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HELA

Data Collection – analysis of LAE1 2012/13 data from Local Authorities

A Paper by Julie Sharman (LAU)

Advisor: Simon Webster (Statistics)

Cleared by Elaine Harbour on 24 July 2013

Issue

1. This paper provides HELA with a report on local authority (LA) inspection/visit data for the period 1 April 2012 to 31 March 2013.

Timing

2. For discussion at the meeting on 1 August 2013.

Recommendation

3. That HELA considers their role in helping LAs to deliver a consistent, proportionate and targeted approach to regulatory interventions in line with the LA National Code.

Background

4. HELA considered the results of the end-year LAE1 data collection for 2011/12 in June 2012 (HELA paper 13/02); this indicated that LAs had reduced proactive inspection activity in line with the Government reforms outlined in "*Good Health & Safety Good for Everyone*"¹ which required a one third reduction in proactive inspection activity. However, the data suggested that there was continued inspection of relatively lower risk premises.
5. HELA noted that the 2011/12 outturn may have reflected delivery plans for the work year set before the HSE/LGA guidance on reduced proactive inspection was issued. There was also possible distortion of the data due to variances in recording. HELA agreed that the new format of LAE1 data collection effective from 2012/13 would address the variances and requested LAU to undertake a half-year data collection covering the period 1 April - 30 September 2012. The aim being to provide in-year feedback on trends and targeting of LA inspections.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/66745/good-health-and-safety.pdf

6. A half-year data collection exercise was undertaken for 2012/13 and was statistically modelled to provide an estimated projection of the full year visit numbers. This was considered by HELA at their January 2013 meeting (HELA paper 14/01) raising two issues of concern:
 - The size of the estimated net reduction and the number of LAs who are not undertaking any proactive inspections; and
 - that targeting still appeared to be an issue, with either inappropriate targeting of lower risk premises and/or incorrect recording of activity data by a small number of LAs.
7. HELA also requested that we sought intelligence on what was influencing LA visits to lower risk premises. This was found to consistently arise from LAs:
 - undertaking joint HSE/FSA inspections;
 - undertaking inspection visits to new premises for rating purposes; and
 - recording matters of evident concern addressed during visits for other regulatory purposes.
8. The former point is covered by the Joint HSE/FSA Statement on Combining Food Safety and Health & Safety Inspections² which states that “*combined interventions would only be appropriate where the LA’s food and H&S intervention programmes coincide.*” The latter points have been clarified with the introduction of the National LA Enforcement Code and Supplementary Guidance.

Discussion

9. End of year LAE1 data for 2012/13 was collected for the period 1 April – 31 March 2013. 357 (94% of LAs provided a data return. The data was statistically modelled in line with standard practice to provide an estimate for the full national picture (i.e. activity for 380 LAs).
10. Summary and comparison data alongside a detailed analysis of the 2012/13 end of year visit data is provided at Annex 1. The LAE1 form is at Annex 2.
11. Headline activity for 2012/13 shows that:
 - LAs undertook 14,400 proactive inspections. This represents an 80% drop against the 2011/12 figures (71K inspections) and an 88% drop against the baseline year of 2009/10 (118k inspections);
 - The total picture represents an overall reduction in visit activity with a significant shift in proactive inspection activity from 60% of all visits in 2009/10 to 14% in 2012/13;

² <http://www.hse.gov.uk/lau/pdfs/combining-health-safety-and-food-safety-inspections.pdf>

- A breakdown of inspection data by category of premises indicates that targeting remains an issue, albeit on a much reduced scale;
- The data shows a number of outlier LAs – those undertaking the majority of the lower risk inspections (B2/C) and those undertaking no inspections (see table 4 & 5);
- Whilst the overall trends are downwards, the figures show an increasing trend in the number of reported “other” visits (see table 1); and
- The data reflects the trends, conclusions and influences identified from the half-year data exercise as outlined in paragraphs 6 and 7 above.

12. In accordance with the LA National Code, HSE intends to publish the detailed LAE1 data on the HSE website to allow comparison and benchmarking between LAs.

13. The current LAE1 form aligns with the LA Code. It should allow LAs to report their activity consistently to assist the preparation of national data and allow benchmarking. Additional guidance to assist LAs to complete the form has been prepared and will form part of the revisions to LAC 67/2 on Intervention Planning.

