://www.hse.gov.uk/strategy/document.html>) has been launched. Central to the new strategy is a sensible approach to health and safety and risk-assessment.

"Making a Difference"

The HSE has also produced a new section 18 standard "Making a Difference" (<http://www.hse.gov.uk/section18>). The new standard sets out a range of principles for enforcing authorities. These principles cover

- Making it happen
- Doing it right
- Working together
- Selling the story

The service has been monitoring the piecemeal introduction of the new standard over the first year of implementation. While concerns exist over resourcing of the service (dealt with elsewhere in this plan), it is considered that if this issue can be addressed the service is generally well placed to achieve compliance by 2011.

1.6 Recent developments in the better regulation agenda

The past year has seen further developments in the government's better regulation agenda.

Regulators' Code of Compliance

Section 22 of the Legislative and Regulatory Reform Act 2006 sets out that regulators should have regard to the Regulators' Compliance Code (<http://bre.berr.gov.uk/regulation>) when determining general policies or principles or when setting standards or giving general guidance about the exercise of general functions. The code, based on the Hampton Principles and published in December 2007, aims to embed a risk-based, proportionate and targeted approach to regulatory inspection and enforcement among regulators. It covers such issues as

- Economic progress
- Risk-assessment
- Advice and guidance
- Inspections and other visits
- Information requirements
- Compliance and enforcement visits
- Accountability

Primary authority scheme

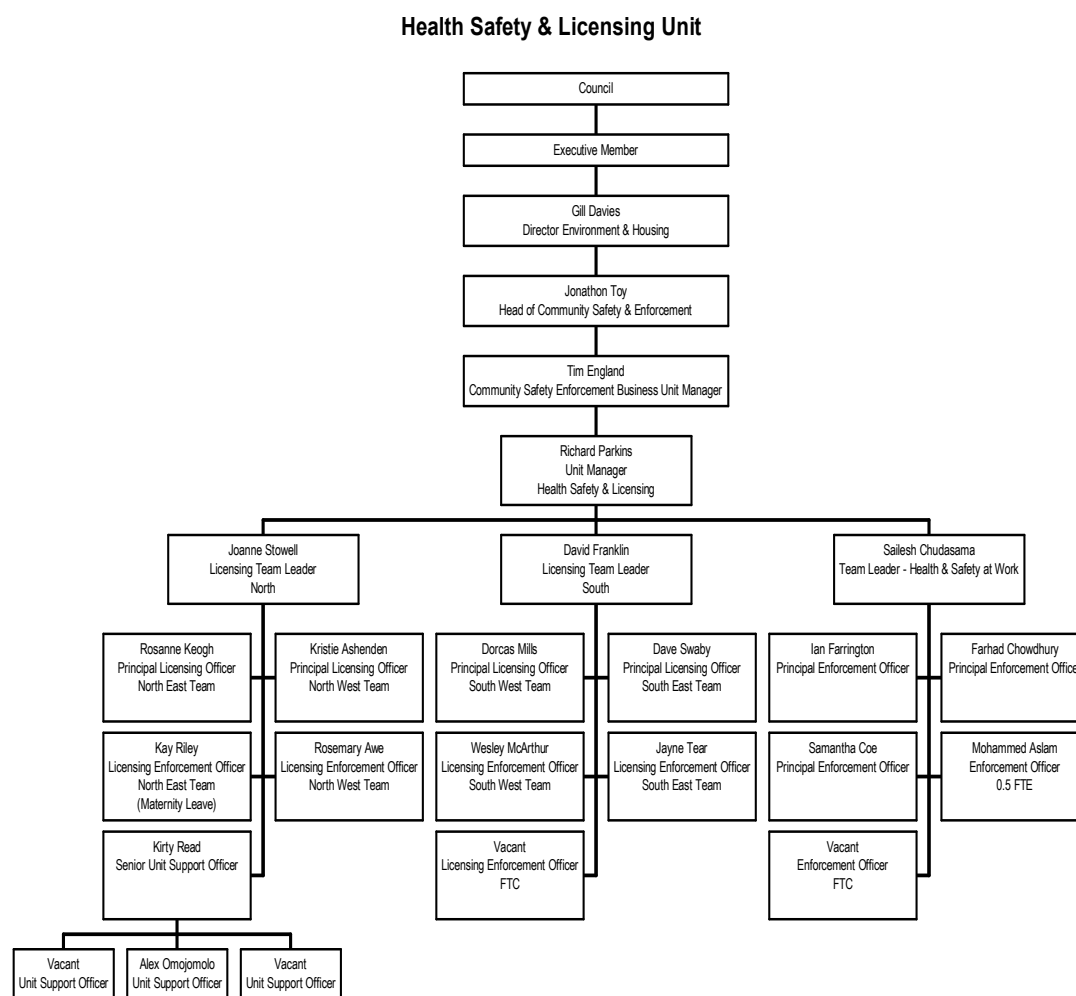
The Local Better Regulation Office's (LBRO) newly established primary authority scheme, aims to ensure that any company trading across council boundaries is guaranteed access to robust and reliable advice about its regulatory responsibilities. The advice is to be provided through the creation of new legal partnerships with local regulators. These registered primary authorities are to liaise with other councils to ensure that inspection and enforcement action taken anywhere in the UK reflects the advice given. Qualifying businesses and local authorities are being encouraged to develop such relationships.

