

The information in this document has been superseded by the new S18 Standard and its use is limited to providing interim advice whilst new supporting information is produced.

You can visit the new S18 Standard pages at the address below:

<http://www.hse.gov.uk/section18/index.htm>

To Directors of Environmental Health/Chief Environmental Health Officers of London, Metropolitan,
District and Unitary Authorities and Chief Executives of County Councils

Dear Colleague,

October 2002

Section 18 Health and Safety at Work etc Act 1974

Health and Safety Commission guidance to local authorities

I wrote to you in September 2001 enclosing revised Health and Safety Commission (HSC) guidance issued under section 18 of the Health and Safety at Work etc Act 1974. At the time of writing I mentioned that HSC's Enforcement policy statement was under review. This process is now complete and the new Statement has been issued to local authorities. As the Enforcement policy statement forms Annex 1 to the section 18 guidance, a new, revised set of guidance is now being issued to you.

Annex 2: 'Competencies for HSE and LA health and safety inspectors' has also been revised, following a change in the NVQ descriptors which are used as the basis for the competencies and the issuing body (now the National Training Organisation).

I trust that the revised section 18 guidance is continuing to contribute to an improvement in health and safety enforcement and achievement of the challenging national targets set by the Government's 'Revitalising health and safety' strategy statement issued in June 2000.



Bill Callaghan

HSC Chair

Any enquiries on this or other guidance should be addressed to HSE's Local Authority Unit, Tel: 020 7717 6438.



Health and safety in local authority enforced sectors

Section 18

HSC GUIDANCE TO LOCAL AUTHORITIES

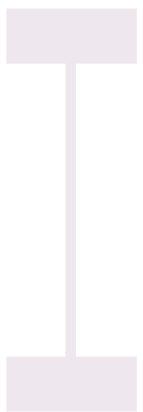
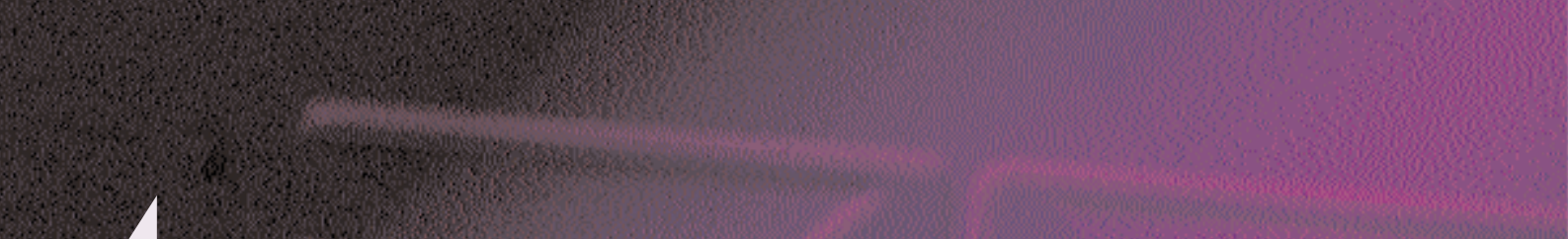
Guidance issued by the Health and Safety Commission under section 18 of the Health and Safety at Work etc Act 1974 to local authorities as enforcing authorities. It is the duty of local authorities to act in accordance with this guidance.



Health and safety in local authority enforced sectors

Section 18

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HSC GUIDANCE TO
LOCAL AUTHORITIES



CONTENTS

Introduction 1

HSC guidance notes 5

1 Enforcement policy and procedures 5

2 Prioritised planning 7

3 Requirement to produce a service plan, including investigation of accidents, complaints etc 9

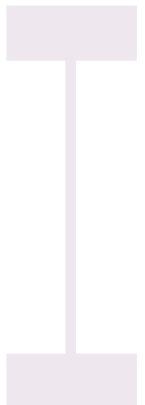
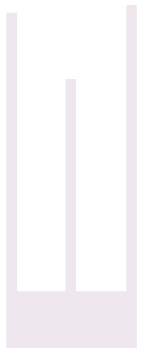
4 Requirement to undergo audit and develop an action plan 11

5 Provision of a trained and competent inspectorate 13

6 Requirements in respect of Lead Authority Partnership Schemes (LAPS) 15

Annex 1 - Health and Safety Commission Statement on Enforcement Policy 17

Annex 2 - Competences for HSE and LA health and safety inspectors 31



INTRODUCTION

THE STATUS AND CONTENT OF HSC SECTION 18 GUIDANCE TO LOCAL AUTHORITIES

- 1 Local authorities (LAs), as defined in the Health and Safety (Enforcing Authority) Regulations 1998 (EA Regulations), are responsible for the enforcement of the Health and Safety at Work etc Act 1974 (HSW Act) to the extent prescribed by the EA Regulations.
- 2 Section 18(4) of the HSW Act requires that local authorities perform their duties in accordance with guidance from the Health and Safety Commission (HSC). This guidance, commonly known as 'Section 18 Guidance', is therefore **mandatory**.
- 3 **Section 18 (4) states:** *'It shall be the duty of every local authority -*
 - (a) *to make **adequate arrangements** for the enforcement within their area of the relevant statutory provisions to the extent that they are by any of those provisions or by regulations under subsection (2) above made responsible for their enforcement; and*
 - (b) *to perform the duty imposed on them by the preceding paragraph and any other functions conferred on them by any of the relevant statutory provisions in accordance with such guidance as the Commission may give them.'*
- 4 The guidance notes issued by HSC under section 18(4) contain the broad principles which HSC wishes LAs to adopt in enforcing health and safety legislation. They provide a framework within which LAs should operate so that HSC can be confident that they are making adequate arrangements for enforcement.
- 5 In the view of HSC, the following elements are essential for an LA to adequately discharge its duty as an enforcing authority:
 - ▼ a clear published statement of enforcement policy and practice;
 - ▼ a system for prioritised planned inspection activity according to hazard and risk, and consistent with any advice given by the Health and Safety Executive and Local Authorities Enforcement Liaison Committee (HELA);
 - ▼ a service plan detailing the LA's priorities and its aims and objectives for the enforcement of health and safety;
 - ▼ the capacity to investigate workplace accidents and to respond to complaints by employees and others against allegations of health and safety failures;
 - ▼ arrangements for benchmarking performance with peer LAs;
 - ▼ provision of a trained and competent inspectorate; and
 - ▼ arrangements for liaison and co-operation in respect of the Lead Authority Partnership Scheme.

