

CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe

‘Local Authority Partnership Manager and Section 18’

**Presentation to CIEH South East Regional Forum Meeting,
2nd December 2009, Environment Centre, High Wycombe**

Marcus Herbert
Partnership Liaison Manager
SE Partnership & Communication Team

**CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe**

- **Chartered EHP (Qualified in 1985)**
- **PEHO since 1989 – Food Safety, Environmental Protection & Licensing (L.B. Ham & Fulham)**
- **2000 joined Reading – Team Leader H&S (re-titled H&S Regulation Manager)**
- **Chair of County H&S Liaison Group (Berkshire)**
- **Rep on S.E. Regional Partnership Forum**
- **S.E. County Representative on the LACORS H&S Policy Forum – (advises HELA and HSE Board)**

CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe

- **Commenced years secondment to
S.E. Partnership & Communication Team (PACT)
– Health and Safety Executive in April 2009**

Remit:

- **Partnership Manager for S.E.**
- **Lead on the drafting of Section 18 ‘Capacity’
toolkit for HSE’s Local Authority Unit (LAU)**

CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe

- **Partnership Teams established 2004 in HSE, headed by Partnership Managers**
- **‘Statement of Intent’ issued by the HSC which advocated closer working relationships between LAs and HSE in order to address national priorities**
 - **work related injuries**
 - **ill health**
 - **working days lost.**

CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe

- **EHP's seconded to HSE partnership teams as Partnership Liaison Officers (PLO's) but this is first time an LA manager has held a Partnership Manager role**
- **Sharing role as part of an ongoing trial with Bob Meldrum the substantive HSE Partnership Manager**
- **Bob – inward facing HSE aspects of partnership**
- **Marcus – outward facing LA aspects of partnership**

L.A. aspects include:

- **Flexible warranting schemes**
- **Training courses – via county group bids**
- **H&S Governance in the S.E. Region**

CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe

**S.E. Region: 7 counties: Oxon, Berkshire,
Hampshire, Bucks, Surrey, Sussex and Kent.**

**Partnership team members attend each county
group with the aim of:**

- **Assisting LAs with partnership issues (training, planning initiatives, work planning, monitoring progress with plans and implementation / management of FWS)**
- **Best Practice in terms of operation of county group – share across county**

S.E. H&S Governance arrangements:

S.E. Regional H&S Strategy Group (Heads of Service)



S.E. Regional Partnership Forum (County Chairs)



County Groups



Individual LAs

CIEH South East Regional Forum Meeting, 2nd December 2009, Environment Centre, High Wycombe

Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) - Microsoft Internet Explorer provided by the Health & Safety E

File Edit View Favorites Tools Help

Address http://www.hse.gov.uk/section18/index.htm

Home | Contact HSE | Feedback | Help | A-Z index | Site map

Search Go

HSE LACORS working together

Section 18: Standard on Enforcement

Home News Guidance About you About HSE Contact HSE

- Section 18 home
- Foreword
- Make it happen
 - Do it right
 - Work together
 - Sell the story
 - Assuring compliance
- Resources
- Feedback

Local search Go


Order a publication 01787 881165

Call HSE Infoline 0845 345 0055


Section 18: Standard on Enforcement

Making a difference...


Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) puts a duty on the Health and Safety Executive (HSE) and Local Authorities (LAs) to make adequate arrangements for enforcement. The following Standard sets out the arrangements that LAs and HSE's Field Operation Directorate should put in place to meet this duty.




Make it happen



Do it right



Work together



Sell the story


To help enforcing authorities (EAs) comply with their duty a number of toolkits have been developed to act as basic checklists and provide further links to additional supporting information.

Your industry


Agriculture

Health & safety topics

Asbestos



Myth of the month



Video introduction by HSE chair Judith Hackitt

Video introduction

Letter from joint HELA chairs

Updated 12.10.09 | © Copyright | Disclaimer | Privacy | Accessibility | FOI | Directgov | Back to top

Done

Start | Inbox - Microsoft Outlook | Recent Documents - 25 ... | Section 18 tool kit | Microsoft PowerPoint - [...] | Section 18 of the Heal... | Internet

18:20

CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe

- **Compliance with Section 18 Standard by:
1st April 2011**



CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe



- **All 10 toolkits are now available on S18 website**
- **Each toolkit has related Peer Review question set**

Section 18 toolkit

‘Capacity’

- **EA's must have 'Adequate arrangements for enforcement' (Section 18 HASAWA'74)**
- **EA's shall assess whether they have sufficient capacity to carry out their statutory duties**
- **Aim: to enable EA's (both HSE and LA's) to assess the adequacy of their service to:**
 - deliver their enforcement policy
 - plan/develop/monitor planned interventions
 - work effectively in partnership with other EA's and regulators

Previous S18 guidance issued in 2002

- No specific reference to capacity and resourcing
- Recognised that LAs had to balance H&S priorities with needs of the community and gave LAs the remit to responsibly determine resource levels.
- Wide spectrum of resourcing amongst LAs when comparing the size and risk profile of each

Where H&S function is located with EH department structure + number of other competing functions has bearing on overall resource provision

- **LA's require the toolkit to provide a mechanism or underpinning message that enables retention of existing resources i.e. Gives the tools when members / heads of service ask:**

“Where does it say we have to do this?”

- **Similarly must provide mechanism for LA's with insufficient resources**

- **Resources should be determined by risk profile of an EA as opposed to existing (insufficient) resources determining amount of interventions**
- **Toolkit should help LA's that are not contributing to the necessary level**

NATURE OF TOOLKIT - either

- **Prescriptive – (formula FTE/no of premises)**
- **Descriptive – (what adequately resourced EA looks like)**
- **Descriptive ‘hybrid’ – with indicators (i.e. injury / ill health rates etc as advised by CSAG)**

Strategic aims

- **‘Health and Safety of GB’ – all EAs must play their part in delivery of enforcement**
- **Directive 89/391/EEC – requires a European Inspectorate of workplaces which is:**

“sufficiently resourced”

Requires buy in from LA members and senior managers requiring them to gain an understanding of the benefits of H&S enforcement to employees and the wider public

Sufficient managers, administrative and legal support for the H&S service

Necessary tools including database

CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe

Describes what an adequately resourced H&S Enforcing Authority should be able to do:

- **Range of risk based interventions**
- **Investigation of RIDDOR notifications**
- **Investigation of complaints**
- **Revisits**
- **Statutory consultee for Public Safety – Licensing Act**

CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe

- **Local and Regional and National priorities**
- **Advice, training and advisory activity**
- **Effective partnership working**
- **Secure justice**

**DETERMINATION OF RESOURCES SHOULD BE
CONSIDERED ONLY AFTER JOINTLY CONSIDERING ALL 9
ELEMENTS**

UNDERLYING BASIS FOR DETERMINATION:

- **AMOUNT OF ENFORCEMENT ACTIVITY REQUIRED**
- **NOT THE CURRENT / AVAILABLE FINANCIAL AND HUMAN RESOURCES**

Related peer review / benchmarking question set to determine adequacy of resource

- **Record evidence of compliance and best practice**
- **Action plan in relation to any deficiencies**
- **Benchmark with county group / Partnership Manager**

CIEH South East Regional Forum Meeting, 2nd December 2009,
Environment Centre, High Wycombe

- **Although there has been consultation there is now a further 6 months window of opportunity to look at and use all the toolkits as part of self assessment process.**
- **LAU are looking for comments, suggestions and examples of best practice either via Partnership Team or Section 18 feedback email address: section18@hse.gsi.gov.uk**

ANY QUESTIONS ?