Section two – The occupational health and safety team

2.1 Structure

Under a broader council restructuring, the occupational health and safety team amalgamated with the licensing team to become the health safety & licensing unit in April 2007. The unit forms one part of the community safety enforcement business unit within the community safety & enforcement division of the environment & housing department. The business unit also accommodates a combined trading standards and food safety unit; and the council's housing enforcement unit.

The structure of the combined health and safety team is shown below.



2.2 The scope of the service

The health and safety team holds responsibility for regulating health and safety in the workplace through a range of intervention methods. The licensing team administers

and enforces the core of the council's statutory public safety licensing responsibilities. The work of the licensing team is dealt with in a separate plan.

The health and safety team carries out a number of local and statutory functions. The following table gives an outline of the scope of the services that we offer.

| |
|--|
| <p>Health and safety - functional areas</p> |
| <p>Accountability to health and safety executive (HSE): To ensure that the service meets specified levels and standards as laid down by the HSE and to ensure that LAE Returns are made to the HSE detailing service activities</p> |
| <p>Health and safety enforcement: To embrace and localise the HELA Strategic Plan and identify local priorities. Also to undertake agreed FIT 3 project/priority inspections as agreed with the local partnership manager.</p> |
| <p>Programmed Inspection: To carry out pro-active inspections of businesses for health and safety in accordance with a risk-based inspection programme based upon national criteria and guidance. As advised by HSE these will be integrated into the priority programme/fit3 project work where possible.</p> |
| <p>Accident investigation – To investigate reported accidents under RIDDOR notification in accordance with published incident selection criteria</p> |
| <p>Training: To provide training, help and advice to businesses on health and safety issues.</p> |
| <p>Environmental sampling: To undertake a program of relevant safety, health and environmental sampling, where the determined risk warrants such action i.e. legionella.</p> |
| <p>Consumer Advice and education: The provision of safety advice to consumers or individuals or groups, including those at events etc. Displays and information are provided on safety issues. Talks are given to interested groups / universities where requested. Promotion of safety related initiatives.</p> |
| <p>Business advice: Upon request, persons setting up new businesses and proprietors of existing businesses are provided with advice, guidance & information on meeting safety legislation. Support SMEs to receive training and advice on health, safety and welfare issues via targeted projects to assist their development and regeneration.</p> |
| <p>Responsible authority: To fulfil the role of responsible authority for matters of health and safety for the purposes of the Licensing Act 2003</p> |
| <p>Support to partnership operations group (POG) initiatives: To provide</p> |

operational support to local area initiatives as sanctioned by POG.

2.3 Demands on the service

Range of premises

The table below shows the number of premises currently enforced by the team for health and safety:

| Description | No. |
|--|--------|
| Retail Shops | 1,569 |
| Wholesale shops, warehouses and fuel storage depots | 304 |
| Offices | 1,454 |
| Catering restaurants and bars | 1,431 |
| Hotels, campsites and other short stay accommodation | 75 |
| Residential care homes | 308 |
| Leisure and cultural services | 879 |
| Consumers services | 54 |
| Other premises (description not known) | 4,465 |
| HSE enforced premises | 1,042 |
| Total | 11,581 |

Sectors overseen by the HSE include factories; farms; building sites; nuclear installations; mines; schools/colleges; fairgrounds; gas/electricity/water systems; hospitals; nursing homes; government premises (including local authority); and transport systems.

