

## **THE LA/HSE PARTNERSHIP – A STOCKTAKE**

A note by Phil Scott, HSE, and Mark DuVal, LACoRS

### **Why this stocktake?**

This note sets out our view of the current state of the LA/HSE partnership. It reports the activities and achievements of 2006-07 (the first year in which operational plans were systematically drawn up to include the partnership) against an overall assessment of the health of the partnership, the underpinning arrangements, and current challenges. The note foreshadows a fuller evaluation of the partnership which has been planned for next summer.

This stocktake was promised following HSE's "Fundamental Review" as a timely milestone along the partnership road. As well as the value of keeping a collective eye on progress, and on the costs and benefits of the partnership, this note has four further related objectives:

- to contribute to the high-level communications about the partnership, with Local Government and in HSC/E, and with the other stakeholders who have an interest, such as BRE, other regulators and the devolved administrations);
- to fulfil a commitment to HSC/LGP (the senior/political level governance forum for the partnership) to provide a review of partnership progress for their meeting in autumn 2007;
- to provide an up-to-date setting for the process of partnership planning for 2008-09;
- to seek a steer on the approach to the evaluation due next year.

We have aimed to keep the core issues from the stocktake relatively short. However, our wish also to do justice to the range and substance of partnership activities in the field, and to provide a progress report on the main workstreams, has resulted in a couple of substantial annexes. We assume that readers will be aware of the background and early history of the partnership. There is considerable material for those who wish to remind themselves of this, much of it available electronically. A short list of relevant documents is at Annex 1.

### **Our current view of the partnership**

We would like to offer our own assessment of the current state of the partnership, against which readers may judge the information, views and comments which follow. We believe that:

- the partnership is well on the way to becoming embedded as "the way we do business". New governance arrangements, after one or two "wobbles", are now working well. Strong support from the HSC, HSE senior staff, and local government institutions remains the bedrock on which continued progress can be built;

- **there is a significant body of partnership activities – joint plans, projects, initiatives, trials and routine business – taking place in the field, aimed squarely at the health and safety targets which we share. There is growing acknowledgement that the LA contribution to the HSC programmes and priorities – hundreds of staff-years of effort – is vital, rather than simply a “nice to have”;**
- **the relationships which underpin this work, at the centre and in the field, have improved out of all recognition from the very patchy picture which existed before the partnership programme, though challenges remain on both sides;**
- **the relatively low priority given to health and safety regulation by local authorities, against their many other responsibilities and local community priorities, means that we will always need work hard with councillors and LA senior managers to maintain the profile and importance of health and safety;**
- **we are nevertheless encouraged by the positive reaction to the partnership by other regulators and those involved in the Better Regulation agenda, and we continue to see our contribution to this work as a priority. There are however some weighty “better regulation” issues to be resolved, not least in ensuring consistent risk-based approaches to inspection, investigation and enforcement practice, and in regulating large, multi-site businesses effectively and efficiently;**
- **there remain other significant challenges – the level of resources required to maintain the partnership’s momentum; communications between LAs and HSE, and within both “organisations”; finding better ways of identifying, reporting on, and giving credit to the substantial efforts made by LAs; and not least, the need for LAs to respond to local priorities alongside those set from the centre – public safety being a good example of an issue which is a priority for LAs whereas (major hazard risks aside) it is not a major objective of the Commission’s strategy;**
- **the changing relationship between the devolved administrations and their local authorities represents a further, political, challenge to which the partnership is likely to need to respond;**
- **we have a reasonably robust basis (a “balanced scorecard” approach) for undertaking the fuller assessment of the partnership planned for next summer. This will aim to include such “hard” measures of costs and benefits as we can reasonably determine.**

Mark DuVal      Phil Scott

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## ***Introduction***

1 HSE and LAs are the Health and Safety Commission's enforcing authorities. LAs are responsible for enforcing health and safety law in over a million premises and in relation to more than 12 million employees. The Commission's current strategy includes the aim of establishing an effective partnership between HSE and LAs. The principal objectives of the partnership [ref 1] are to get the best value from LAs' and HSE's joint resources in tackling the Commission's priorities for reducing accidents and ill-health at work; to ensure a more consistent, "better regulation" approach to business; and through these to contribute to the broader strategic priorities in local authorities.

2 Work to establish the partnership was taken forward in HSE through a "Strategic Enabling Programme", begun in 2004 [ref 2]. The detailed work can be summarised in four broad areas:

- establishing the governance arrangements for the partnership;
- identifying the support, information and training needs of LAs;
- communications, within HSE, with Local Government, and with stakeholders; and, probably most importantly
- establishing early in the partnership an ethos of "learning by doing", that is getting partnership activities and joint work underway at field level. To this end, jointly staffed partnership teams were established in the field.

3 The formal Programme was concluded in autumn 2006. The direction for the partnership was set out in a post-Programme review [ref 3] agreed by HSE's Board and the various partnership governance mechanisms. This coincided with consideration and then confirmation of the strategic value of the partnership by HSE's "Fundamental Review". The strapline for the continuing work which emerged is "making the LA/HSE partnership the way we do business".

4 A partnership plan for 2006 to 2008 has been agreed [ref 4]. Progress with key workstreams is reported below at Annex 3.

5 It has been a fundamental tenet of the partnership that the balance of effort needed to be weighted strongly in favour of the field. Over the past three years there has been a growth in the number of field activities and initiatives, both those directed at the health and safety targets and at developing the local arrangements to support the partnership. An account of these efforts was published in December 2006 to coincide with the annual partnership conference [ref 7].

6 The most significant external influences on the partnership have been, and continue to be, the Hampton Review and better regulation agenda, and the recent Local Government White Paper. We believe that the partnership is very much with the grain of these developments, and we have been working closely with colleagues in BRE, CLG and with other regulators. This landscape is likely to be somewhat clearer by the time we pull together next summer's evaluation and we expect to be better able at that time to judge its impact on the partnership, and to plan accordingly. The Hampton Review did not formally cover Scotland, although the

principles have been followed in developing a revised approach. However, the impact of recent local and national government changes on the approach to local authorities in general and regulatory services in particular are not yet clear. There are, for example, general concerns about how the proposed “primary authority principle” will operate. This is intended to subsume and replace the current “lead” and “home” authority principles. A further uncertainty is how this will operate in the Scottish context.

### ***How to judge success?***

7 We believe that the underlying reason for investing in the partnership remains valid: that we can achieve more for the benefit of health and safety by working together than we can by working separately. It is a truism that ultimately this will only be tested by “outcomes” – the impact we have on the real world. For the time being, as we address the considerable challenge of how best to record and measure outcomes, the judgement of progress and value needs to rely on accounts of a mix of activity and outputs. These do however point consistently to a major change by LAs in directing a larger portion of their health and safety resources towards HSC’s priorities – those which will have the maximum effect in reducing ill-health, injuries, and days lost from work.