Action

14. HELA members are asked to

- a) note the data;
- b) comment on any underlying qualitative intelligence/factors;
- c) consider whether the change in balance between “inspection” and “other” visits is about how LAs record their visits or whether it reflects a change in policy; and
- d) discuss how to respond to the issues raised, with particular regard to those LAs undertaking the majority of B2/C visits and those not undertaking any inspections.

Contact

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HELA Paper H15/01: Data Collection – analysis of LAE1 2012/13 data from local authorities
Annex 1.

Local authority visit data by type of visit

Table 1. Total inspections/visits undertaken by LAs in Great Britain

Type of visit	Number of visits			
	2009/10 (baseline)	2010/11	2011/12	2012/13
Preventive inspection	118,000	106,000	70,700	14,400
Revisits to check	19,000	19,000	15,900	12,500
Visits to investigate accidents	17,000	15,000	13,800	11,400
Visits following requests/complaints	24,000	26,200	22,800	25,100
Other	18,000	28,000	27,800	42,800
All	196,000	194,200	151,000	106,200

All numbers rounded to nearest 100.

Figures presented are modelled estimates of all-LA activity based on LAE1 data returns.

The 2012/13 estimates are based on LAE1 returns submitted by 357 LAs (ie 94% response rates)

Table 2. Number of inspectors with H&S powers

Indicative staff resources	Number of inspectors			
	2009/10	2010/11	2011/12	2012/13
Number of inspectors holding appointments under S19 of HSW Act	3170	2710	2480	2429
Full time equivalent number holding appointments under S19 of HSW Act.	1050	1010	900	928

Estimates are based on responses from 357 local authorities. Each LA supplies the number of full time and part time inspectors and whether these staff are spending all or only part of their time on health and safety matters. Statistical modelling based on more detailed information from previous years is used to convert these figures into an FTE estimate.

Local authority proactive inspection data

Table 3. Proactive inspection by category of premises

	Average number of visits per LA	National estimate
Cat A visits	7.89	2,996
Cat B1 visits	8.73	3,318
Cat B2/C visits	21.18	8,048
All proactive visits	37.80	14,362

Local authority proactive inspection data cont.

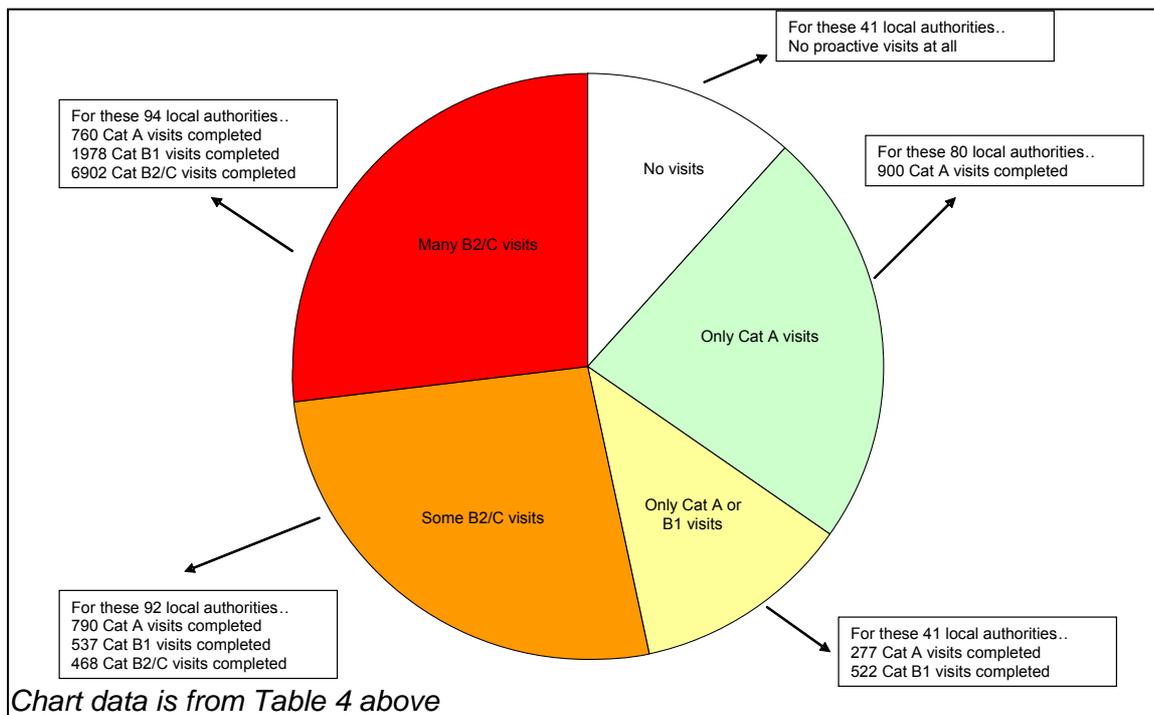
Table 4. Actual proactive inspection data