Due to the limited resources of the service many of these premises fall outside of the Service's current risk-assessment scheme and have never received an inspection. In 2009-2010 we will investigate cost-effective short and long-term initiatives to bring all premises into the scheme.

Other responsibilities

In addition to those premises shown above, a further 49 premises are registered under the Notification of Cooling Towers and Evaporative Condensers Regulations 1992. We are also the lead authority for the Save The Children Fund and the Salvation Army. As responsible authority the service may consider up to 50 premises licence applications a year in terms of matters falling under the safety licensing objective.

2.4 Resources

Finance

The budget allocation for the combined health safety & licensing unit 2009-2010 amounts to some £1,098,298 against which is offset some £321,644 from licensing fees. Of this approximately £1,046,884 relates to staffing costs with £324,032 relating to the health and safety team (at full complement). Including share of other budget heads total expenditure on the health and safety team in 2008-2009 is projected at £350,000.

Staffing allocation

| Designation | Funded establishment posts | | Competencies necessary |
|---|----------------------------|---------------------|---|
| | Number in post | Number of vacancies | |
| Principal Environmental Health Officers (Includes 1 team leader) | 4 | 0 | HSAWA '74 Sec 20(2) a, b, c, d, e, f, g, h, i, j, k.l.m. Sec 21,22,25,38,39 |
| Enforcement Officer | 1.5 | 1 | HSAWA '74 Sec 20(2) a, b, c, d, e, f, g, h, i, j, k.l.m. Sec 21 |
| Totals | 4.5 | 1 | |

Staff development is carried out in accordance with the principles of 'Investors in People', which was achieved by the former environment and leisure department following an assessment during 2007-2008. The community safety and enforcement business unit training budget is apportioned out to each member team for allocation on basis of priority need.

An assessment of staff development needs is made using the HSE RDNA assessment tool. The training needs of each staff member is documented through the performance management process and recorded in the learning and development database

2.5 Hours of operation

The service is provided from the chaplin centre, thurlow street, SE17 2DG. Personal contact may be made with the service between the hours of 9.00 a.m. and 5.00 p.m., Monday to Friday. Telephone contact is available 24 hours, 7 days a week via the customer contact centre on 020 7525 2000 as is fax and email via: ohs@southwark.gov.uk.

A standby arrangement exists to respond to a public health emergency occurring at evenings and weekends and this is accessed via the council's emergency duty officer

2.6 Enforcement policy

The london borough of Southwark is a signatory to the enforcement concordat, which forms the core of the council's current enforcement policy. The council's enforcement policy can be found at

<http://www.southwark.gov.uk/YourServices/CommunitySafety/enforcement.html>.

Alternately a paper copy is available from the chaplin centre above.

Local authorities must also follow the health and safety executive's Guidance on Enforcement Practice (See [LACS 22/18](#): Enforcement Management Model (EMM) and [22/20](#): New Enforcement Guide (England and Wales) and Enforcement Handbook Scotland). Where a simple caution is being considered, additional guidance is provided in [LAC 22/19](#).

Additionally, on 6 April 2008, the department for business enterprise & regulatory reform's (BERR) "Regulator's Compliance Code" came into force. The specific obligations of the code deal with. The health and safety team is mindful of the code throughout all its activities.

Section three – Service delivery

Appendix A to this plan sets out the occupational health and safety team's interventions plan for 2009-2010. Appendix B provides a timetable for topic and project work.

Some background information on the interventions plan is provided below.

3.1 Health and safety premises inspection programmes

Planned general inspections are inspections, which take place in premises that have been rated by the HELA numerical rating system. They will not take up the largest proportion of resources but instead there will be a focus on ensuring that premises that are rated risk category A and B due for inspection under the programme are visited under the enforcement initiatives project work such as the FIT 3 programme. This year a total of 1573 premises fall into the A and B categories. All A category premises will be visited during the course of 2009-2010 together with 50% of category B1 premises. Remaining inspection resources will be spread across B2 – B4 category premises.

All premises visited by the team whether under the priority inspection programme or other enforcement initiatives that constitute a primary visit will be risk rated and included in the proactive inspection scheme.

Other intervention strategies are planned to be undertaken to provide some coverage of C category premises and also to draw more currently unrated premises into the risk-rating system. A first step will comprise a review of our business database to establish to identify new and changed businesses.