8 There is also much that is valuable in what has been and is being done to build, support and sustain the partnership. Some of these benefits are about core “better regulation” principles, now elaborated by Hampton – consistency and transparency of process and approach, targeting, proportionality and accountability. As this agenda has developed it has frequently highlighted the improved LA/HSE relationship. There seems to be an emerging consensus that working with local authorities is best enhanced by working in partnership and demonstrating mutual respect rather than by heavy-handed direction and control. And the ‘word on the street’ is that the relationship between local authorities and HSE is better than it has ever been, with frequent references at public and private occasions about it being the model for others to follow.

9 We are circulating separately the “balanced scorecard” – a series of measures of four key elements of the partnership, which we intend to use to underpin the fuller evaluation next year.

### ***Achievements***

10 Annex 3 sets out progress against the 2006-08 partnership plan. A good flavour of progress is conveyed by the main milestones achieved in 2006/07:

- first meetings of HSC with Local Government Panel (LGP) – May/Nov 2006;
- new HELA established and meetings held end of March 2006, Oct 2006 and March 2007; the activities of the “national” HELA have been reflected in the regional/Scottish/Welsh planning fora set up by partnership teams with their LA counterparts
- flexible warrant pilots concluded and arrangements for roll out prepared
- s18 guidance prepared and agreed for roll out

- LA Strategic Enabling Programme successfully completed
- partnership conference – December
- in-year reporting by LAs of Fit3 activities – autumn
- Extranet development and extinction of HELA Training Co-ord site
- completion of contract with first tranche of EHO secondees to partnership teams, and agreement to replace
- secondment of LAU staff member to BRE
- development of LAU/Partnership plan Dec 2006 to Oct 2008
- communications: revised Handbook & new briefing DVD for councillors; Annual Report; “hearts & minds” communications plan conceived, written & started
- training for LAs: stress, asbestos arranged. Project & Project Board set up on long term training needs
- 07/08 Fit3 portfolio agreed, and commitment from LAs - liaison with Fit3 & PMs
- S&T initiative on track: large proportion of reactive support leads to LA enforcement
- adjustment of LAU spending plans – scaling back on staffing & budgets
- trial transfer of enforcement responsibility for motor vehicle repair and dry cleaners to Peterborough City Council (now evaluated).

***Field plans: 2006-07 outturn***

11 Estimating how much Fit3-directed effort was being pledged by LAs in 06/07 required a fair measure of judgement, underpinned by extrapolation from information we felt was reliable, to give a national picture. The total available resources for health and safety in LAs was approximately 1140 “full time equivalents” (FTEs). After allowing for the inclusion in this figure of managers and non-front-line staff, we estimate that the time available from front-line staff for h&s work is around 900 FTEs. The pledges made by LAs for Fit3 work in 2006-07 totalled around 400 FTEs, somewhere between 40% and 45% of their available front line resource, with the remainder applied to reactive work and some planned inspections.

12 Similar assumptions have been made in estimating the actual service delivery by LAs in 06/07. Cautious extrapolation from the best information indicates that somewhere between 80% and 85% of the originally pledged 400 FTEs was actually delivered against Fit3 activity – around 320 to 340 FTEs. This is an excellent outturn in itself but field partnership teams report that LAs are very much focused on Fit3 and may in practice have delivered more than this conservative estimate.

13 In FOD, the agreed plan for 06/07 was to provide the Fit3 programmes with c.145 FTEs of operational inspector resource. The 06/07 end year report confirmed FOD had exceeded this plan by 20 FTEs. In addition (making the figures broadly comparable with LA resources) FOD's Specialist Inspectors and Health and Safety Awareness Officers made significant contributions to the Fit3 programmes, making an overall outturn of some 195 FTEs – around 30% of FOD's available resources.

14 These somewhat dry figures conceal a rich variety of partnership projects and initiatives, which are summarised in partnership teams' reports at Annex 2. We also thought it right to seek a view from the principal "customer" for much of this work – the Fit3 programmes.

### ***A view from a customer – Fit3***

15 Our successes this year have been in the form of vastly improved communication between Fit3 and LAs. In particular, communication between the Fit3 Programme office and LACoRS has been excellent this year, including securing LACoRS involvement in initiatives and events such as the Fit3 Media Breakfast and "Fit3 Street" (an on-line tool designed to bring all of our enforcement instructions and guidance to LAs into an easily-accessible and manageable format. Feedback we have had so far has been very positive). However, recent evidence has indicated that there are still many LA colleagues who are unaware of the site. As the primary tool for communicating our Fit3 priorities to LAs in 2008-09, the challenge remains to ensure that all are aware of its existence and its potential benefits.

16 LAs have been very proactive in carrying out Fit3 activities, in particular dermatitis in hairdressing and just recently the "Ladders Exchange" with maintenance workers. This reflects good work by Fit3 teams and Partnership Managers in communicating what Fit3 would like LAs to deliver.

17 Fit3 will be adopting the recommendation of HSE's Fine Tuning Review that programmes should be setting out "what" they wanted to achieve and "why", allowing FOD and LAs to use their local knowledge and expertise to specify "where" and "how" these projects could be delivered.

18 Focus groups are now being used to identify evidence of outcomes from both the LA and FOD enforced sectors. LACoRS helped to plan and develop the question sets. Early feedback has been very positive. These sessions should also help flag up problems that LAs are facing, and will therefore hopefully improve both our communications with our delivery partners and also the efficiency of the planning and delivery of the Fit3 programme as a whole. Reporting still presents a challenge however, for both FOD and LAs. We need to get a better overall idea of the time spent enforcing individual Fit3 topics, and also what is being achieved. We will continue to work with programmes and with delivery partners to improve the efficiency of our reporting systems.

### ***Attitudes and working relationships***

19 A fundamental issue facing HSE and local government in improving their relationship was the general attitude demonstrated by staff on both sides. Common perceptions in HSE were that LA enforcement officers were part-time, inexperienced and therefore by implication only capable of low hazard work. In turn perceptions from local government were of HSE as an arrogant organisation, experienced, well-trained and resourced but inaccessible. Both perceptions were belied by some excellent relationships, but often these were dependent on the commitment of individuals. This was clearly not a position that encouraged joint working or an effective use of joint resources. Discussion about partnership is easy – delivery

depends upon convincing individuals that it is truly what both sides want at an organisational level.

20 As well as the high-level commitment evinced by the Statement of Intent, the creation of partnership teams by HSE has been the one of the main mechanisms for building better relationships. The aim has been to develop relationships with key individuals at a local level and thereby to replace myths with trust – built on mutual experiences and understanding of respective roles, responsibilities, pressures and ways of working. We believe that the pictures painted in the partnership teams' reports at Annex 3 show, despite some honest examinations of continuing challenges, a generally vast improvement in working relationships and hence in the effectiveness of the partnership. Although the teams are supported by EHO secondees it is perhaps to be expected that these reports reflect a somewhat HSE-centred view of the partnership. We therefore thought it right to include a specific perspective from local government. This has been provided by LACoRS at Annex 4.