	No. and % of LAs or LA groups	# Cat A visits by these LAs	# Cat B1 visits by these LAs	# Cat B2/C visits by these LAs	Total # proactive visits by these LAs
LAs doing no proactive inspections	41 (12%)	0	0	0	0
LAs doing Cat A only	80 (23%)	900	0	0	900
LAs doing Cat A/B1 only	41 (12%)	277	522	0	799
LAs doing some B2/C visits (< 15)	92 (26%)	790	537	468	1795
LAs doing many B2/C visits (15+)	94 (27%)	760	1978	6902	9640
ALL	348	2727	3037	7370	13,134

Note: Table 3 shows actual numbers of visits reported by those LAs who submitted a return. These have not been converted into a national estimate for all 380 local authorities.

Note also that for the purposes of this analysis, multiple submissions (where local authorities have submitted a joint return) are counted as a single 'LA group'.

Figure 1. Proportion of LAs by types of proactive work undertaken

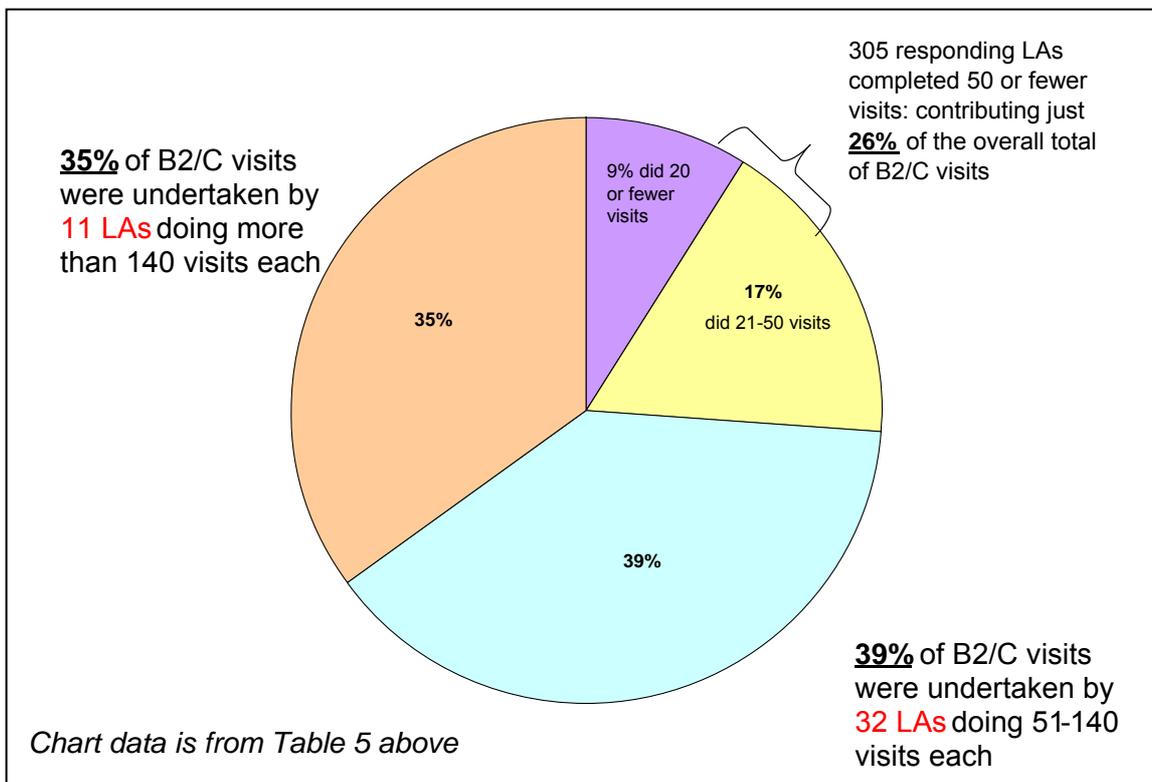


Local authority proactive inspection data cont.