The risk assessment programme for health and safety inspections is specified in Local Authority Circular 67/1 (rev 3). The risk assessment criteria are made up of:

1. Safety hazard
2. Health hazard
3. Health risk
4. Safety risk
5. Welfare provision
6. Public risk
7. Confidence in management

Six risk categories are derived from the above and are to be inspected as below:

| | |
|-------------|---|
| Category A | > 186 points not less than once every year |
| Category B1 | 171-185 points not less than once every 18 months |
| Category B2 | 156-170 points not less than once every 24 months |
| Category B3 | 114-155 other intervention strategies but review rating after 3 years |

Category B4 126-140 other intervention strategies but review rating after 5 years

Category C <125 other intervention strategies

| Risk Category | No Premises | Interventions due 2008/2009 | | Estimated revisits |
|----------------------------|-------------|-----------------------------|------------------|--------------------|
| | | Inspections | Other activities | |
| A | 95 | 95 | 0 | 30 |
| B1 | 204 | 102 | 0 | 10 |
| B2 | 467 | 107 | 0 | 10 |
| B3 | 448 | 63 | 0 | 5 |
| B4 | 359 | 23 | 0 | 5 |
| C | 714 | 0 | 0 | 0 |
| HSE enforced premises | 1,042 | 0 | 0 | 0 |
| Non-assessed risk category | 8,966 | 0 | 0 | 0 |
| Total | 9652 | 390 | 0 | 60 |

This table highlights the fact there are 8,966 premises that are not currently within our premises inspection scheme and includes 4465 premises where the description is unknown.

Examples of 'other intervention strategies' include:

- Themed project working (under FIT3) which will bring new operations into the inspection regime
- Monitoring incident reports
- Seminars
- Desk top risk assessment of completed business self-assessment questionnaires based on detail of steps taken by the operator to fulfil health and safety responsibilities
- Closer working arrangements with the licensing service providing for risk-assessment of new premises operation under the responsible authority role and inclusion of health and safety references with the licensing programmed inspection scheme
- Intention to carry out sector risk-assessments to help give non-assessed businesses a starting point in the assessment scheme

3.2 Planned special interventions, surveys or enforcement initiatives

Overview

These visits make up the largest part of the health and safety teams proactive

inspection activity. New premises and existing premises are visited in this area with priority being given to the premises due for inspection under the HELA risk rating system as described above

Team leaders allocate priority programme inspections as they best fit the topics for the year. Any planned visits that do not fit the topic areas will be visited under a planned general inspection using the Revitalising Health and Safety topic inspection packs.

3.3 Initiatives and projects for 2009-2010

Primary focus in this area for 2009-2010 will be with our contribution to the London Joint Plan and Fit 3 Project work. The London Joint Plan is a collaborative arrangement between the HSE, London local authorities and the health protection agency designed to standardise procedures for dealing with legionella outbreaks across London. All project work, including local projects, will use planned topic inspection packs in accordance with the revitalising health and safety strategy.

Projects will also target local issues alongside incorporating priority topic inspections where they are relevant in the premises.

Appendices A and B set out projects that will be carried out in 2009-2010 in Southwark.

Each project is allocated to a lead officer who is responsible for planning the project. They will make clear aims and objectives at the beginning of the project and review the success of the project at the end. The lead officer will brief the team on the project before it begins and provide other officers with all the materials and literature they will need to carry out the project successfully. Officers will try to publicise this work as much as possible and ensure that all priority programme visits are recorded. Where necessary officers will attend project briefings by other bodies, such as the HSE for FIT 3 Projects, so as to ensure consistency with other boroughs.

3.4 Investigation of incidents and complaints

The health and safety team receives in excess of 300 accident notifications per year and a further 300+ service requests including complaints from employees regarding health and safety at their workplace.

It is not possible or appropriate to investigate all incidents. A systematic approach is therefore adopted to ensure that the more serious incidents are investigated. This follows the advice to local authorities given under the Local Authority Circular (LAC) 22/13 dealing with incident investigation selection procedures. In summary, priority is given to the investigation of accidents or incidents which demonstrate the following features:

- Fatalities,
- Serious injuries or cases of ill health or dangerous occurrences,
- Potentially serious events;
- Public concern investigations in support of initiatives within the HELA strategy;

- Incidents giving rise to a complaint;
- Incidents where there appears to be a serious breach of the law; incidents which recur in a particular trade or premises;
- Incidents involving young persons, children, or other vulnerable groups;
- Incidents which indicate a general management failure; and
- Incidents involving new process, technique, or item of plant.