### ***Sustaining success, meeting challenges***

21 The partnership still has a way to go to become self-sustaining. For HSE the main effort needed is in providing support, guidance and respect for the work of local authority enforcement officers and not about seeing local authorities as a 'cheap resource' to be directed. LAs should in turn continue to deliver what they have committed and provide useful information to the Commission about their work, not least to reinforce understanding of the importance and value of their efforts.

22 Partnership working will continue to require commitment and determination as well as reserves of patience and constant 'oiling', particularly in the parts of both organisations not normally in regular contact or with a clear understanding of the other's culture. And in the changing regulatory environment LAs will need continuing reassurance from HSE that it is supportive of local delivery of health and safety enforcement.

23 Attempts in the past to create central/local relationships have foundered in the face of the reality of Local Government as a large number of relatively small, self-governing organisations with different local priorities. It was never viable to consider a "partnership" between one HSE and 410 LAs. The benefit of working regionally in developing improved relationships and shared priorities is self-evident. But the role of LACoRS in co-ordinating and representing LA interests in the many facets of the partnership has been essential. It is not too much to say that without LACoRS it would have been impossible to make the partnership work in the way envisaged by the Statement of Intent.

24 We are striving to ensure that ultimately partnership working will become the 'way we do our business'. The elements that need further work fall into two broad categories: soft and hard. The soft issues are those referred to above, essentially a constant need for understanding and tolerance, recognition that both organisations have their own cultures and ways of working and that though this will not change there are always opportunities for greater harmonisation.

25 The hard issues are about the systems that need to be established and agreed between both HSE and LAs that will provide the mechanisms for mutual support and the exchange of information. Fundamentally the last category includes much improved communication and data analysis, working with and integrating the systems currently in use both centrally and locally.

26 All this is taking place against a busy backdrop of central initiatives. The better regulation agenda challenges LAs to show that their local autonomy and regulatory decision-making is not at odds with business enterprise and the need for consistency. More generally, the evolving relationship with central government looks to devolve more powers to local government and to reduce scrutiny by the centre. This developing agenda provides an opportunity for LAs to demonstrate the positive impact that regulatory services can have in contributing to wider strategic aims for improving their communities.

### ***Field view of challenges***

27 The reports from partnership teams, and from LACoRS, on the whole describe a positive and lively picture of partnership activities, with a high level of contribution by LAs. But they also identify a consistent view of the challenges seen by those in the front line, which provide a counterpoint to the more general challenges indicated above. Most of them are well recognised by the LACoRS and LAU teams, and will continue to be addressed in the dialogue with the partnership teams. The main concerns cited are:

- the need, post-LASP, for a clear re-statement of the strategic role and value of the partnership;
- a desire not to miss the opportunities presented by Local Area Agreements (and the equivalent in the devolved administrations) for reinforcing the partnership;
- the unresponsiveness of a relatively small handful of LAs;
- the timing, availability and co-ordination of planning information;
- the strongly expressed view that efforts of partnership teams remain essential to the continuing viability of the partnership, and worries about future resourcing;
- the difficulties of getting feedback and information from LAs;
- the patchy record in HSC/E publications in acknowledging LAs' role and activities;
- the effort still required by HSE to involve LAs consistently in policy and programme development and early planning processes;
- the value of providing training for LAs on priority issues but the challenge of finding the resources to do so;
- concern from LG that the impending move of HSE staff from London to Bootle does not jeopardise the close and productive way LACoRS and HSE work together.

LACoRS/HSE August 2007

## Annex 1: References/key documents/abbreviations

1. Statement of Intent between HSC/E & LG representative bodies – 2004
2. LA/HSE Strategic Programme plan April 2004
3. Post-LASP review June 2006
4. Partnership Plan 2006-2008
5. LAU/LACORS “Building on best practice” 2005 – description of work with examples to fulfil Statement of Intent
6. HSC/05/04 – Paper to HSC July 2005 setting out proposals for revised governance arrangements between HSC/E & LAs.
7. HSE/LACoRS Working Together Annual Report 2006 - December 2006 (description of achievements including regional updates). Also includes description of work on Extranet, training & support for LAs.
8. Local Authority health and safety in Great Britain – Councillors’ Handbook (2005 update 2006).
9. LAU Newsletter – monthly newsletter to LAs prepared by LAU (with contributions from others in HSE).

## LIST OF ABBREVIATIONS

|        |   |
|--------|---|
| BRE    | Better Regulation Executive                                       |
| CIEH   | Chartered Institute of Environmental Health                       |
| CLG    | Department for Communities and Local Government                   |
| CoSAS  | Corporate Science and Analytical Services (Directorate)           |
| DWP    | Department of Work and Pensions                                   |
| EA     | Enforcing Authority   |
| EH     | Environmental Health  |
| EHO    | Environmental Health Officer                                      |
| ELO    | Enforcement Liaison Officer                                       |
| Fit3   | “Fit for work, fit for life, fit for tomorrow” delivery programme |
| FOD    | Field Operations Directorate                                      |
| HELA   | HSE/LA Liaison Committee  |
| H/OPs  | Heads of Operations   |
| H&S    | Health and Safety   |
| HSL    | Health and Safety Laboratory                                      |
| HSC    | Health and Safety Commission                                      |
| HSE    | Health and Safety Executive                                       |
| LA     | Local Authority   |
| LAAs   | Local Authority Associations                                      |
| LACs   | Local Authority Circulars   |
| LACoRS | Local Authority Co-ordinators of Regulatory Services              |
| LAE1   | Local Authority Enforcement form 1 (return of information)        |
| LAPS   | Lead Authority Partnership Scheme                                 |
| LASP   | LA/HSE Strategic Programme  |
| LAU    | Local Authority Unit  |
| LBRO   | Local Better Regulation Office                                    |
| LG     | Local Government  |
| LGP    | Local Government Panel  |
| LOPP   | Large Organisations Partnership Pilot                             |
| OGD    | Other Government Department(s)                                    |
| PLO    | Partnership Liaison Officer                                       |
| PM     | Partnership Manager   |
| S&T    | Science and Technology  |

## **Annex 2: reports from Partnership Managers**

### **SOUTH WEST**

#### **OVERVIEW OF PARTNERSHIP**

- Good relations with all authorities at working level. Senior manager/councillor involvement patchy, but good support to signing Statement of Intent.