- 6 These elements are outlined in the HSC guidance notes within this folder. The guidance is not intended to be so detailed or prescriptive that it requires all LAs to operate identically. The Commission recognises that individual LAs' priorities are affected by local issues, and their duty to respond to the needs of their own communities and deliver a range of services. It is framed so as to allow LAs to perform their health and safety duties in a way which fits in with their wider role in their local community. It is also consistent with the general requirements of the Audit Commission and Audit Scotland to carry out audits of their administrative functions and the general principles of 'Best Value'.
- 7 An inter-authority audit protocol has been issued by HELA which will enable HSC and local authorities to review and monitor the performance of individual LAs.

HELA GUIDANCE

- 8 The HSC guidance made under section 18(4) of the HSW Act is supplemented by guidance from HELA in the form of Local Authority Circulars (LACs) and other key documents, eg on the management of enforcement. LAs should refer to this relevant guidance and subsequent revisions when considering how they will comply with their duties under section 18 of the HSW Act.

A REQUIREMENT FOR LOCAL AUTHORITIES TO PROVIDE INFORMATION ON ENFORCEMENT ACTIVITY ETC

- 9 LAs need to ensure that they devote sufficient resources to the health and safety enforcement function to comply with their duties under section 18(4) of the HSW Act. HSC will take a view on the performance of LA enforcement and promotional activities, in accordance with 'Revitalising health and safety' Action Point 27, using information supplied to it by LAs as requested (eg in their annual LAE1 returns) by consulting with HELA, and by reviewing the reports of inter-authority audits carried out using the HELA protocol.

DEFAULT POWERS UNDER SECTION 45 OF THE HSW ACT

- 10 If an LA fails to meet its legal obligations under section 18 of the HSW Act, the Secretary of State may, after considering a report submitted to him by HSC, cause a local inquiry to be held. If the Secretary of State is satisfied by such an inquiry that an LA has failed to perform any of its enforcement functions, he may make an order declaring the authority to be in default. The order may direct the authority to perform their enforcement functions in a specified manner within a specified period of time.
- 11 If the defaulting authority fails to comply with such an order under section 45 of the HSW Act, the Secretary of State may enforce the order, or make an order transferring the enforcement functions of the defaulting authority to the Health and Safety Executive (HSE). In such a case, HSE's expenses are paid by the defaulting authority.

CONFLICT OF INTEREST

- 12 LAs can be both duty holders and enforcing authorities under the HSW Act. LAs must take care to ensure that there is no conflict of interest between these respective roles. HSC believes that clear statements of responsibility and transparency will minimise any potential difficulties. HELA has issued further guidance on this subject.

REVOCAATION

- 13 All previous guidance notes issued in the HSC(G) series (Nos 1-4) are superseded by this new guidance.

THE FOLLOWING SECTIONS CONTAIN GUIDANCE PURSUANT TO SECTION 18(4)(b) OF THE HEALTH AND SAFETY AT WORK ETC ACT 1974, WHICH RESCINDS ALL PREVIOUS GUIDANCE ON THE SUBJECT.



1: ENFORCEMENT POLICY AND PROCEDURES

- 1.1 LAs, as enforcing authorities, must ensure that their approach to enforcement is consistent with the policy set out in the current HSC Statement on Enforcement Policy (see Annex 1).
- 1.2 HSC aims to protect the health, safety and welfare of people at work and to safeguard others, principally members of the public, who may be exposed to risks from the way that work is carried out. The appropriate use of enforcement powers, including prosecution, is an important means of securing compliance with the law.
- 1.3 Ministers wish to ensure that the law protecting the health and safety of workers and the public from risks arising from work activities is effective, and that there is a strict and fair enforcement regime. HSC's Statement on Enforcement Policy is in line with the Government's 'Enforcement Concordat', which emphasises better regulation and sets out the principles of good enforcement practice.
- 1.4 LAs should have their own clear and published enforcement policy. In drawing up these policies, LAs should consult stakeholders including local employers and employees and their representatives. LA enforcement policies should be formally adopted by Councils as set out in the 'Enforcement Concordat'.
- 1.5 When considering prosecutions or using other enforcement powers, LA inspectors should refer to the guidance in HSC's Statement on Enforcement Policy and other supplementary guidance on enforcement procedures issued by HELA.

Managing core enforcement processes

- 1.6 LAs should use a combination of enforcement processes to manage enforcement in line with the HSC Statement of Enforcement Policy. These core enforcement processes include:
 - ▼ **intervention** before any incident to assess, promote and enforce compliance;
 - ▼ **investigation** after an incident to identify underlying causes and the lessons to be learned, prevent recurrence, detect breaches and take appropriate action, including formal enforcement;
 - ▼ **permissioning** (eg asbestos removal), where the law requires close control of those activities where the potential for significant health impairment is high.
- 1.7 LAs have certain responsibilities to Ministers, HSC, elected members, duty holders, employees, and the public for enforcement activity. LAs should demonstrate the principles of proportionality, targeting, consistency and transparency when deciding on the appropriate enforcement process. Inspectors should also use these principles to guide their actions in applying the law to duty holders.
- 1.8 In managing enforcement processes LAs should aim to:
 - ▼ fulfil the HSC/HELA objective of reducing risks and protecting people;
 - ▼ implement HSC/HELA aims, priority programmes and have regard to the 'Revitalising health and

- safety' strategy statement published in June 2000;
- ▼ achieve the balance of enforcement processes which optimises overall effectiveness;
 - ▼ ensure the immediate control of serious risk and promote continuous improvement and long-term compliance;
 - ▼ work with duty holders, employees and their representatives by establishing effective dialogue to encourage open contribution and co-operation in achieving appropriate standards of health and safety;
 - ▼ use the information supplied by the duty holder and employee representatives to help target enforcement activity proportionately and appropriately to promote cost-effective compliance;
 - ▼ maintain transparent arrangements to promote public confidence;
 - ▼ meet stakeholders' expectations and current Government response performance targets;
 - ▼ collect, analyse, and disseminate information to improve the effectiveness of processes, law, policy and guidance and inform stakeholders;
 - ▼ work in collaboration with other regulatory authorities, eg HSE, Petroleum Licensing Authority, Police (and Procurator Fiscal in Scotland).

Authorisation of inspectors

- 1.9** Inspectors must be suitably authorised to undertake the tasks for which they are appointed, eg to institute proceedings or issue enforcement notices. Enforcement notices may only be signed and issued by an inspector who is of the opinion that there is, or has been, a contravention of one or more of the relevant statutory provisions or that there is a risk of serious personal injury.

Open government/Disclosure of information

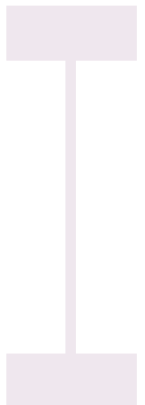
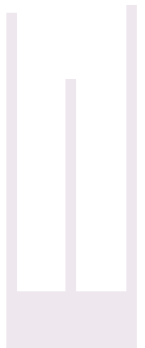
- 1.10** Procedures must be in place to enable information to be disclosed, as permitted under section 28 of the HSW Act and other relevant legislation.
- 1.11** A summary of the details of prosecutions taken by LAs is to be published on the HSE website. LAs are required to submit details of prosecutions taken by them for this purpose, eg description of offence, details of defendant, fine imposed etc.