Where appropriate the initial response will be within 24 hours. All other service requests will receive a first response within three working days and a full response in 10 working days or the complainant will be kept informed of progress on the matter. The Service will investigate complaints alleging offences in accordance with its published service standards and the quality assured procedure on dealing with service requests.

In 2009-2010 the team will ensure that all reported accidents that result in a RIDDOR notification that involve slips and trips will be investigated as recommended by HELA. All complaints made by employees or others about health and safety standards in a place of work will be recorded and an assessment made as to which require an on site investigation and others which may be resolved by telephone or written advice. Information will be recorded and reported on all outcomes and enforcement actions taken.

3.5 Lead authority principle / primary authority scheme

The Service recognises the value of both the lead authority principle and the primary authority scheme in securing and improving health and safety.

The authority has an established lead authority partnership with 'the save the children fund' and commenced a new lead authority partnership in 2007-2008 with the "salvation army". The work with the salvation army has involved auditing health and safety management systems using the principles contained in the HSE guidance note HSG 65 'Successful Health and Safety Management' (see section 3.22).

As a first consideration of the primary authority scheme the service will examine the potential for moving both lead authority agreements to primary authority agreements in 2009-2010.

3.6 Advice to business

Advice is a crucial element of the inspection process. In dealing with low hazard/low risk activities it will, in most cases, be sufficient to give telephone advice or send a leaflet, rather than visit the premises.

It is the policy of the health and safety service to give this assistance to local businesses when requested to help them to comply with the law and to encourage the use of best practice. This is achieved through a range of activities including:

- Advice given during inspections of and other visits to the premises;
- Provision of advisory leaflets;
- Responding to service requests and enquiries; and
- Participating in the 'European health and safety week' 2009 (see interventions plan).

3.7 Statutory notifications

The Service receives notifications throughout the year relating to:

- Asbestos removal; and
- Defective lift equipment

Where such notifications are received the service will ensure that works have been carried out in a satisfactory manner or that appropriate remedial action has been taken.

3.8 Registration / notifications

The Service is responsible for the registration of the following:

- Cooling towers
- Premises falling under the provisions of the Sunday Trading Act 1994 (as amended).

3.9 Liaison with other organisations

The Service maintains a number of liaison arrangements to ensure its enforcement activities are continually reviewed in a wider context and that its approach is consistent with other enforcement services within the council and nationally where appropriate.

Liaison arrangements exist with the following bodies:

- Health & safety executive
- London borough's health & safety liaison group (local authorities + HSE)
- South east quadrant health and safety group
- London legionella working party

3.10 Safety and Promotion

The Southwark health improvement programme was a neighbourhood renewal partnership initiative funded through Southwark alliance. The aim of the programme was to improve the general health of the Southwark population.

The health and safety team led on work this programme in the area of reducing exposure to second hand tobacco smoke – which contributed to the introduction of national legislation regarding ‘smoke free workplaces project in July 2007. A principal officer was seconded to this project for 50% of his working year paid for through the earlier Southwark men’s health programme. The smoke free workplaces legislation is now ingrained into business practice and the team retains an advisory role. Related enforcement activities are spread across a number of agencies.

Involvement in the Southwark health improvement programme also opens up the opportunity for community safety and enforcement services to carry out joined up working with other agencies and the voluntary sector on projects relating to other health initiatives in the white paper such as mental health and sexual health.

We also are involved in

- Local and national media including council magazines
- Advisory information and links on the Southwark council website.
- Provision of advisory leaflets in english and other local community languages
- Participation in the annual european safety week.

Section four – 2008/9 review

4.1 Review against the service plan

The table below sets out the occupational health & safety team's 6-year performance as per CIPFA returns

| Health, safety & welfare | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 | 2008-2009 |
|---|------------------|------------------|------------------|------------------|------------------|------------------|
| No. accident notifications received | 289 | 263 | 232 | 266 | 324 | 305 |
| No. other complaints and requests for service | 510 | 497 | 424 | 627 | 331 | 350 |
| Total no. inspections carried out | 896 | 898 | 893 | 516 | 534 | 705 |
| No. written warnings | 272 | 494 | 267 | 355 | 291 | 355 |
| No. improvement notices served | 23 | 88 | 91 | 181 | 127 | 125 |
| No. prohibition notices served | 10 | 12 | 9 | 67 | 25 | 32 |
| No. summons served and formal cautions | 0 | 7 | 1 | 8 | 13 | 8 |

From the figures provided above it will be noted that 2008-9 saw a 32% increase in inspections over 2007-8 with enforcement actions necessary in 50% of cases (a reduction of 5% over the previous year).