#### **06/07 OUTTURN**

- Good response to Fit3: contribution from LAs (double local HSE's resources) is reported more fully elsewhere. Particularly good response on slips and trips and hairdressers events (SW lead) reaching 600 and 1000 business respectively. PLO Seconded opportunity welcomed and many authorities would agree to help fund this post in future.
- HSE Training/Support: well received with good attendance at all training events and more demanded. SW lead on asbestos and DVD now issued nationally. Projects to use HSL funding going ahead (e.g. MSD in butchers' shops). Support has been provided from within HSE/HSL teams on LA investigations, seminars and campaigns. The ELOs continue to receive numerous enquiries on general technical matters and HSE ops and partnership staff regularly meet their LA counterparts at County liaison committees.
- The SW Forum for Regional Excellence in Safety and Health (FRESH) continues to meet regularly to discuss planning and for networking. Each "County" is asked to send a delegate most usually do so. There have been difficulties in these delegates taking guidance from, and feeding back to, other authorities and to their own senior managers/councillors. We are taking steps to try to improve this.
- SWERF, a forum for different regulators in the South West has been set up and has been involved in vital work on using LAAs to justify resources for regulation and in looking at how to share intelligence on poor performers.

#### **PROSPECTS 07/08**

- Many authorities have indicated a substantial allocation to Fit3, some more than last year, despite pressures on food and smoke free work. Ongoing joint work on MGS3, warehousing, hospitality and cleaning SHADs, local projects on henna tattooists and migrant workers and existing HSL projects. Several joint events planned for stakeholders and officers/Inspectors e.g Partnership Awareness Days for networking of field officers.

#### **KEY ISSUES**

- Two Counties (Cornwall and Wiltshire) are becoming unitary authorities. Work will be needed to ensure that H&S enforcement takes its proper place in the new bodies. (This change could well be to the advantage of HSW enforcement enabling the creation of larger teams with more flexibility without need for flexible warranting and devising how to pay/repay for work done between smaller LAs).
- There will continue to be difficulties with the smaller authorities being able to resource an HSW team and to cope with unusual processes, serious incidents or unexpected staff absence. Inter authority sharing of resources and expertise needs further work. Larger authorities do not always have a team in proportion to their population. Some form of workload formula might be useful.
- On many occasions HSE staff (B2-5) have filled LA resource or competence gaps e.g. in incident investigations or training events. This is becoming much more difficult as HSE's resources are such that we have to limit our own investigations.
- HSE's planning arrangements still make joint planning difficult. Although there have been improvements in the outline numerical planning process, LAs are not as tolerant as HSE staff of "just-in-time" arrival of detailed plans and guidance.
- Resourcing a SW PLO post all the year given that not all authorities will contribute and we are now so short of HSE Band 3s we cannot spare any for swaps.

## **SOUTH EAST**

### **OVERVIEW OF PARTNERSHIP**

- The South East Region has 67 Local Authorities and three HSE offices – robust arrangements exist at practitioner, manager and senior manager level to ensure effective partnership working, planning and formal communication<sup>1</sup>.
- HSE engagement through the buddy arrangements provides a fit for purpose approach to delivering a joined up approach. While this is dependent on effective relationships, and HSE resource is somewhat stretched, there is good anecdotal evidence that this is producing sustainable partnership on the ground<sup>1</sup>.
- The infrastructure at Manager level has strengthened the liaison groups focus on health and safety – with representatives better informed and engaged with the partnership through their Partnership Forum Representatives, and better linked with HSE through their local Principal Inspector (rather than a single ELO across the region). The Forum provided an input to Fit 3 centrally on projects for 07/08<sup>3</sup>.
- The Strategy Group involving representative senior managers has a clear role of monitoring delivery of commitments – and more significantly has started discussions on a region wide health and safety strategy for 07/08 and beyond<sup>1 & 6</sup>.
- PaCT involvement now extends beyond partnership. Work undertaken on improved targeting and consistency of enforcement in particular is moving the region forward in terms of impact – and both sides are supported through the provision of project managers for key projects from the PaCT<sup>4</sup>

### **06/07 OUTTURN HIGHLIGHTS**

- Before the start of the 06/07 workyear, 58 of those LAs across the region had committed 84 Full Time Equivalent (FTEs) to Fit3 work. At the end of 06/07, 54 of the authorities responded with a reported delivery of **69 FTEs** of Fit3 work.
- From local knowledge, total delivery from LAs is estimated at **71 FTEs**.

### **07/08 PROSPECTS**

- Fit3 commitments for 07/08 are broadly comparable with 06/07 at 88 FTEs – (1/4 allocated to smoke-free). 78% of LAs committed to deliver Fit3 resource – a further 12% are known through local knowledge to be participating in Fit3.
- The appointment of an HSE secondee to support Sussex LAs provides increased opportunities for moving towards a shared service approach to Health and safety issues – with other county groups acknowledging the benefits of this approach
- Five of the seven County groups are very keen to implement Flexible Warrants<sup>5</sup>
- A regional plan has been agreed – this reflects both HSE and LA delivery

### **KEY ISSUES**

- Reference to LA involvement in documents from HSE programmes is an ongoing concern. An approach to more local branding by individual LAs is needed.
- Lack of a local PLO across the region has led to some concerns – more work is needed to encourage LAs to put forward their staff for involvement<sup>2</sup>
- Timing of information for planning and changing information about projects is a continuing area of frustration – an improvement to communicating key programme/project management messages would be beneficial<sup>3</sup>
- LAAs – provides a mechanism for longer term sustainability but achieving success through this route remains a significant but key challenge<sup>7</sup>
- The end of the LA Strategic Programme has left a vacuum in respect of strategic direction for the partnership – there is a risk that the partnership may not continue to develop without a high level joint HSE/LA steer becoming more visible.

- A number of the LAs that are contributing significantly to partnership and Fit 3 are asking that we ensure that all LAs are engaging with this work. LBRO may provide a mechanism for monitoring/auditing delivery, but in the absence of that approach LAU may need to revisit this soon to provide reassurance to SE's LAs that delivery is a priority<sup>6</sup>.

## **MIDLANDS**

### **OVERVIEW OF PARTNERSHIP**

- Nine of the ten county H&S liaison groups have been very active in supporting Fit3, the targets and the partnership. They have been very positive about Fit3 work and have welcomed the associated training and the change to their normal inspection routine. The flexibility to choose which projects to support has allowed them to meet both local and national priorities. In the other county, LA staff have been facing the uncertainty of possible amalgamation into a unitary authority.
- The partnership relationship is very positive at EHO level, and positive at CEHO level. Little direct work has been achieved with councillors and despite constant reminders to LAs that we would like to be involved we have had no contact at senior LG level.

