

HELA Minutes, 17 January 2013

City Room, Rose Court, Southwark Bridge, London

Attendees

Colin Alborough, Rushmoor BC (Chair)
Kevin Myers, HSE (Joint Chair)
Elaine Harbour, HSE Local Authority Unit
Rosi Edwards, HSE FOD
Jane Willis, HSE Cross-Cutting Interventions Directorate
Kim Pugh, Torfean BC
Steve Miller, London Borough of Newham
Jenny Morris, Chartered Institute of Environmental Health
Gwyneth Rogers, LGA
Tracy Hamilton, HSE Secretariat

1. Welcome & Introduction

- a) The Chair welcomed everyone to the meeting, in particular Jenny Morris as the new CIEH representative.
- b) Apologies for absence were received Graham Robertson and Brian Lawrie.

2. Minutes from the last meeting

- a) Minutes of the previous meeting held on 28 June 2012 were agreed.

3. Local Government, CIEH and REHIS Updates

- a) Kim Pugh provided an update of ongoing developments with the delivery of Trading Standards enforcement throughout Wales, outlining potential difficulties in delivering a system based upon individual regional models. As this approach develops, the potential impact for future LA regulatory services will become clearer. Welsh LAs continue to pursue greater collaboration and resilience across authorities in the delivery of regulatory services, with some sharing services and outsourcing of non health & safety functions such as litter enforcement. No LAs are currently proposing to out source their regulatory services as a whole.
- b) English LAs continue to look to share services, with some already undergoing wholesale merging of back-office functions. As with Wales, there is some outsourcing of services, but none, so far, in health and safety enforcement areas. Primary Authority continues to gain pace.
- c) LGA provided an overview of the work examining future delivery of local regulation with the aim of ensuring regulation is placed at the heart of the local economic growth agenda. It is hoped that the work

can consider how attention to responsible businesses can be minimised further and limited council resource can be focused on those activities that are of greatest risk to communities. A paper was presented to the Stronger & Safer Communities Board who agreed further work should be done to take this forward. A working group is progressing the proposals and a paper has been prepared for the LG Executive Board to consider at their March meeting. HELA noted that this approach supports the principles outlined in the draft LA National Enforcement Code.

Actions:

- LGA to provide HELA members with the Safer Working Communities Board discussion paper and the LG Executive paper.

4. Inspection/visit Data Collection from Local Authorities

- a) Elaine Harbour introduced the paper which provides detail on the 2012/2013 LAE1 half year data submission requested by HELA at their meeting 28 June 2012.
- b) HELA expressed their gratitude to those LAs who submitted half-year data over and above the usual annual return. They recognised the cultural changes made in reducing proactive inspections following the issue of the Joint HSE/LGA statement.
- c) However, there were two issues of concern raised from the data returns:
 - i) Targeting appears to still be an issue with either inappropriate targeting of lower risk premises and/or incorrect recording of activity data by a small number of LAs.
 - ii) The size of the net reduction and the number of LAs who are not undertaking any proactive inspections
- d) HELA had requested HSE LAU obtain further intelligence on the figures to identify common issues and how best they might be addresses. The main issues found to influence LA visits to lower risk premises were LAs undertaking joint HSE/FSA inspections, initial visits to new premises for rating purposes and recording matters of evident concern addressed during visits for other regulatory purposes.
- e) HELA acknowledged the importance of this data in demonstrating levels of inspection activity and providing evidence that the Governments reforms are being met. Publication of future LAE1 returns (proposed in the LA National Code) will provide transparency and aid benchmarking by LAs.

Actions:

- LAU and LGA will develop joint guidance for LAs on the key issues surrounding data collection to assist consistent recording.

5. A National Code for Local Authority Health and Safety Enforcement

- a) Elaine Harbour introduced this paper which provided background to the National Code consultation which launched 21 December 2012 and will run until 1 March 2013.
- b) HELA members discussed the draft consultation document and in light of the BIS Growth announcement agreed that it should be seen as a continuation of the regulatory reform journey already underway.
- c) HELA discussed how the list of national priorities would assist LAs to concentrate their efforts on the basis of risk. They considered how local priorities sat alongside this and agreed that the Code provided flexibility to deal with issues where local factors/intelligence identified a particular problem.
- d) The current considerations within the LGA on the future of regulation in light of funding constraints was seen as consistent with the proposals outlined within the Code consultation document
- e) Feedback from HELA members suggested that current communication routes for promoting the consultation within the local government community are adequate.

Actions:

- HELA Members to encourage LAs to formally respond to the consultation

6. Any Other Business

- a) There were no items raised.

7. Date of next meeting

- a) To be confirmed, July/August 2013