Accident notifications continued at a high level (over 300 for the second consecutive year).

Other complaints and requests for services showed a slight increase on 2007-8 but the figure remains low in comparison with 2006-7. The high figure in 2006-7 is now looking like an extraordinary year.

4.2 Identification of any variation from the service plan

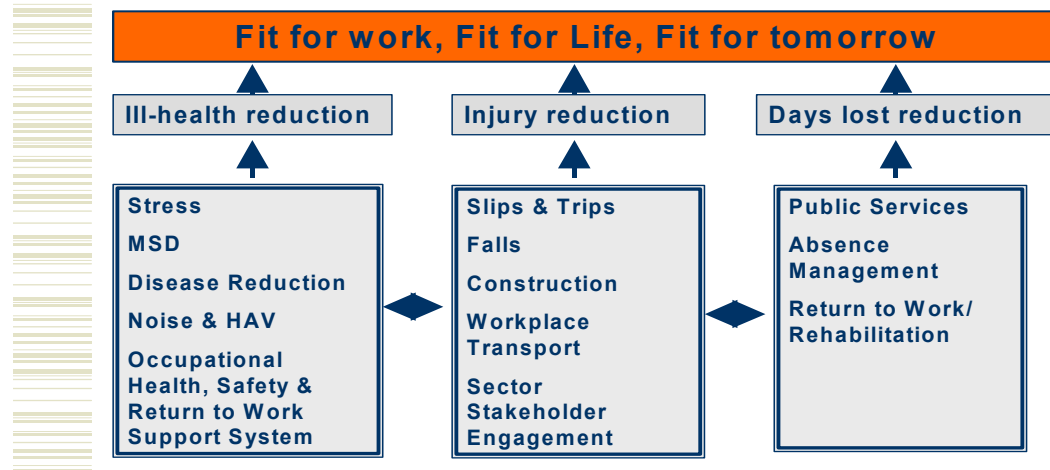
There was no significant variation from the 2008-2009 service plan. All inspection targets were met and all planned project working undertaken.

4.3 Key achievements in 2008-2009

The key achievements in 2008-2009 were

Continued successful delivery of FIT3 Southwark - The FIT3 programme aims to deliver the HSE's strategy for workplace health and safety in Great Britain to 2010 & beyond. There are two delivery programmes. One is known as FIT3, (Fit for Work, Fit for Life, Fit for Tomorrow) and is aimed at ill health reduction, injury reduction and a reduction of days lost due to injury. The other is focused on major hazard industries.

Fit 3



In 2008-2009 the team undertook good work on a number of the FIT3 linked campaigns, several (such as the “stop slips in kitchens” campaign and “a sensible approach to risk-assessment”) are continued into 2009 - 2010. Some highlights of the FIT3 work are given below

FIT 3 Strategic Work

Dermatitis in Hairdressing + European Health & Safety Week (Ill health reduction target)

On 21 October 2008 the service held a “The Dermatitis Awareness Day” at a salon in the heart of Peckham. The aim of the day was to provide information and advice and raise awareness of the prevention of dermatitis and musculoskeletal disorders within the hair and beauty industry. This industry sector is one of the most affected. The event was well supported with twenty two hairdressers attending mainly from the local black and ethnic minority salons. This event was staged in conjunction with the HSE and speakers from the Health & Safety Laboratory gave presentations and demonstrations, including interactive sessions and competitions focussing on the correct use and size of protective gloves and the correct method of removal to minimise contact with dermatitis causing agents. Free pairs of gloves in the correct size were given to attendees for trial use. Participants were also encouraged to think about the hazards present in their working environment and what they could do to minimise the risk of injury. The event was delivered at a nominal cost of £30.00 securing the team runners-up position in the council’s value for money award for October 2008.

FIT 3 - ‘Shattered Lives’ Campaign

Throughout the year the team placed emphasis on promoting the HSE's 'Shattered Lives' campaign focussing on preventing slips, trips and falls in workplaces during their inspections. Slips, trips and falls from height had been selected for this national campaign as these are a significant cause of workplace accidents, with some 10,790 major injuries in 2006/07. Premises targeted included restaurants, food retail premises, hotels and care homes. Risks were identified and appropriate enforcement action taken. Advice was also given to business owners on how to minimise the risk of slips, trips and falls happening at their premises.