Table 5. Individual LA or LA group contributions to B2/C visits total

	Number of LAs or LA groups doing this many B2/C visits...	% of total B2/C visits
No B2/C visits	162	0%
1-5 B2/C visits	58	2%
6-10 B2/C visits	22	2%
11-20 B2/C visits	25	5%
21-50 B2/C visits	38	17%
51-139 B2/C visits	32	39%
140 plus B2/C visits	11	35%
TOTAL	348	

Figure 2. Percentage of cat B2/C visits undertaken by local authorities





Local Authority Health and Safety Annual Return 20XX

This return relates to the period 1 April 20XX to 31 March 20XX

Please complete and return by **DD/MM/YYYY**

The LAE1 is designed to capture activity and information relating to occupational health and safety regulation. The information is shared with the Chartered Institute of Public Finance and Accountancy.

Information relating to petroleum and explosive licensing visits are outwith the scope of the LAE1

Local Authority name <i>(For multi-authority submissions list all participating authorities)</i>	
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HSE use only	LA Code Number	LA type
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please email the form to:
lastatistics@hse.gsi.gov.uk

If not sending this form electronically post to:
Health & Safety Executive
Corporate Science, Engineering and Analysis Directorate (CSEAD)
1.2 Redgrave Court, Merton Road,
BOOTLE, Merseyside L20 7HS

If you need any help completing this form contact LAU

Contact details of the person responsible for the completion of this form and to whom any query should be addressed

Name

Job Title

Telephone number

Email

Date

Table 1 Staff resources devoted to health and safety enforcement work – at 31 March 20XX

Number of full time inspectors working full time on health and safety	
Number of full time inspectors working part of their time on health and safety	
Number of part time inspectors working some or all of their time on health and safety	
Number of other full time staff working full time on health and safety	
Number of other staff working part time on health and safety	

Inspectors - include all Environmental Health Officers and Technical Officers, plus any contractors or agency staff, appointed under s19 of the Health and Safety at Work etc. Act and who are authorised to exercise at least some of the powers under: sections 20, 21, 22 and 25 of HSWA, any health and safety regulation or any other relevant statutory provision.

**Table 2: Summary of local authority health and safety activity
1 April 20XX – 31 March 20XX**

*Only include information where health and safety was targeted as a priority for intervention
For guidance on targeting interventions see:*

- [National LA Enforcement Code](#)
- [List of higher risk activities in specific sectors suitable for proactive inspection](#)
- [Supplementary Guidance](#)
- [LAC 67/2 \(rev4\) \(Annex G\)](#)

Intervention		Number of visits/ Inspections/ contact	Guidance
Proactive inspections	Risk category A		Record proactive inspection activity only where the premises were targeted for HSWA intervention. Record activity against the rating category prior to the inspection. Do not record issues encountered that were incidental to other regulatory work e.g. matters of evident concern noticed and dealt with during a visit for another purpose.
	Risk category B1		
	Risk category B2 and C		
Non-inspection interventions	Other visits/face to face contacts		Any visit/face to face contact to educate, advise or engage dutyholders, employees or other bodies such as trade associations e.g. awareness days and advisory support visits.
	Other contact/interventions		Any other targeted contact (not face to face) to educate, advise or engage dutyholders, employees or other bodies such as trade associations e.g. to raise h&s awareness through provision of information packs. Do not include non-targeted general newsletters, service magazines or the number of website hits.
Reactive visits	LPG visits		Visits undertaken as part of the LPG campaign.
	Visit to investigate health & safety related incidents		Record the number of actual visits made under the relevant category. HSE has developed a risk-based approach to complaint handling and incident selection criteria (LAC 22/13) which LAs should adopt to help target interventions and make best use of resources.
	Visits to investigate health & safety complaints		
	Visits following requests for h&s service from businesses		
Revisits following earlier intervention		Visits following an earlier intervention to confirm action previously required has been completed e.g. to check compliance with notices.	

Continued...

Table 3 Number of enforcement actions 1 April 20XX – 31 March 20XX

(Please note that notices issued at HSE enforced premises under the flexible warrant scheme should not be included in this table)

(a) Improvement notices	(b) Deferred prohibition notices	(c) Immediate prohibition notices	(d) Simple cautions/cases reported to the Procurator Fiscal

(d) Number of simple cautions (non-statutory procedure) to secure compliance of health and safety in England and Wales OR number of cases reported to, but not taken by, the Procurator Fiscal in Scotland.

Validation

I confirm the data contained on this form is an accurate record of health and safety regulatory activity

Name:

Position*:

On behalf ofCouncil

*Head of Service or above

Thank you for completing this form

Table 4 Comments (voluntary – not part of the LAE1 return)

If you wish to provide brief comments to give further background/explanation of your reported data please include this here.