### **06/07 OUTTURN HIGHLIGHTS**

- No definitive numerical data is available as yet. We asked how close LAs believed they would be to 06/07 Fit3 commitments and received 34 replies (from 74 LAs). These showed that most would meet the target by end March 07, with some exceeding it and some with a shortfall. These good responses should be regarded with caution as those who didn't reply may not have performed so well. Some LAs had staffing pressures and an overload of reactive work (e.g. Birmingham).
- Some of the project work was very good and received local publicity. Many LAs used the dermatitis at hairdressers work to provide feedback. A popular project: most felt that they had successfully raised awareness and improved standards. Notts sent questionnaires to all hairdressers and selectively followed them up. Walsall organised 2 college based SHADs for trainees and their employers.
- Lincolnshire ran a care homes SHAD with HSE and the model has been used by other county groups. Warwickshire ran a workplace transport SHAD for warehousing and transport companies. Transport was a project topic used by many Midlands LAs. Three Worcestershire LAs used HSL campaign funding to target poor performers, and subsequently Wychavon LA hosted Bill Callaghan to show successful LA/HSE partnership work in their area. Daventry undertook workplace transport/MGS2 work at a major logistics hub in their area. Major employers at the terminal are now asking the LA to facilitate a new H&S group.
- An example of important local non-Fit3 work was a radon project in Northamptonshire, undertaken in conjunction with HSE IR specialists.

### **07/08 PROSPECTS**

- For 07/08, whilst most authorities have committed significant resources across relevant themes, smoke free has dominated early planning and limited the resources available (at least initially) for Fit3. Including "smoke free", total resource committed for 07/08 is 76 Staff years compared with 54 for 06/07. The most common topics being not surprisingly "smoke free" followed by skin disease in the beauty industry, food handling and catering and then slips and trips (Retail, hospitality and food prep in hotels and shops).
- The Midlands Builders Merchant project is continuing. It is concentrating on producing information targeted at smaller independent companies and EHOs. Additionally, work is in hand to bring the Builders Merchant Federation more centrally into the project.
- We provide support for the LAPS Partnership between the British Frozen Food Federation and Boston Council; have tabled proposals for more structured approach to performance and reduction in accidents and ill health of members.

## KEY ISSUES

- The absence of a PLO for 6 months created difficulties, however, in spite of affordability restrictions, the early funding commitment to replace the PLOs was welcomed. Lack of money was a frustration in terms of delivering activities with LAs (plans for a Midlands conference were shelved).
- Obtaining feedback from LAs can be frustrating. Where only one or two are involved, direct contact is possible but this is not realistic where all are involved. The large number of similar demands from others will continue to pose problems. We will continue to work on improving relationships, targeting and explanations.
- Our Midlands Strategy and Liaison groups continue to be largely HSE driven, with relatively few topics being suggested by others for discussion. However, plans are in hand to encourage more involvement of county CEHOs/liaison group reps.
- In view of the great deal of time and effort put into “smoke-free” (including in the final quarter of 2006/07) by most Midlands LAs, it has often been the starting point for 07/08 Fit 3 planning. It has been helpful to ask LAs what they would like included in future Fit3 work, and to involve them more in planning. Our Midlands partnership buddy role is with workplace transport and MGS3, so it's particularly satisfying to have Midlands LAs reps on both those project teams.
- We continue to raise the issue of training and ask county groups for their suggestions. We helped Hereford/Worcester with an EMM consistency half day, and are now developing plans with our other county groups to do the same.
- Discussions surrounding the development of LAAs should provide opportunities to develop links with other regulators.

## WALES

### OVERVIEW OF PARTNERSHIP

- The partnership in Wales remains in good, but still potentially fragile, health. We have enthusiastic Inspectors from both LAs and HSE working very well together to deliver good quality work, involving the majority (perhaps 20/22 of LAs), with excellent support from PIs (all of them former ELOs) and an increasing number of Heads of Service (but with many still happy to sacrifice H&S to meet end of year FSA targets!). Directors seem broadly content with what is happening, but do not provide active leadership.
- Much still depends on HSE support for and input to the partnership. Locally this gets ever more difficult because of downward pressure on resources; 1.5 B3's planned for the partnership and external relations team, now 1.0.
- During 06/07 we benefited greatly from having an LA presence on the partnership team; a major factor in producing for the first time an all-Wales plan of work that went to LA senior managers with the promise of an annual report. It is proving altogether more difficult to get LAs to provide the returns we require to complete that report. We have been unable to recruit an LA secondee into this same role for 07/08. The LAs seem loath to release anyone; the reduced funding available (0.42 s/y in Wales), and hence the reduced period of any secondment is (anecdotally) less attractive to EHOs.
- During 06/07 elected Members were largely invisible. We're doing better thus far in 07/08. The Deputy Leader of Flintshire CC attended, and was strongly supportive of, the aerial installers launch – see below. Graham Brown, an ally in the past, attended a recent meeting of the LA Technical Panel. Sandy Blair attended that same meeting and is proving to be very supportive.

### 06/07 OUTTURN HIGHLIGHTS

- No numbers yet from LAs, but on projects: the Laura Ashley, MGS2 project has gone well. This involved a supply chain audit involving a mixed LA/HSE team.

- SE Wales drinks project – manual handling in pubs, involving training workshops for LAs, and the production of a training DVD for use by smaller employers. Piloted in SE Wales during 2005/6; extended to all-Wales effort for 2006/7.
- Migrant workers – LA Inspectors warranted to join the team inspecting cockling in SW Wales. Seminar in N Wales for employers and employment agencies. Inspections of bakeries in N Wales following training by HSE/HSL.
- Joint complaints handling – 3 N Wales LAs are dealing with complaints according to the HSE system (rather than investigating every complaint, emerging findings; significant savings of staff time).

### **07/08 PROSPECTS**

- We again have a joint plan for 07/08. Initially a plan of two halves, with HSE and the LAs separately offering good support for FIT3, but without any new joint working proposal coming forward, despite HSE prompting. After an initial flurry of interest the SW Wales LAs have recently declined to participate in “Minerals to merchants” – a supply initiative involving the chain from quarries to builders merchants and garden centres. We have a joint warranting project on aerial/satellite dish installers in N Wales.
- The plan includes over 200 separate contributions from most of Wales 22 LAs, mainly FIT3 activities. The amount of resource is difficult to quantify, but it's fair to say this represents a good deal of planned work.
- An ambitious training programme of 3 days is to be delivered to LAs by the Partnership team, this includes WaHeight especially in entertainment (commissioned with HSL, with aim to produce multimedia package available as resource on Extranet; other Fit 3 updates including Legionella and LPG, MSD, Transport, STF, occ health some in response to specific bids from LAs).
- WAG is keen to develop partnership working with all public bodies on a local level through its “Making the Connections” programme. This is currently at consultation stage. It is likely to have an influence on how HSE takes forward its LA partnership strategy.

### **KEY ISSUES**

- Exploratory work with CIEH developing H&S questions for other regulators visiting farms.
- Main frustrations are set out above. HSE's role in driving the partnership is essential.

### **YORKSHIRE AND THE NORTH EAST**

#### **OVERVIEW OF PARTNERSHIP**

- Partnership work in YNE has continued in a positive way, although there have been some difficulties with the resources available, given that there has been a gap between the old PM finishing and the new PM starting.
- All of the liaison groups in YNE have committed to plan on the basis of Fit 3 priorities and have been positive about the structure that Fit 3 work brings to their work. Several LAs have commented that as the work they cover becomes more complex (eg some EHPs deal with food hygiene, H&S, fire, grants, planning, etc at visits) the Fit3 framework helps ensure key H&S topics are addressed.
- There is a positive approach from the majority of LAs towards partnership work in the broader sense. The lack of a PM in recent past has meant much of the partnership work has been carried out via the ELOs and operational groups. This has led to much good local work but has meant communication and coordination has not always taken place.