Complaints about local authorities or their officers

- 1.12** Employers or others should be advised to contact the LA inspector's line manager in the first instance if they have a complaint. Any complaints received should be handled in accordance with the local authority's current instructions. In cases where a complainant is not satisfied that procedures have been followed, the complainant can approach HSE's Local Authority Unit (LAU). LAU will ensure that the complaint has been dealt with promptly and properly by the LA.
- 1.13** If appropriate, LAU will also consider whether the LA is making adequate arrangements for enforcement and make a report to HSC if necessary. In cases of maladministration a complaint can also be made to the Local Government Ombudsman in England, Scotland or Wales.

2 PRIORITISED PLANNING

- 2.1 LAs should establish and maintain a planned inspection programme based on the selection of premises for inspection using risk-based priority planning systems and taking account of HSC's current Strategic Plan, as reflected in the current HELA Strategy and HELA guidance to LAs.
- 2.2 A priority planning system based on risk assessment enables resources to be targeted at those employers and activities which pose the greatest risk to health and safety. Key features of such systems are a clear distinction between hazard and risk and guidance on making hazard and risk judgements about occupational health and safety issues.
- 2.3 To maximise effective use of resources and produce commensurate benefits, a systematic assessment of priorities is needed. LAs may also employ special initiatives, national or local campaigns, designed to tackle specific issues that have been identified.
- 2.4 Key risk areas should be targeted which have been identified by national agendas and local intelligence. Various enforcement approaches may be used and include promotional activities, the production of leaflets, use of mailshots etc.
- 2.5 To promote health and safety and develop a co-ordinated programme of activities, LAs' environmental health departments should work with other departments within their authorities as well as with government departments and agencies, other local bodies, stakeholders and intermediaries such as Regional Development Agencies, the Small Business Service, local employee and employer representative organisations, Health Improvement Programmes (HImPS), Crime and Disorder Partnerships etc.
- 2.6 Information will be requested from LAs by HSC and HELA (and/or by LAU on their behalf). Records of premises/duty holders should be accurately maintained and contain comprehensive information that includes names, addresses, history of accidents and complaints, inspections, investigations, enforcement action and priority ratings. LAs must ensure that databases are accessible to all staff that need to use them and that they are adequately maintained.




3 REQUIREMENT TO PRODUCE A SERVICE PLAN, INCLUDING INVESTIGATION OF ACCIDENTS, COMPLAINTS ETC

Service plan

- 3.1** LAs should produce and make available an annual health and safety service plan which is agreed by their elected members and makes clear their arrangements for contributing to current HSC priorities. The service plan will need to take account of local needs while addressing national priorities as set out by HSC in its Strategic Plan. In drawing up a service plan, LAs should consult stakeholders including local employers and employees and their representatives. The service plan should identify both reactive and proactive work, and include details of planned promotional and educational activities. LAs should refer to HELA guidance when constructing their plans.
- 3.2** The service plan should include information on the following:
- ▼ future objectives and major issues that cross service boundaries;
 - ▼ key programmes, including a planned inspection programme in the context of the current HSC Strategic Plan and HELA Strategy;
 - ▼ information on the service that is being provided;
 - ▼ the means by which these services are going to be provided;
 - ▼ any performance targets and how they will be achieved;
 - ▼ a review of performance to address any variance from meeting the requirements of the service plan.
- 3.3** Service plans will be reviewed as part of the audit process described in the HELA protocol on inter-authority auditing. This may be used by HSC, HELA and other LAs to monitor performance against current objectives.
- 3.4** Many LAs have been developing departmental service plans for some years and have corporate styles or templates that they wish to maintain. Some LAs undertake the planning and review processes at different times and issue the results of review as a separate document. There is flexibility for LAs to incorporate this information together with other enforcement functions in one overall service plan, but LAs should ensure that the information required in respect of their health and safety enforcement function, as outlined in this guidance, is included and identifiable in their service plan or other relevant reports.

Investigations

- 3.5** LAs should allocate sufficient time and resources for reactive work to investigate accidents, dangerous occurrences, cases of occupational ill health and complaints. It will not generally be possible to investigate all incidents and a systematic approach should be adopted to ensure that the more serious receive appropriate attention in accordance with HSC/HELA objectives and priorities. There should be clearly stated criteria on which decisions to investigate are based.

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- 3.6** Guidance and training material will be issued by HELA on the selection and procedure for investigation of accidents, ill health and complaints for investigation.
- 3.7** LAs should also investigate complaints which may be lodged against their members of staff or the LA itself. Complainants should be encouraged to contact the relevant inspector's line manager in the first instance. Any complaints received should be handled in accordance with the LA's current instructions. See also HSC's Section 18 Guidance Note No 1 (paragraphs 1.12-1.13).

4 REQUIREMENT TO UNDERGO AUDIT AND DEVELOP AN ACTION PLAN

Auditing

- 4.1 To ensure that any management system is effective, it should be frequently monitored, reviewed and quality audited. A quality audit may be defined as a systematic and independent examination to determine whether quality activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve specified objectives.
- 4.2 Appropriate techniques should be used to measure performance against agreed standards and benchmarks, to ensure that policies are being adhered to and that the aims and objectives of the organisation are being achieved. The results and recommendations arising from any review process such as benchmarking, peer review and auditing, should be developed into an action plan for continuous improvement.
- 4.3 All enforcing authorities should have arrangements in place to promote consistency in the exercise of discretion, including effective arrangements for liaison with other enforcing authorities in accordance with HSC's enforcement policy. The use of auditing and benchmarking will help to achieve consistency.

Inter-authority audits

- 4.4 In accordance with the 'Revitalising health and safety' strategy statement published in June 2000, HSC is committed to maximising the contribution of LAs to health and safety enforcement, and to give their roles and responsibilities a greater clarity. HSC has worked with HELA to develop an inter-authority audit protocol which provides a framework to help LAs assure themselves and HSC that they are making an effective contribution to its Strategic Plan and are complying with HSC's mandatory section 18 guidance. The HELA audit protocol for LAs' management of health and safety enforcement was issued in June 2000.
- 4.5 Auditing will also help LAs and HSC to identify and share good practice, promote consistency of enforcement among LAs and promote continuous improvement in the delivery of their health and safety enforcement service. It will help LAs to identify their strengths and weaknesses and to act on the lessons learnt. It will help LAs to identify evidence of non-compliance with mandatory requirements and key areas for more detailed examination, review and action.
- 4.6 HSC expects all LAs to undergo an audit of their management of health and safety enforcement at least once every five years. The audit may form part of the Best Value review and the HELA inter-authority audit protocol has been designed as a tool which LAs can use in their Best Value reviews. HSC may review audit reports and any subsequent action plans, which will identify aspects of LAs' management of health and safety enforcement which may need to be improved.

