

HELA Minutes, 1 August 2013

City Room, Rose Court, Southwark Bridge, London

Attendees

Kevin Myers, HSE (Chair)
Colin Alborough, Rushmoor BC (Joint Chair)
Elaine Harbour, HSE Local Authority Unit
Samantha Peace, HSE FOD
Jane Willis, HSE Cross-Cutting Interventions Directorate
Philip White, HSE OPSTD
Jenny Milward, Cardiff Council (deputising for Kim Pugh)
Steve Miller, London Borough of Newham
Brian Lawrie, South Ayrshire Council
Jenny Morris, Chartered Institute of Environmental Health
Graham Robertson, Royal Environmental Health Institute of Scotland
Gwyneth Rogers, LGA
Tracy Hamilton, HSE Secretariat

Observer

Isobel Pastor, Better Regulation Delivery Office

1. Welcome & Introduction

- a) The Chair welcomed everyone to the meeting, in particular new members Brian Lawrie (Scotland LA representative) and Samantha Peace (HSE FOD) attending their first meeting.
- b) Apologies for absence were received from Kim Pugh, Torfean BC.

2. Minutes from the last meeting

- a) Minutes of the previous meeting held on 17 January 2013 were agreed.

3. HSE, Local Government, CIEH and REHIS Updates

- a) HSE provided an overview of the 11 out of 18 recommendations from the Professor Löfstedt review implemented to date. Professor Löfstedt's 'One Year On' report published February 2013 carried no new recommendations. HSE are expecting further budget cuts following the 2014/15 spending round although full implications unknown at present. Triennial Review, led by Martin Temple, is underway. HSE Chief Executive Geoffrey Podger will leave HSE at the end of August, Kevin Myers will become Acting CE until the substantive successor takes up post. Launch of the recruitment process for this was dependant on progress with the Triennial review.

- b) LGA provided an overview of their 'Open for Business: A shared vision for local regulation' document which is supported by an 'Open for business' leaflet. LGA emphasised that whilst complementing the LA National Enforcement Code, the vision is a strategic document that has a heavy localism thread throughout.
- c) The delivery of public services in Wales review will report December 2013. The impact on future LA regulatory services remains unclear with various service delivery models under consideration. Any recommended re-organisation to be in place post 2016. Welsh LAs continue to pursue greater collaboration in the delivery of regulatory services, with some sharing services.
- d) Within England, budget cuts and renewed focus on public health have led to some combining of regulatory services within LAs, potentially affecting the skill base of warranted officers. Closer links between Environmental Health services and Local Public Health Board projects being considered. Collaboration and sharing of services across LA boundaries is ongoing.
- e) The Scottish Government are consulting on a number of issues resulting from the Regulatory Reform (Scotland) Bill, including the development of national standards and a Scottish Primary Authority scheme. George Brechin has replaced Hugh Robertson as the Chair of PHASS.
- f) REHIS are working with HSE and the CoPFS on improving LA H&S prosecutions, they plan to establish a specialist team of officers providing help/advice to enforcement officers producing reports for submission to Procurator Fiscal. Mandatory training for skin piercers, providing certification as part of their licensing conditions, will launch shortly.
- g) CIEH continues to work on issues around practitioner competence and linkage between local H&S and public health agendas. CIEH reviewing membership, looking at how services can be improved and closer links with other professional bodies established.

4. Inspection/visit Data Collection from Local Authorities

- a) Elaine Harbour introduced the paper providing the final annual data from the 2012/2013 LAE1. HELA acknowledged the data was as expected and in line with mid-year projections.
- b) The two issues of concern raised previously remain prevalent. These are:
 - i) Suggestions of inappropriate targeting of lower risk premises and/or incorrect recording of activity data by a small number of LAs, and;

- ii) Number of LAs who are not undertaking any proactive inspections
- c) Intelligence gathered by HSE supports previous HELA discussions on factors influencing LA visits to lower risk premises. HELA agreed publication of revised guidance LAC 67/2 should address some of these issues. It suggested more in-depth and qualitative intelligence is needed to inform the development of appropriate inter-LA support mechanisms via the Health & Safety Practitioner Forum (H&SPF) addressing these issues.
- d) HELA requested a voluntary mid-year data collection exercise be repeated this work year.

Actions:

- LAU to provide H&SPF members with a regional breakdown of LAE1 data to assist discussions within their regions.
- LAU to repeat midyear LAE1 data collection exercise.

5. National LA Enforcement Code – Supporting LA implementation and compliance

- a) Elaine Harbour introduced this paper.
- b) HELA members discussed the review of the code implementation planned early 2014 including the potential for including both qualitative and quantitative evidence in the review findings.
- c) LAE1 data suggests some LAs are not yet fully implementing the Code. HELA requested inter-LA support be established via the H&SPF within existing County Group networks to support code implementation locally.
- d) HELA agreed further communication around the Code, repositioning it beyond regulation alone, would be beneficial.

Actions:

- HSE to consider scope for outcomes to be measured in the code review.
- HSE to provide a speaker for the CIEH Year Ahead conference in February 2014

6. Contracting out H&S enforcement

- a) Elaine Harbour introduced this paper.

- b) HELA members noted the content and discussed the implications in other regulatory areas. HELA agreed to revisit next meeting once information on the situation has been obtained.

Actions:

- Secretariat to include on agenda for next HELA meeting

7. Any Other Business

- a) There were no items raised.

8. Date of next meeting

- a) To be confirmed, January 2014