#### **06/07 OUTTURN HIGHLIGHTS**

- There has been good LA support for the MGS2 work with close liaison between operational staff and EHPs involved, benefitting both LA and HSE staff. This view has been supported by the joint working that has taken place as part of the LOPP initiative.

Although one of the target companies has 'complained' about the level of enforcement from the LA (well justified in the inspectors opinion).

- Safer Working Community (SWC) work received very good support from LA colleagues with events taking place in Blyth, Sunderland, Washington and Driffield and further events taking place this year in York and Tyndale with others planned for later in 07/08. The SWC events seem to be particularly well liked by LAs because of the local flavour, and the use of larger local businesses to produce a 'gearing' effect in drawing in delegates and disseminating the H&S message.
- York City Council and HSE organised a successful event for those involved in the voluntary sector which was well attended, involving the operational group inspector, HSAO, External Relations Manager and EHPs from York CC.
- This type of event has predominated, with similar events targeting road haulage, cleaning companies, hairdressers, in Harrogate, Wakefield, Hull and Leeds.
- Some of the larger LAs (including Bradford, Leeds, Rotherham Wakefield, York, etc) also signed up to deal with stress in the financial services sector work and were appreciative of the good training their staff received at the training event.
- A FOD inspector has provided training to LA colleagues in Harrogate on inspection of MVR. This has been appreciated by the LA and enjoyed by the inspector. More of these sessions will be held in 07/08.
- Flexible warrant work has progressed steadily, with positive feedback from LAs involved including those in Hull, North Lincolnshire, Calderdale, York and Northumberland. Specific examples have included EHOs intervening in construction work (at a rate of about one job a month) with Hull being particularly enthusiastic. There has been further pragmatic use of flexible warrants where EHOs have willingly responded to complaints on HSE's behalf when it would have taken too long to get an HSE inspector to site.

### **07/08 PROSPECTS**

- The prospects for 07/08 are good, although resources will be limited as we were unsuccessful in getting a PLO. With the new PM in post there is an opportunity to further develop partnership work with LAs, keeping those we are working well with enthusiastic and trying to develop closer working relationships with those who have been a little less enthusiastic. Contact with LAs will be primarily through the liaison groups, the management group and one-to-one contacts.
- We will also explore the possibility of some of our LAs doing some work for the partnership team on the basis of 'development for their staff'.
- The Regional event will be an opportunity to refresh some of the commitments given by LAs in previous years. The majority of LAs now actively plan on a Fit3 theme and appreciate the direction this gives them as the range of their work expands.
- The SWC work has gathered a pace and will continue. The events carried out so far have prompted further enquiries from other LAs about the possibility of running them in their area. Planning for SWC events in Alnwick and Wansbeck is already well underway. An area we need to consider in YNE is the sustainability of the work emerging from the SWC event. The York event, in particular, identified several areas to explore post event. Unfortunately because of the resource limitations and the hiatus between PMs it has not been possible to develop these suggestions. This may be an area we revisit this year.
- There are a number of initiatives planned that fall within the MGS3 topic area including 'truck stop' events, joint audits of logistic companies, etc.
- The issue of EHP training needs has been raised by a number of LA contacts and the timing may be right to review the training needs of EHPs again in YNE given their changing role and widening spread of work.

### **KEY ISSUES**

- The YNE Partnership team currently consists of a newly-appointed PM and External Relations manager with one B6 in support: expectations of what the team can deliver need to be realistic.
- We have been unsuccessful in getting a PLO this year and we need to be reassured that resources will be made available for this post next year to enable us to motivate LA colleagues to apply for the post.
- LAAs: being prepared by many LAs but level of knowledge about them is very limited (HSE and LA) - the level of understanding needs to be raised.
- Coordination of local initiatives: All of the proactive operational groups (FOD and CD) are involved in joint work with LA colleagues. Much of this is not badged as 'partnership' work by the groups, simply day-to-day work. The profile of the partnership team amongst the groups need to be raised.

## **SCOTLAND**

### **OVERVIEW OF PARTNERSHIP**

- Although it has not been possible to gain more than a qualitative impression the great majority of councils seem to have embraced the partnership, which many see as little more than a development of prior close relations with HSE.
- The tone of communications both at liaison group meetings, by phone, letter and email is open and honest. At the level of operational work and annual planning, most members of the liaison groups have the delegated authority from their seniors to participate as they see fit and most do, although a small number find the planning and paperwork excessively burdensome in relation to any significant changes to their work methods that arise and are going back to planned inspection of their priority premises. Even here however, the focus remains on those Fit3 topics most relevant to the premises visited.
- Most discussion indicates that councillors are not interested and that regulatory services are left to get on with what they feel is most appropriate.

### **06/07 OUTTURN HIGHLIGHTS**

- Of the time promised, my predecessor estimated at the  $\frac{3}{4}$  year stage that 70% had been delivered. Several councils submitted the requested two stories. End of year returns based on these and LAE1 returns will reveal a fuller picture.

### **07/08 PROSPECTS**

- 18 (of 32) councils have committed about 250 days on paper (using the spreadsheets from Fit 3) to the seven Fit3 projects that involve joint working with HSE, for example the falls/building maintenance work. All have provided contact details so that the HSE staff involved (each of the 5 HSE teams) can make contact with those LAs in their areas to the extent necessary to coordinate the work across and within council areas.
- A number of others have orally indicated a willingness to join in during the year, citing past uncertainty and late provision of information as reasons for their hesitancy. Unfortunately this does make communication difficult and it may be better to circulate all messages to all councils so that 'late starters' see them, though this may burden others who are not interested.
- A greater number have committed to the Fit3 work in those areas that are LA enforced (24 councils). In total 3657 days have been committed. Several comments on quality of support material from programmes, mostly good.
- Scotland is one of the 4 divisions selected by DRP for phase 2 of the bad hands campaign on hairdressers and is currently well ahead of the others in terms of councils that have committed to this work. 15 signed up: target number of salons likely to be met.

### **KEY ISSUES**

- Late confirmation of plans followed by late delivery of campaign materials has been cited as a problem by some, especially as they feel Fit 3 staff seem unaware of the other pressures on councils that narrow time windows for work. Some niggles have been expressed about poor joint working and off hand treatment from some parts of FOD who still show little interest in supporting councils eg in dealing with asbestos problems. This may be no more than a single individual.
- There are still some councils who show little interest in partnership working as anything more than the central and local support they receive from HSE, and exchanges on issues such as ELCI or supply matters. Planned work in those areas specific to LAs still seems easier to commit to and plan.