Action plan

- 4.7** If necessary, the action plan should set out a programme for improvement. It should set out the objectives of the plan, what needs to be done, how it will be done and organised, a timetable for the work, systems for measuring and reviewing performance against the plan and a system for recording progress against it. Planned action should feature in LAs' service plans. The LA should ensure there is commitment throughout the organisation to take the plan forward.
- 4.8** Action plans may also be requested by HSC or HELA from time to time to identify best practice and the need for any further support or guidance.

5 PROVISION OF A TRAINED AND COMPETENT INSPECTORATE

Competence

- 5.1 Competence means the ability to perform all the activities required in a particular occupation to the levels of performance expected. It includes the ability to apply skill and knowledge to new situations. In relation to inspectors, it encompasses organisation and planning of the work of undertaking enforcement action in accordance with legal procedures and the interpersonal skills necessary to deal with colleagues and the public.
- 5.2 Trainees and others who have not reached the necessary standards of competence and who carry out visits to premises for the purpose of providing health and safety advice and enforcing health and safety regulations should be appropriately supervised by a colleague who does possess all the necessary standards of competence. The form this supervision takes will depend on the level of training and experience of the individual concerned. The degree and extent of supervision will be expected to change over time as the person being supervised gains experience and competence.

Authorisation

- 5.3 For the purpose of this guidance, the definition of an inspector includes all those appointed under section 19 of the HSW Act and who are authorised by their authority to exercise any or all of the enforcement powers specified in:
- ▼ sections 20, 21, 22, 25 and in England and Wales section 39 of the HSW Act;
 - ▼ any health and safety regulation; and
 - ▼ any other relevant statutory provisions (see Schedule 1 to the HSW Act).

Whether an enforcing authority decides to authorise its inspectors to proceed with their own cases in a magistrates' court is one for local decision and not a matter which affects the broad areas of competence necessary for an authorised inspector as defined.

- 5.4 Separate authorisation may be required under other primary legislation enforced by LA inspectors, eg pesticide legislation under the Food and Environment Protection Act 1985.

Appointment

- 5.5 LAs should ensure that they only appoint inspectors who possess the necessary competences to carry out the tasks which they will be authorised to do.

5.6 HSC considers that the elements of competence (based on those developed for the National/Scottish Vocational Qualification (N/SVQ) for health and safety regulators and published by the Employers' National Training Organisation, represent the core competences needed by inspectors who are authorised to exercise all the specified powers listed in paragraph 5.3. The current list of unit and element headings in the competency framework are given in Annex 2.

5.7 Inspectors not authorised to exercise all the specified powers listed in paragraph 5.3 should either:

- ▼ have the competences relevant to the powers for which they have been given authorisation; or
- ▼ be subject to adequate and appropriate supervision by other inspectors who possess these standards of competence (see paragraphs 5.8 and 5.9).

5.8 HSC expects enforcing authorities to satisfy themselves that all inspectors either have adequate standards of competence in all the relevant areas listed in Annex 2 or are subject to adequate and appropriate supervision by other inspectors who do possess these standards. It is up to individual enforcing authorities to decide how they choose to do this. HSC recognises the health and safety regulators N/SVQ as a means of demonstrating the achievement of the necessary standards of competence. An adequate internal performance appraisal system is another means of demonstrating the achievement of the necessary standards of competence. LAs should refer to the elements describing the appropriate standards of competence currently issued by the Employers' National Training Organisation, as listed in Annex 2.

Training

5.9 One way in which an enforcing authority can meet its legal duty under section 18(4)(a) of the HSW Act is through the provision of suitable training (including refresher training) and assessment, so that inspectors are able to attain and maintain competence.

Supervision

5.10 Appropriate supervision - *by a colleague who has demonstrated the relevant standards of competence* - may include:

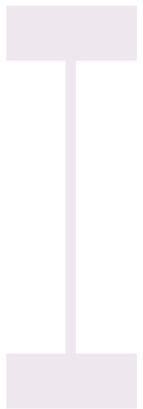
- ▼ being accompanied;
- ▼ a follow-up check visit;
- ▼ examination of a sample of letters and enforcement notices;
- ▼ 'de-briefing' sessions after visits;
- ▼ providing reports on the outcome of some recent visits for review.

HELA guidance

5.11 In all cases, LAs and their appointed inspectors should have regard to current HELA guidance when carrying out their enforcement functions.

6 REQUIREMENTS IN RESPECT OF LEAD AUTHORITY PARTNERSHIP SCHEMES (LAPS)

- 6.1** HELA's Lead Authority Partnership Scheme (LAPS) promotes consistency of LA health and safety enforcement among organisations with multiple premises in different areas. The enforcing authority (EA) may also be HSE in some instances. Upon joining the scheme, each new Lead Authority uses its professional judgement to decide the steps necessary to familiarise themselves adequately with its Partner Organisation. Thereafter, the Lead Authority acts as a focal point for liaison with other LAs and HSE on health and safety issues affecting the Partner Organisation.
- 6.2** HSE's Local Authority Unit should be notified of all new LAPS partnerships. HELA reviews all partnerships and holds the definitive list of partners on the scheme. All LAs and HSE will then be informed of the new partnership details, eg by inclusion on the LAU/HELA pages of the HSE website.
- 6.3** All health and safety EAs should contact and, if necessary, liaise with the relevant Lead Authority:
- ▼ before taking formal enforcement action, ie issuing notices or considering prosecution against a participating organisation, except in the case of immediate danger;
 - ▼ after serving a prohibition notice as soon as is practicable;
 - ▼ when significant shortcomings are identified in a participating organisation's agreed policies or procedures which the EA believe ought to be challenged at a national level;
 - ▼ following any on-site investigation of any death, major injury, case of work-related ill health or dangerous occurrence reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.