FIT 3 (ill health reduction target) - Legionella in Spa Pools

Spa pools are becoming increasingly popular, providing health benefits through massage, relaxation and pain relief and can be found in health clubs, hotels, sports complexes etc. The agitated water is usually maintained at a relatively high temperature which can lead to an increase in microbial growth and a consequent risk of infection. The spa pool must therefore be managed carefully to ensure water quality does not deteriorate. Experience has shown that inadequate management has led to illness such as Legionnaires disease for users, people in the vicinity or passing nearby the spa pool. Work was undertaken to identify all spa pools in the borough and inspections were conducted to ensure they are being managed correctly and appropriate control measures are in place to minimise the risk of legionella bacteria. One rooftop spa pool in the Borough area was closed when it was identified that no bacteriological tests were being carried out; that no monitoring of the spa water was taking place and there were only ad-hoc management of the system. A second spa in the London Bridge area was closed after high levels of pH were found in the pool. Both matters were ultimately rectified. Informal action and advice was given to all the remaining spa pools visited.

Fatality investigations

More London Estate

A motorbike courier was killed by being run over by a skip lorry in the loading bay and service road of more london estates. The deceased was 27 years old and was on foot when he was struck and pulled under the wheels of the lorry. The police attended the scene with an air ambulance. The Work Related Deaths protocol for liaison between HSE, LA & Police was being followed with the team leading on the investigation. At the time of writing the Coroner has recorded a verdict of death by accident. Remedial measures have been put into place at the premises. Consideration continues to be given to further appropriate enforcement action.

Prosecution cases

Foreign Magic Ltd – Owners of Dover castle hostel.

Owners of a Southwark hostel were handed down a maximum penalty after failing to protect the health and safety of visitors to their premises. 'Foreign Magic Ltd', owners of Dover Castle Hostel in Borough, London, were fined £20,000 and ordered to pay £2,500 in costs at Camberwell Magistrates Court, after pleading guilty to one charge under Section 3 of the Health and Safety at Work etc Act 1974. The team prosecuted the company after a wooden-framed window and glass pane fell from a second storey hostel window, landing on top of a child in a pushchair outside the building.

The four-month old child remained in intensive care for five days and suffered serious head injuries, with including a brain hemorrhage.

The prosecution was taken under Section 3(1) of the Health and Safety at Work etc Act 1974, which states that it is an employer's duty to ensure, as far as is reasonably practicable, that people outside their employment but who may be affected by the business are not exposed to health and safety risks. The investigation looked at the health and safety management around maintenance of the premises. It revealed that the openable window frames were rotten and defective and were restrained by chains rather than fixed stays.

Spiazzo Cafe

Mr Irtelli, director of St Thomas Street Catering Ltd was prosecuted personally as well as the company at Camberwell Magistrates Court on 6th May 2008 for failing to provide a carriage guard to the food slicer used by staff at the premises, Spiazzo Cafe on two separate occasions. At the time of the first visit when the offence was identified, Mr Irtelli was served with a Prohibition notice prohibiting the use of the Food Slicer until the guard had been replaced. On a subsequent visit the food slicer was found to continue to be used without a guard by staff at the premises. Mr Irtelli pleaded guilty to three charges including breach of the prohibition notice. He was fined a total of £900 plus £600 costs and a £15 victim surcharge. St Thomas Street Catering Limited pleaded guilty to two charges and were fined a total of £400 plus £600 costs and a £15 victim surcharge.

Joint Working Initiatives

LBs of Hillingdon & Islington – cross authority partnership link.

Through partnership working and upon invitation the team gave presentations on asbestos management and enforcement to Hillingdon and Islington officers. Both sets of training were well received and will enable the officers to enforce asbestos management. Asbestos is currently the biggest occupational health killer in UK and is currently a priority programme/campaign by the HSE. (Over 4000 people die every year, 20 trades people, 6 electricians and 3 plumbers die every week)

Health and safety inspections in licensed premises

The team supported the licensing team and the police on premises with poor health and safety record. An inspection at one Peckham night club resulted in 13 individual improvement notices being served. The team also supported an application by the police for the review of the licence of an SE1 night club citing lack of confidence in management following a shooting incident. This resulted in improved conditioning of the licence and management control.

