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## HELA

### Long Term Training Needs Project (Competence Framework)

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#### Issue

1. To inform HELA of the scope and nature of the Long Term Training Needs Project (Competence Project) and to raise for consideration and discussion

#### Background

2. Arising out of the SITNA report (Local Authority Health and Safety Enforcement Officer's Perceptions of their Support Information and Training Needs), a Project Board was established to consider the Long Term Training Needs of Local Authority (LA) Health & Safety Enforcement Officers. The aim is to ensure the establishment of a sustainable national system for identifying and meeting the training and development needs of LA Health & Safety Enforcement officers and HSE inspectors, to help ensure consistent standards of regulation.
3. The SITNA report identified that many inspectors and managers were not confident that they possessed the knowledge base to support their competences and that, in some cases; the required competences had not been developed, or were not being maintained. The Project Board has therefore focused on identifying the competences expected of officers authorised to regulate health and safety so that the development needs of those officers can be identified more effectively, leading to improved service delivery. This has involved drafting a document setting out the competencies expected of health and safety inspectors. Although that document is referred to here as a 'Competence Framework', the Board is currently considering whether this is the right term.
4. The Project Board, comprising representatives from: the Chartered Institute of Environmental Health (CIEH), the Royal Environmental Health Institute of Scotland (REHIS), Local Authorities Coordinators of Regulatory Services (LACORS), the Health and Safety Executive (HSE) and Local Authorities (LAs), appointed a sub-group to develop a framework to meet this need. The Board issued a communiqué (Annex 1) in September 2007 which provided further detail of the project. The timetable in this communiqué proved too optimistic and we are currently completing the trials and preparing for the pilots which should taken place in April. A report will go to the

LACORS Policy Forum in June and to HELA in October. A detailed project plan is attached at Annex 2.

## Purpose of the Framework

5. The purpose of the framework is to -
  - identify areas where individual inspectors can benefit from development activities and;
  - demonstrate that health and safety regulators have a common, robust and consistent approach to building and maintaining a competent workforce.
6. The following paragraphs are being added to the framework (subject to agreement by the project board) in order to clarify its purpose.

The purpose of this framework is to identify areas where individual inspectors can benefit from development activities. It achieves this by establishing the set of competencies expected of a fully qualified HSE inspector or local authority health and safety inspector, fully-authorized to carry out health and safety duties. It is envisaged that the framework will be adapted to apply to partially authorised health and safety inspectors and to additional specialisms in the future.

The idea that professional development is a constant process is central to this framework and its effective use. Learning that is not regularly deployed will eventually fade, while the law, policy and science of health and safety are constantly developing. Therefore it is essential that inspectors review their training and development needs on a regular basis; at any given time there will be areas in which they can benefit from additional development activities. It follows that the identification of development needs does not automatically lead to the revision of an inspector's authorisation. This framework is not a performance management tool and the relationship between the assessment of an inspector's training needs and that inspector's level of authorisation is a decision for management judgment, taking account of the role the inspector currently performs. Similarly the level of an individual's remuneration is a matter for management judgment and will reflect additional factors outside the scope of this framework.

It is envisaged that the framework will be used annually to determine development needs, or whenever appropriate, such as a change in role, and will be part of a wider package of tools and techniques aimed at improving and strengthening the approach to continuous professional development of our regulatory staff.

## Impact of the Framework

7. The Competency Framework aims to capture the **common** standards of competence of fully authorised regulators of health and safety within HSE and LAs. The framework -

- applies to all fully authorised health and safety regulators
  - reinforces what good managers are already doing
  - recognises and confirms professionalism
  - identifies training needs through a structured approach
  - promotes innovative and creative solutions to address training needs
  - addresses concerns raised in SITNA and re-enforces the LA/HSE partnership ensuring consistency in regulatory enforcement
  - strengthens the partnership approach to health and safety delivery
  - supports 'better regulation'
8. The Competency Framework has attracted the interest of other regulators and moves to devise an equivalent for food safety and private sector housing regulation have begun.
  9. A number of significant issues attend the development of this framework. It is hoped that the trials and pilots will help resolve these, but it is likely that further discussion at HELA will be required in the autumn.
  10. The Competency Framework emerged from a project to identify training needs. There is a danger that the framework may spill out of this project and come to be seen – or even be used as – a performance management tool, the primary function of which is to label inspectors competent. This could be misused to frustrate prosecutions, could confuse pay and grading issues and could create unnecessary barriers to desirable flexibilities. These risks have been recognised by the project Board and are being addressed by the Competency Framework, accompanying Q&A and through a structured and co-ordinated communications plan.
  11. At the same time the Board aims to produce a framework which can ensure that all local authorities meet a reasonable standard. The framework will form part of the S.18 guidance. The process of auditing against this raises issues in relation to the wider question of how S.18 relates to the government's commitment not to add to the National Indicator set in managing local authorities' performance. The relationship between the framework and S.18 will need to be considered further. A balance must be struck in application of the framework which on the one hand prevents a discretionary and optional application which would render it meaningless as a standard, but on the other hand does not seek to remove management judgement on how the framework is applied, which would render it unworkable.
  12. The Board's original intention was to establish a competency framework which would be relevant to local authority officers who are not fully authorised to enforce health and safety (for example technical officers). It was envisaged that the framework might identify competencies for several levels of authorisation below full authorisation so that those officers would have a common standard across authorities. Similarly the original intention was to identify specialist levels above that of the current Framework. This intention remains; however, there is some uncertainty over how to achieve this and over how it might work in practice. Nor is it clear how significant the difference between that approach and the product currently being trialled will be. Although it currently only

has one level, the Competency Framework trial will cover technical officers and others who are not fully authorised.

### **Timeline**

13. The project's timeline is as follows –

- Trialling of base concepts with volunteer LAs and HSE in Jan/Feb 2008 – being undertaken
- Piloting in the spring of 2008
- Further trialling and consultation within HSE in early 2008.
- Developed proposals and guidance to be complete by late 2008
- Framework scheduled to go live in Spring 2009

### **Action**

14. HELA is invited to:

- Note the project aims, timelines and risks
- Comment (including via its online web community) on progress so far and issues of concern
- Provide continued support for the project

### **Further information:**

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