HEALTH AND SAFETY COMMISSION STATEMENT ON ENFORCEMENT POLICY

Introduction

- 1 The Health and Safety Commission's (HSC) aims are to protect the health, safety and welfare of people at work, and to safeguard others, mainly members of the public, who may be exposed to risks from the way work is carried out.
- 2 HSC's statutory functions include proposing new or updated laws and standards, conducting research, and providing information and advice. HSC is advised and assisted by the Health and Safety Executive (HSE) which has statutory responsibilities to make adequate arrangements for the enforcement of health and safety law in relation to specified work activities. Local authorities also enforce health and safety law in workplaces allocated to them - including offices, shops, retail and wholesale distribution centres, leisure, hotel and catering premises.
- 3 This Enforcement Policy Statement sets out the general principles and approach which HSC expects the health and safety enforcing authorities (mainly HSE and local authorities) to follow. All local authority and HSE staff who take enforcement decisions are required to follow HSC's Enforcement Policy Statement. In general, those staff will be inspectors, so this policy refers to inspectors for simplicity.
- 4 The appropriate use of enforcement powers, including prosecution, is important, both to secure compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard health, safety and welfare.
- 5 In allocating resources, enforcing authorities should have regard to the principles set out below, the objectives published in HSC's and the HSE/Local Authority Enforcement Liaison Committee's (HELA) strategic plans, and the need to maintain a balance between enforcement and other activities, including inspection.

The Health and Safety Commission's Policy Statement on Enforcement

The following is the full text of the statement:

The purpose and method of enforcement

- ▼ The ultimate purpose of the enforcing authorities is to ensure that duty holders manage and control risks effectively, thus preventing harm. The term 'enforcement' has a wide meaning and applies to all dealings between enforcing authorities and those on whom the law places duties (employers, the self-employed, employees and others).

2 The purpose of enforcement is to:

- ▼ ensure that duty holders take action to deal immediately with serious risks;
- ▼ promote and achieve sustained compliance with the law;
- ▼ ensure that duty holders who breach health and safety requirements, and directors or managers who fail in their responsibilities, may be held to account, which may include bringing alleged offenders before the courts in England and Wales, or recommending prosecution in Scotland, in the circumstances set out later in this policy.

Enforcement is distinct from civil claims for compensation and is not undertaken in all circumstances where civil claims may be pursued, nor to assist such claims.

- 3 The enforcing authorities have a range of tools at their disposal in seeking to secure compliance with the law and to ensure a proportionate response to criminal offences. Inspectors may offer duty holders information, and advice, both face to face and in writing. This may include warning a duty holder that in the opinion of the inspector, they are failing to comply with the law. Where appropriate, inspectors may also serve improvement and prohibition notices, withdraw approvals, vary licence conditions or exemptions, issue formal cautions¹ (England and Wales only), and they may prosecute (or report to the Procurator Fiscal with a view to prosecution in Scotland).
- 4 Giving information and advice, issuing improvement or prohibition notices, and withdrawal or variation of licences or other authorisations are the main means which inspectors use to achieve the broad aim of dealing with serious risks, securing compliance with health and safety law and preventing harm. A prohibition notice stops work in order to prevent serious personal injury. Information on improvement and prohibition notices should be made publicly available.
- 5 Every improvement notice contains a statement that in the opinion of an inspector an offence has been committed. Improvement and prohibition notices, and written advice, may be used in court proceedings.
- 6 Formal cautions and prosecution are important ways to bring duty holders to account for alleged breaches of the law. Where it is appropriate to do so in accordance with this policy, enforcing authorities should use one of these measures in addition to issuing an improvement or prohibition notice.

1 A formal caution is a statement by an inspector, that is accepted in writing by the duty holder, that the duty holder has committed an offence for which there is a realistic prospect of conviction. A formal caution may only be used where a prosecution could be properly brought. 'Formal cautions' are entirely distinct from a caution given under the Police and Criminal Evidence Act by an inspector before questioning a suspect about an alleged offence. Enforcing authorities should take account of current Home Office guidelines when considering whether to offer a formal caution.

- 7 Investigating the circumstances encountered during inspections or following incidents or complaints is essential before taking any enforcement action. In deciding what resources to devote to these investigations, enforcing authorities should have regard to the principles of enforcement set out in this statement and the objectives published in HSC and HELA strategic plans. In particular, in allocating resources, enforcing authorities must strike a balance between investigations and mainly preventive activity.
- 8 Sometimes the law is prescriptive - spelling out in detail what must be done. However, much of modern health and safety law is goal setting - setting out what must be achieved, but not how it must be done. Advice on how to achieve the goals is often set out in Approved Codes of Practice (ACOPs). These give practical advice on compliance and have a special legal status. If someone is prosecuted for a breach of health and safety law and did not follow the relevant provisions of an ACOP, then the onus is on them to show that they complied with the law in another way. Advice is also contained in other HSC, HSE and HELA guidance material describing good practice. Following this guidance is not compulsory, but doing so is normally enough to comply with the law. Neither ACOPs nor guidance material are in terms which necessarily fit every case. In considering whether the law has been complied with, inspectors will need to take relevant ACOPs and guidance into account, using sensible judgement about the extent of the risks and the effort that has been applied to counter them. More is said about these matters in this statement.
- 9 HSC expects enforcing authorities to use discretion in deciding when to investigate or what enforcement action may be appropriate. Enforcing authorities should set down in writing the decision-making process which inspectors will follow when deciding on enforcement action, and make this publicly available. HSC expects that such judgements will be made in accordance with the following principles. These are in accordance with the *Enforcement Concordat* agreed between the Cabinet, Home and Scottish (now the Scottish Executive) Offices and local authority associations.

The principles of enforcement

- 10 **HSC believes in firm but fair enforcement of health and safety law. This should be informed by the principles of *proportionality* in applying the law and securing compliance; *consistency of approach*; *targeting* of enforcement action; *transparency* about how the regulator operates and what those regulated may expect; and *accountability* for the regulator's actions. These principles should apply both to enforcement in particular cases and to the health and safety enforcing authorities' management of enforcement activities as a whole.**

Proportionality

- 11 **Proportionality means relating enforcement action to the risks.² Those whom the law protects and those on whom it places duties (duty holders) expect that action taken by enforcing authorities to achieve compliance or bring duty holders to account for non-compliance should be proportionate to any risks to health and safety, or to the seriousness of any breach, which includes any actual or potential harm arising from a breach of the law.**
- 12 In practice, applying the principle of proportionality means that enforcing authorities should take particular account of how far the duty holder has fallen short of what the law requires and the extent of the risks to people arising from the breach.
- 13 Some health and safety duties are specific and absolute. Others require action so far as is reasonably practicable. Enforcing authorities should apply the principle of proportionality in relation to both kinds of duty.
- 14 Deciding what is reasonably practicable to control risks involves the exercise of judgement. Where duty holders must control risks so far as is reasonably practicable, enforcing authorities considering protective measures taken by duty holders must take account of the degree of risk on the one hand, and on the other the sacrifice, whether in money, time or trouble, involved in the measures necessary to avert the risk. Unless it can be shown that there is gross disproportion between these factors and that the risk is insignificant in relation to the cost, the duty holder must take measures and incur costs to reduce the risk.
- 15 The authorities will expect relevant good practice to be followed. Where relevant good practice in particular cases is not clearly established, health and safety law effectively requires duty holders to establish explicitly the significance of the risks to determine what action needs to be taken. Ultimately, the courts determine what is reasonably practicable in particular cases.
- 16 Some irreducible risks may be so serious that they cannot be permitted irrespective of the consequences.