## **LONDON**

### **OVERVIEW OF PARTNERSHIP**

- 32 of 33 London Boroughs signed up to the statement of intent in Summer 2005. That is still a good representation of involvement, with a further borough which although signed up, is seldom seen. There is good attendance at most of our 'infrastructure' meetings – London quadrants, Safety and Health Enforcement for London Link (SHELL, our regional body), as well as at the pre-existing Liaison Group (LLG) and Association of London Environmental Health Managers (ALEHM). With better laid-out written communications, and relationships now better explored and secure, we are trying to make the meetings more business like, including providing a better two-way information stream between meetings, and, in particular, to and from LACORS H and S Policy Forum.
- Our second councillors event in November 2006 was a washout, with minimal show from members, despite a good venue. We are streamlining communications partly to provide LA managers with tools that will make it easy to cascade information down and up, thus keeping councillors informed. We are also agitating for H&S inclusion in LAAs, which might raise awareness.

### **2006-7 OUTTURN HIGHLIGHTS**

- Nearly 5000 Fit3 inspections by LAs recorded on HELA website. Majority of London LAs worked on the OH in Hair and Beauty Project, involving HSL. Now analysing questionnaire results: report due in September. Work will continue 2007-8.

### **07/08 PROSPECTS**

- Planning went well, but low energy for really kicking stuff off in many boroughs, largely due to diversion into Smokefree. A few notable exceptions e.g. Islington and Tower Hamlets buttonholing Falls from Heights Team and getting into Ladders Week/Exchange despite rather low proactive involvement from that team with the LA axis. I currently lack quantified information from boroughs about resource that will be going into Fit3 this year.
- A communications rethink has pared down London communications to a written summary of the Workplan, plus a spreadsheet showing who is doing what; a series of Workplan Next steps Bulletins on plan progress, including future actions; agendas and Action Notes from meetings; and written updates to Liaison Group and ALEHM meetings.

### **KEY ISSUES**

- PLO commitment for next year. We need assurance of funding for 2008-9 and beyond. This way we can plan for continuity, whether by extension of existing contracts, or timely advertising for new incumbents.
- There are a number of bits of Programme work that need coordination e.g. asbestos, FfH, slips and trips – aiming at same/similar target audiences, and thus with potential for duplication by boroughs around the UK e.g. several visits to Carillion Facilities Managers seem inevitable, and perhaps unnecessary. We are trying to coordinate this in London.

- Consistency of enforcement project – hope to work closely with ESE on a suite of work centring on this issue; already worked with one borough on tricky investigations and put together training on Management Systems Interventions. Hope to package this and other training for re-use, including Work-related death and Corporate Manslaughter, Management of investigations, Investigations. PLO has started work to encourage Food Teams to tool up and deliver Fit3 work on, especially, slips and trips and dermatitis.
- LAAs – despite two events laid on by London Policy Officer for CIEH and LOTSA London Coordinator, and mentioning LAAs in every other sentence, we still know of no H&S input to LAAs in London. I have been continuing to work with these stakeholders, resulting in another (nationwide) awareness event for EH professionals on 6 September at Rose Court and with high H&S presence.
- On previous stats from LAE1 analysis, London LA average resourcing for H&S looks poor compared to other geographical categories. Better resourced LAs have been unwilling to let this information be spread widely in order to ginger up the others in case their own resources are reduced in line. We are keen on doing some visits this year to the ‘unseen’ LAs to encourage more involvement.
- The Olympics are coming.....

## **NORTH WEST**

### **OVERVIEW OF PARTNERSHIP**

- The partnership team (PT) remains the focus for LAs working with HSE staff: we are the link to HSE operational teams, HSL and SG. PT is kept involved in discussions as plans form and ELOs have an integral role in the detail of delivery where Fit3 projects involve joint working with their staff. LAs remain able to include their own priorities within their plans. Working together at the delivery level within Fit3 priorities, as practitioners, is very good. The NW regional forum allows exchange of ideas and good practice particularly in the use of planning approaches.
- LAs are developing and adopting county wide working procedures based on HSE's procedures. Much of this is driven by practitioners rather than Chief Officers/heads of service although the latter are keen to be involved where there is a need, and where their interest in consistency, and efficiency coincides with HSE's interests. This senior support is largely sustained by the Partnership Manager link to their chief officer groups, but for priority issues such as legionella strategy, the lead is at chief level where HSE was invited to the workshops LAs developed with the PCT. We have not pursued councillors' involvement since the sign up events.

### **06/07 OUTTURN**

- Planning within county groups has been a feature for most of the region for some time. A report on Fit3 activity sent in April is attached and LAs delivered 100% of what they committed. Their accounting does not allow for detailed numerical data for the region.
- Outside of Fit3 competency and training have featured large and where needs cannot be met centrally, or by LAs themselves, PT has facilitated HSE/HSL involvement. SG provides significant support to LAs whether by producing bespoke training - electrical safety, gas and noise or via the Fit3 projects such as dermatitis in hairdressers. This interaction is particularly valued by both parties and has enhanced LAs' confidence in knowing when to contact specialists. NW LAs meet much of their own training needs within county groups, often opening up courses to other NW LAs and HSE staff on topics such as victim statements and notices/statement taking. Joint seminars on work related deaths within each county group have been especially beneficial in increasing practitioner confidence and affording direct discussion with the local Coroner, Police and HSE staff.

### **07/08 PROSPECTS**

- We are following the priority for partnership of building on previous years' focus with Fit3 and encouraging LA delivery. Most LAs plan on Fit3 themes and are committed to delivering them. Figures on commitments prove almost impossible to obtain. Smoke free has been the priority for the first quarter, but with the PLO in place we hope to release some time to pursue regional governance and councillor involvement.

#### **KEY ISSUES**

- Internal to HSE - lack of direction from HSE on the expectations of PT involvement re LAAs means we have missed some valuable opportunities; NW relationships HSE/LA staff require development; competence and training - confusion re SITNA/ the possible provision of central training programme led to halting our local plans; communications; completed auditing/s18 guidance as base lines for managing regulatory services and delivery required to progress discussions with chief officers; accounting for activity – setting baselines and accounting requires some direction from HSE (link to LAAs but also on a more general level to allow practitioners to plan); maintaining PT role and appropriate resources without which the impetus is lost;
- External to HSE – (a) in NW, Cheshire restructuring; (b) Nationally, better regulation and changing Government priorities

#### **EAST**

##### **OVERVIEW OF PARTNERSHIP**

- Partnership work within the Eastern region has moved forward in a positive manner in the last two years. The majority of the LAs view positively the increased communication and co-ordination and see that there are benefits and efficiencies to be gained. Examples include the Suffolk flexi-warrants pilot launched in Nov 06 and the allocation of MVR and dry cleaning premises to Peterborough CC as a pilot exercise. Essex has volunteered to undertake a flexi-warrant pilot, clear signs that there are further authorities embracing partnership. There are further examples of project working across a range of topics illustrating partnership working being delivered by operational teams and the acceptance of Fit3 as the basis for inspection. Although there remains some cynicism amongst certain HSE and LA personnel regarding flexi-warrants and whether the resources justify the benefits, our efforts to encourage a more strategic approach through closer working and by combining resources have helped to secure outcomes and thereby challenge the cynics. We provide and maintain that link between the HSE/LA teams and practitioners.