Hollywood Bowl, Toredo Street, SE16

Newham Council were supported in obtaining operational information to enable them to investigate a fatality to a technician, crushed by a pinspotter machine in a bowling alley. Assistance was given by demonstrating management controls, including a comprehensive isolation procedure, in place at a Southwark venue.

LABRO “trading places” scheme

As part of the trial “trading places” initiative, a member of the team spent 2 days working with TOTAL UK considering the learning potential for regulatory staff spending some time with the private sector looking at regulatory issues from the other side. Feedback provided to LABRO will help determine the future and shape of this project.

Other notable Incidents

Service request regarding gas smell in an office

Staff in the office of a charity organisation were being exposed to smell of gas and suffering from headaches and feeling sick. Both Transco and Thames water had visited the premises and could smell the gas but could not find the source of the smell. Transco gas leak monitor did not detect any gas they supplied. Thames water also gave up on the complaint as they could not detect or identify the source of the smell. The smell was present and evidence by the team member(s). Highways also informed us that although had carried out works on the road outside they had no reason to believe that it was their actions. The team persevered and managed to obtain funding from the HSE for the Health and Safety Laboratory to carry out in depth monitoring of the smell. Analysis showed that the smell was from an open sewer pipe which was left open during road works outside the premises earlier. The matter of the mysterious smell was resolved with letter of thanks received from the complainant for teams sustained effort.

Legionella Case

Following referral from the Health Protection Agency (HPA) where a Southwark resident was diagnosed with Legionella in hospital, investigations showed that the person had both worked and lived in Southwark, although being a peripatetic worker had also worked in other workplaces elsewhere. The workplace premises in Southwark were investigated and sampled and results proved positive for Legionella. The organisation had the water system disinfected and sampled again, following which a negative result was obtained. In close liaison with LBS Housing, the property where the person lived was also tested and found positive for Legionella. The H&S team advised Housing that the property and the Housing estate water system be thoroughly investigated and remedial actions put in place. H&S Team liaised with the HPA and the Public Health Laboratory on behalf of Housing to eliminate the risk. Recommendations were also made to the Housing H&S Advisor in relation to LBS Legionella Protocol.

British museum warehouse

An accident occurred at the British Museum warehouse in Marlborough Grove, SE1, where a forklift truck passenger cage was being used, the cage hit the racking and split, the person in the cage was hurt he suffered back injuries and damage to his pelvic joints. It was found that no proper safe systems were in place. A prohibition notice was served on the forklift cage as it is damaged and faulty. New risk-assessments were required and the company advised to retrain staff

LGBT awareness training

The team attended an LGBT awareness session, organised in conjunction with the council's LGBT advisor, as part of our commitment to understand and work together with all sectors of the Southwark community.

Customer satisfaction

Business satisfaction with the service was rated at 83% using the national performance indicator formula, establishing a first year figure against which future years performance will be compared.

4.5 Areas of improvement 2009-10 and beyond

Resources / The coverage of the health and safety premises inspection programmes

While the 2007-8 restructuring of the community safety division, which brought together the health and safety & licensing teams, has shown benefits in joined-up working, the health and safety team has continued to suffer from lack of resources. In 2008-9 the loss of one experienced principal officer who left following a year off on maternity leave, left the service with only 2.5 field staff.

The position will see some improvement in July 2009 when an additional principal officer returns after almost four years absence following time with the smoke-free initiative and periods with licensing and food safety. Despite this more investment in resources is required to address the considerable volume of premises that the service has health and safety responsibility for, yet which currently lie outside of the service's proactive risk-assessed inspection programme. A situation which must be addressed for the Service to meet its duties under the new section 18 standard.

Activities are planned in 2009 which will help the team draw currently unrated premises on board. As mentioned elsewhere, arrangements are in hand for an initial review of the service's business premises database (ensuring that the service has the best information on current business activities within the borough falling under the team's remit and ensuring that duplication and defunct businesses are removed. Business self-assessment activity will be increased during the year and exercises will take place aimed at risk-assessing omitted business according to business sectors. However, with the increase of the scope of the inspection programme the volume of planned inspections also rises.

The resourcing of the team is therefore on of the priority areas in the review of community safety enforcement which is taking place in 2009.

Service database and IT provision

In 2007-8 the community safety and enforcement business unit moved from using ITECs IT database and systems management software to APP. The move was not without teething problems and at the time of writing, development work continues to be necessary to provide full management reporting capability on the service's work.