Targeting

- 17 **Targeting means making sure that contacts are targeted primarily on those whose activities give rise to the most serious risks or where the hazards are least well controlled; and that action is focused on the duty holders who are responsible for the risk and who are best placed to control it - whether employers, manufacturers, suppliers, or others.**

2 In this policy, 'risk' (where the term is used alone) is defined broadly to include a source of possible harm, the likelihood of that harm occurring, and the severity of any harm.

- 18 HSC expects enforcing authorities to have systems for deciding which inspections, investigations or other regulatory contacts should take priority according to the nature and extent of risks posed by a duty holder's operations. The duty holder's management competence is important, because a relatively low hazard site poorly managed can entail greater risk to workers or the public than a higher hazard site where proper and adequate risk control measures are in place. Certain very high hazard sites will receive regular inspections so that enforcing authorities can give public assurance that such risks are properly controlled.
- 19 Any enforcement action will be directed against duty holders responsible for a breach. This may be employers in relation to workers or others exposed to risks; the self-employed; owners of premises; suppliers of equipment; designers or clients of projects; or employees themselves. Where several duty holders have responsibilities, enforcing authorities may take action against more than one when it is appropriate to do so in accordance with this policy.
- 20 When inspectors issue improvement or prohibition notices; withdraw approvals; vary licence conditions or exemptions; issue formal cautions; or prosecute; enforcing authorities should ensure that a senior officer of the duty holder concerned, at board level, is also notified.

Consistency

- 21 **Consistency of approach does not mean uniformity. It means taking a similar approach in similar circumstances to achieve similar ends.**
- 22 Duty holders managing similar risks expect a consistent approach from enforcing authorities in the advice tendered; the use of enforcement notices, approvals etc; decisions on whether to prosecute; and in the response to incidents.
- 23 HSC recognises that in practice consistency is not a simple matter. HSE and local authority inspectors are faced with many variables including the degree of risk, the attitude and competence of management, any history of incidents or breaches involving the duty holder, previous enforcement action, and the seriousness of any breach, which includes any potential or actual harm arising from a breach of the law. Decisions on enforcement action are discretionary, involving judgement by the enforcer. All enforcing authorities should have arrangements in place to promote consistency in the exercise of discretion, including effective arrangements for liaison with other enforcing authorities.

Transparency

- 24 **Transparency means helping duty holders to understand what is expected of them and what they should expect from the enforcing authorities. It also means making clear to duty holders not only what they have to do but, where this is relevant, what**

they don't. That means distinguishing between statutory requirements and advice or guidance about what is desirable but not compulsory.

- 25 Transparency also involves the enforcing authorities in having arrangements for keeping employees, their representatives, and victims or their families informed. These arrangements must have regard to legal constraints and requirements.
- 26 This statement sets out the general policy framework within which enforcing authorities should operate. Duty holders, employees, their representatives and others also need to know what to expect when an inspector calls and what rights of complaint are open to them. All enforcing authority inspectors are required to issue the HSC leaflet *What to expect when a health and safety inspector calls* to those they visit. This explains what employers and employees and their representatives can expect when a health and safety inspector calls at a workplace. In particular:
- ▼ when inspectors offer duty holders information, or advice, face to face or in writing, including any warning, inspectors will tell the duty holder what to do to comply with the law, and explain why. Inspectors will, if asked, write to confirm any advice, and to distinguish legal requirements from best practice advice;
 - ▼ in the case of improvement notices the inspector will discuss the notice and, if possible, resolve points of difference before serving it. The notice will say what needs to be done, why, and by when, and that in the inspector's opinion a breach of the law has been committed;
 - ▼ in the case of a prohibition notice the notice will explain why the prohibition is necessary.

In addition, in response to *Service First* HSE has issued two publications, *The Health and Safety Executive: Working with employers* and *The Health and Safety Executive and you*, which reflect the principles of the *Enforcement Concordat*.

Accountability

- 27 Regulators are accountable to the public for their actions. This means that enforcing authorities must have policies and standards (such as the four enforcement principles above) against which they can be judged, and an effective and easily accessible mechanism for dealing with comments and handling complaints.
- 28 HSE's procedures for dealing with comments and handling complaints are set out in the publications referred to in paragraph 26. In particular, they:
- ▼ describe a complaints procedure in the case of decisions by officials, or if procedures have not been followed; and

- ▼ explain about the right of appeal to an Employment Tribunal in the case of statutory notices.

29 Local authorities have their own complaints procedures - details are available from individual authorities.

Investigation

30 As with prosecution, HSC expects enforcing authorities to use discretion in deciding whether incidents, cases of ill health, or complaints should be investigated. Indicative targets related to levels of investigation by HSE are normally specified in HSC's Strategic Plan, which is approved by the Government. HSC's priorities are also reflected in the HELA Strategy which is used by local authorities to target their activities and resources, via their Departmental Service Plans.

31 Investigations are undertaken in order to determine:

- ▼ causes;
- ▼ whether action has been taken or needs to be taken to prevent a recurrence and to secure compliance with the law;
- ▼ lessons to be learnt and to influence the law and guidance;
- ▼ what response is appropriate to a breach of the law.

To maintain a proportionate response, most resources available for investigation of incidents will be devoted to the more serious circumstances. HSC's Strategic Plan recognises that is neither possible nor necessary for the purposes of the Act to investigate all issues of non-compliance with the law which are uncovered in the course of preventive inspection, or in the investigation of reported events.

32 The enforcing authorities should carry out a site investigation of a reportable work-related death, unless it is an instance of adult trespass or apparent suicide on the railway³ or there are other specific reasons for not doing so, in which case those reasons should be recorded.

33 In selecting which complaints or reports of injury or occupational ill health to investigate and in deciding the level of resources to be used, the enforcing authorities should take account of the following factors:

- ▼ the severity and scale of potential or actual harm;

³ Where the police will always investigate and advise HSE if railway operational matters are at issue.

- ▼ the seriousness of any potential breach of the law;
- ▼ knowledge of the duty holder's past health and safety performance;
- ▼ the enforcement priorities;
- ▼ the practicality of achieving results;
- ▼ the wider relevance of the event, including serious public concern.

Prosecution

England and Wales

- 34 In England and Wales the decision to proceed with a court case rests with the enforcing authorities. Enforcing authorities must use discretion in deciding whether to bring a prosecution.
- 35 In England and Wales the decision whether to prosecute should take account of the evidential test and the relevant public interest factors set down by the Director of Public Prosecutions in the Code for Crown Prosecutors. No prosecution may go ahead unless the prosecutor finds there is sufficient evidence to provide a realistic prospect of conviction, and decides that prosecution would be in the public interest.
- 36 While the primary purpose of the enforcing authorities is to ensure that duty holders manage and control risks effectively, thus preventing harm, prosecution is an essential part of enforcement. HSC expects that where in the course of an investigation an enforcing authority has collected sufficient evidence to provide a realistic prospect of conviction and has decided, in accordance with this policy and taking account of the Code for Crown Prosecutors, that it is in the public interest to prosecute, then that prosecution should go ahead. Where the circumstances warrant it and the evidence to support a case is available, enforcing authorities may prosecute without prior warning or recourse to alternative sanctions.

Scotland

- 37 In Scotland the Procurator Fiscal decides whether to bring a prosecution. This may be on the basis of a recommendation by an enforcing authority; although the Procurator Fiscal may investigate the circumstances and institute proceedings independently of an enforcing authority. Enforcing authorities must use discretion in deciding whether to report to the Procurator Fiscal with a view to prosecution. The Crown Office and the Procurator Fiscal Service endorse this Statement by HSC, and acknowledge that action on reports of offences submitted to them by the enforcing authorities should reflect the approach set out here.

38 In Scotland, before prosecutions can be instituted, the Procurator Fiscal will need to be satisfied that there is sufficient evidence and that prosecution is in the public interest. In Scotland therefore the decision as to proceedings is one for the prosecutor rather than the enforcing authority whose views will, however, be taken into account.

39 Subject to the above, HSC expects that, in the public interest, enforcing authorities should normally prosecute, or recommend prosecution, where, following an investigation or other regulatory contact, one or more of the following circumstances apply. Where:

- ▼ death was a result of a breach of the legislation;⁴
- ▼ the gravity of an alleged offence, taken together with the seriousness of any actual or potential harm, or the general record and approach of the offender warrants it;
- ▼ there has been reckless disregard of health and safety requirements;
- ▼ there have been repeated breaches which give rise to significant risk, or persistent and significant poor compliance;
- ▼ work has been carried out without or in serious non-compliance with an appropriate licence or safety case;
- ▼ a duty holder's standard of managing health and safety is found to be far below what is required by health and safety law and to be giving rise to significant risk;
- ▼ there has been a failure to comply with an improvement or prohibition notice; or there has been a repetition of a breach that was subject to a formal caution;
- ▼ false information has been supplied wilfully, or there has been an intent to deceive, in relation to a matter which gives rise to significant risk;
- ▼ inspectors have been intentionally obstructed in the lawful course of their duties.

Where inspectors are assaulted, enforcing authorities will seek police assistance, with a view to seeking the prosecution of offenders.

4 Health and safety sentencing guidelines regard death resulting from a criminal act as an aggravating feature of the offence. If there is sufficient evidence, HSC considers that normally such cases should be brought before the court. However, there will be occasions where the public interest does not require a prosecution, depending on the nature of the breach and the surrounding circumstances of the death.

40 HSC also expects that, in the public interest, enforcing authorities will consider prosecution, or consider recommending prosecution, where following an investigation or other regulatory contact, one or more of the following circumstances apply:

- ▼ it is appropriate in the circumstances as a way to draw general attention to the need for compliance with the law and the maintenance of standards required by law, and conviction may deter others from similar failures to comply with the law;
- ▼ a breach which gives rise to significant risk has continued despite relevant warnings from employees, or their representatives, or from others affected by a work activity.

Prosecution of individuals

41 Subject to the above, enforcing authorities should identify and prosecute or recommend prosecution of individuals if they consider that a prosecution is warranted. In particular, they should consider the management chain and the role played by individual directors and managers, and should take action against them where the inspection or investigation reveals that the offence was committed with their consent or connivance or to have been attributable to neglect on their part and where it would be appropriate to do so in accordance with this policy. Where appropriate, enforcing authorities should seek disqualification of directors under the Company Directors Disqualification Act 1986.

Publicity

42 Enforcing authorities in England and Wales should make arrangements for the publication annually of the names of all the companies and individuals who have been convicted in the previous 12 months of breaking health and safety law. They should also have arrangements for making publicly available information on these convictions and on improvement and prohibition notices which they have issued.

43 Enforcing authorities in England and Wales should also consider in all cases drawing media attention to factual information about charges which have been laid before the courts, but great care must be taken to avoid any publicity which could prejudice a fair trial. They should also consider publicising any conviction which could serve to draw attention to the need to comply with health and safety requirements, or deter anyone tempted to disregard their duties under health and safety law. In Scotland, decisions in relation to publicity of prosecutions are a matter for the Crown Office.

Action by the courts

44 Health and safety law gives the courts considerable scope to punish offenders and to deter others, including imprisonment for some offences. Unlimited fines may be imposed by higher courts. HSC

will continue to seek to raise the courts' awareness of the gravity of health and safety offences and of the full extent of their sentencing powers, while recognising that it is for the courts to decide whether or not someone is guilty and what penalty if any to impose on conviction. A list of the sanctions presently available to the courts is attached to this statement.

- 45 In England and Wales, the enforcing authorities should, when appropriate, draw to the court's attention all the factors which are relevant to the court's decision as to what sentence is appropriate on conviction. The Court of Appeal has given guidance on some of the factors which should inform the courts in health and safety cases (*R v F Howe and Son (Engineers) Ltd* [1999] 2 All ER, and subsequent judgments). HSC notes that the Lord Chancellor has said that someone injured by a breach of health and safety legislation is no less a victim than someone who is assaulted.

Representations to the courts

- 46 In cases of sufficient seriousness, and when given the opportunity, the enforcing authorities in England and Wales should consider indicating to the magistrates that the offence is so serious that they may send it to be heard or sentenced in the higher court where higher penalties can be imposed. In considering what representations to make, enforcing authorities should have regard to Court of Appeal guidance: the Court of Appeal has said 'In our judgment magistrates should always think carefully before accepting jurisdiction in health and safety at work cases, where it is arguable that the fine may exceed the limit of their jurisdiction or where death or serious injury has resulted from the offence'.
- 47 In Scotland it would fall to the Procurator Fiscal to draw the court's attention to the seriousness of any offence.

Death at work

- 48 Where there has been a breach of the law leading to a work-related death, enforcing authorities need to consider whether the circumstances of the case might justify a charge of manslaughter (culpable homicide in Scotland).
- 49 In England and Wales, to ensure decisions on investigation and prosecution are closely coordinated following a work-related death, HSE, the Association of Chief Police Officers (ACPO) and the Crown Prosecution Service (CPS) have jointly agreed and published *Work-related deaths: A protocol for liaison*. The Local Government Association has agreed that local authorities should take account of the protocol when responding to work-related deaths.
- 50 The police are responsible for deciding whether to pursue a manslaughter investigation and whether to refer a case to the CPS to consider possible manslaughter charges. The enforcing

authorities are responsible for investigating possible health and safety offences. If in the course of their health and safety investigation, the enforcing authorities find evidence suggesting manslaughter, they should pass it on to the police. If the police or the CPS decide not to pursue a manslaughter case, the enforcing authorities will normally bring a health and safety prosecution in accordance with this policy.

- 51 In Scotland, responsibility for investigating sudden or suspicious deaths rests with the Procurator Fiscal. Unless a prosecution takes place in the same circumstances, the Procurator Fiscal is required to hold a Fatal Accident Inquiry into the circumstances of a death resulting from a work-related⁵ accident. An Inquiry may also be held where it appears to be in the public interest on the ground that the death was sudden, suspicious or unexplained, or has occurred in circumstances such as to give rise to serious public concern.

Crown bodies

- 52 Crown bodies must comply with health and safety requirements, but they are not subject to statutory enforcement, including prosecution. The Cabinet Office has established non-statutory arrangements for enforcing health and safety requirements in Crown bodies. These arrangements allow HSE to issue non-statutory improvement and prohibition notices, and for the censure of Crown bodies in circumstances where, but for Crown immunity, prosecution would have been justified. In deciding when to investigate or what form of enforcement action to take, HSE should follow as far as possible the same approach as for non-Crown bodies, in accordance with this enforcement policy.

⁵ *In this case, an accident in the course of employment, if the deceased was an employee, or while engaged in their occupation, if an employer or self-employed person.*

PENALTIES FOR HEALTH AND SAFETY OFFENCES⁶

The Health and Safety at Work etc Act 1974 (the HSW Act), section 33 (as amended) sets out the offences and maximum penalties under health and safety legislation.

Failing to comply with an improvement or prohibition notice, or a court remedy order (issued under the HSW Act sections 21, 22 and 42 respectively):

<i>Lower court maximum</i>	£20 000 and/or 6 months' imprisonment
<i>Higher court maximum</i>	Unlimited fine and/or 2 years' imprisonment

Breach of sections 2-6 of the HSW Act, which set out the general duties of employers, self-employed persons, manufacturers and suppliers to safeguard the health and safety of workers and members of the public who may be affected by work activities:

<i>Lower court maximum</i>	£20 000
<i>Higher court maximum</i>	Unlimited fine

Other breaches of the HSW Act, and breaches of 'relevant statutory provisions' under the Act, which include all health and safety regulations. These impose both general and more specific requirements, such as requirements to carry out a suitable and sufficient risk assessment or to provide suitable personal protective equipment:

<i>Lower court maximum</i>	£5000
<i>Higher court maximum</i>	Unlimited fine

Contravening licence requirements or provisions relating to explosives. Licensing requirements apply to nuclear installations, asbestos removal, and storage and manufacture of explosives. All entail serious hazards which must be rigorously controlled.

<i>Lower court maximum</i>	£5000
<i>Higher court maximum</i>	Unlimited fine and/or 2 years' imprisonment

⁶ As at January 2002. These penalties can change from time to time.

On conviction of directors for indictable offences in connection with the management of a company (all of the above, by virtue of the HSW Act sections 36 and 37), the courts may also make a disqualification order (Company Directors Disqualification Act 1986, sections 1 and 2). The courts have exercised this power following health and safety convictions. Health and safety inspectors draw this power to the court's attention whenever appropriate.

<i>Lower court maximum</i>	5 years' disqualification
<i>Higher court maximum</i>	15 years' disqualification

COMPETENCES FOR HSE AND LA HEALTH AND SAFETY INSPECTORS

The following is a summary of the units and essential elements in the standards for Occupational Health and Safety Regulation (Units R1-R9), published by the Employers' National Training Organisation.

Unit R1: Identify the plans and priorities of the regulatory authority for work-related health and safety, and contribute to them effectively.

- R1.1 Identify the objectives, plans and priorities of the regulatory authority for work-related health and safety, and personally contribute to them effectively.
- R1.2 Manage time effectively to ensure the efficient use of resources.

Unit R2: Inspect duty holders, worksites and activities for the purposes of work-related health and safety regulation.

- R2.1 Prepare for inspections of workplace health and safety for the purposes of regulation.
- R2.2 Conduct inspections of workplace health and safety for the purposes of regulation.
- R2.3 Report on the conduct and findings from inspections of workplace health and safety for the purposes of regulation.

Unit R3: Investigate work-related accidents, incidents, ill-health reports and complaints for the purposes of health and safety regulation.

- R3.1 Prepare for investigations of work-related accidents, incidents, cases of ill health or complaints for regulatory purposes.
- R3.2 Determine immediate action needed to ensure effective investigation and manage any continuing risk.
- R3.3 Carry out investigations of work-related accidents, incidents, cases of ill health or complaints for regulatory purposes.
- R3.4 Evaluate the extent of intervention and enforcement needed for regulatory purposes.
- R3.5 Manage and conclude investigations.

Unit R4: Plan and gather evidence for the purposes of work-related health and safety regulation.

R4.1 Plan the taking of evidence for the purpose of work-related health and safety regulation.

R4.2 Gather and preserve evidence for the purpose of work-related health and safety regulation.

Unit R5: Enforce statutory provisions and brief a prosecutor for the purposes of work-related health and safety regulation.

R5.1 Prepare reports recommending prosecution for alleged breaches of work-related health and safety legislation.

R5.2 Initiate and report on prosecution proceedings.

Unit R6: Enforce statutory provisions and present guilty pleas in a magistrates' court for the purposes of work-related health and safety regulation.

R6.1 Prepare reports recommending prosecution for alleged breaches of work-related health and safety legislation.

R6.2 Initiate legal proceedings for alleged breaches of work-related health and safety legislation and present the prosecution case in a magistrates' court, when a guilty plea is entered by the defendant.

Unit R7: Draft and serve notices or other statutory enforceable documents for the purposes of work-related health and safety regulation.

R7.1 Draft and serve notices or other statutory enforceable documents for the purposes of work-related health and safety regulation.

Unit R8: Influence health and safety duty holders and others for the purposes of work-related health and safety regulation.

R8.1 Work with duty holders and others to establish work-related health, safety and welfare standards, procedures and management arrangements in force in the organisation.

R8.2 Influence duty holders and others to improve work-related health, safety and welfare standards, procedures and policies.

R8.3 Communicate externally, with duty holders, employee representatives and external parties.

R8.4 Communicate internally, with colleagues.

Unit R9: Improve work-related health and safety through promotional activities.

R9.1 Plan and contribute to local projects and initiatives to promote work-related health and safety.

R9.2 Promote work-related health and safety awareness through dissemination of appropriate information.



FURTHER INFORMATION

Further copies of this publication are available from:

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