##### **06/07 OUTTURN HIGHLIGHTS**

- Within East Anglia every LA was directly involved in Partnership working in 2006/2007. The best example of a HSE/LA combined project was the Greene King Moving Goods Safely Initiative, jointly managed by HSE and St Edmundsbury BC. Work took place in over 20 LAs (mainly East Anglia) with HSE staff joint visiting in 3 HSE Hubs. A report was jointly delivered to the Greene King board with follow-up visits being undertaken in December 2007. A large number of LAs across the 6 counties in the East undertook Bad Hair Day Campaigns including running Awareness Days, undertaking visits and mail shots, examples such as this have helped the PaC Team learn how best to approach larger scale projects in the future combining the successes of these project in the 2007/2008 Work plan (examples detailed in Good News 2006/07).

##### **07/08 PROSPECTS**

- The major project for 2007/2008 is our attempt to have all 48 LAs within the East of England work with HSE on the centrally organised Slips and Trips Campaign. A cross/discipline project management team has already planned and delivered letters, questionnaires, advice and invites to 1496 businesses. 4 regional awareness morning

events are being run combined with 4 EHO/HSE staff training days in the afternoon. Inspections in each authority will be undertaken in November/December.

- A number of training events are being run by HSE experts in fields such as Gas, Electricity, Asbestos and Slips and Trips to help give EHOs confidence in dealing with key issues whilst taking the opportunity to deliver other key strategic messages including those relating to enforcement consistency. Suffolk are undertaking an Asbestos Duty to Manage Campaign where it is hoped around 700 premises will be visited by 30 flexibly warranted staff across a 7 day period.
- All 13 Essex Authorities have signed up to undertake a Moving Goods Safely Home Delivery Project strongly using the model set out in similar campaign run by Bedford Council in 2006/2007, this is the first year all the Essex Authorities have all agreed to work on a single campaign. Both Essex and Herefordshire are undertaking a Window Cleaner Campaigns (Questionnaires and follow-ups), following a successful trial in 6 authorities in Essex and Suffolk last year.

### **KEY ISSUES**

- 2007/2008 has seen a significant shift in the structure of how Partnership is being managed in the East. The creation of the PaC Team has provided a new focus for this work and the opportunity for a more integrated and strategic approach. However, this process of change and in particular the new arrangements for managing the HSAOs still requires time for the new arrangements to bed in. The recent loss of the lead B3 inspector for partnership in the Luton Office has created further challenges in managing this process.
- Keeping Partnership at the forefront of HSE Inspectors minds is understandably a challenge but the majority are willing to support it when the concepts behind the work are sound. Continuing to encourage staff to maintain strong contact at a grass routes level is vital to healthy relations and successful outcomes. Likewise it is important that the PaC Team manager demonstrates leadership and direction to LA/HSE personnel by being visible and reinforcing the key messages surrounding Partnership working.
- The key to success is sound targeting to deliver a smaller number of major County/Regional initiatives, whilst ensuring that the approach continues to be enriched by supporting local projects and sharing best practice. This has to be set against a background of further scrutiny by BRE, LBRO, (Hampton and Rogers Reviews) ongoing issues concerning unitary status and the need to get H&S on the agendas of Local Strategic Partnerships and Local Area Agreements.

### Annex 3: Progress with partnership plan

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| <b>1. Flexible warranting – LAU lead: Gerry Kasprzok</b>                    |  |
| Task  | Develop and support system for national adoption of flexible warrants for HSE and LA inspectors including infrastructure development and wider rollout.  |
| Progress  | Several successful pilots - completed and continuing or nearing completion and require evaluation.<br>Further specific projects agreed.<br>HELA Task and Finish Group established.<br>Consultation with Professional Bodies and Trade Unions   |
| Remaining work and development needed                                       | Task and finish group to finalise basic standardised procedural elements.<br>Report to HELA in October 2007.<br>Agree plan to make scheme available nationally 2007/08.<br>Gain agreement from HSE Board   |
| Risks   | Opposition to scheme – need to successfully conclude consultation with all interested parties  |
| What this will look like in March 08  | Agreement reached to roll-out nationally. 20 LA H&S Liaison Groups using flexible warrants for defined purposes by March '08   |
| <b>2. Enforcing Authority Regulations Review - LAU lead: Gerry Kasprzok</b> |  |
| Task  | To review the EA Regulations in light of the needs of the developing partnership   |
| Progress  | Discussion/Position paper on issues produced.  |
| Remaining work and development needed                                       | To prepare an options paper on the potential for changes to the regulations in light of developing partnership and other work including “flexible warrants” and pilot transfers of MVR and Dry Cleaning.<br>Consult on options and prepare draft Regulations if necessary.                           |
| Risks   | Difficulty in achieving consensus on way forward – need to successfully conclude consultation with all interested parties.   |
| What this will look like in March 08  | An agreed way forward for the regulatory regime in this area that takes into account the needs of the partnership and stakeholders.  |
| <b>3. Training and competence - LAU lead: Richard Wilson</b>                |  |
| Task  | Develop common framework for the long term training needs of LA H & S Enforcement Officers   |
| Progress  | Competence framework developed with CIEH/REHIS/LACoRS that will be applicable to all H&S Regulators and possibly other government departments. Workshop to launch framework held on 9 <sup>th</sup> July 2007  |
| Remaining work and development needed                                       | Communication plan development to publicise this work and request comments to develop competence framework. Specific training requirements added for LAs/HSE D/Ds  |
| Risks   | That framework will not be adopted by a majority of LAs  |
| What this will look like in March 08  | Competence Framework being rolled out across LAs and HSE with detailed training requirements being added   |
| <b>4. Review of guidance - LAU lead: Richard Wilson</b>                     |  |
| Task  | All future guidance, where appropriate, is drafted so it is applicable to all H&S Regulators removing the need for Local Authority Circulars   |
| Progress  | Preliminary guidance note issued by LAU in January 2007 to those drafting guidance that would apply to LAs. Work now forms part of the project to 'Rationalise Operational Instructions and Guidance' being led by OPSD. This forms part of the HSE Fundamental Review 'Freeing up Time' work stream |
| Remaining work and development needed                                       | Following a baseline survey of time taken searching for guidance under existing system, work will start on producing guidance on a more rigorous publication process, a standard format for guidance and a new category system. Other work may accompany this but will not directly affect LAU       |
| Risks   | Any new system is not properly managed to ensure it works as planned and the objectives are met  |
| What this will look like in March 08  | Guidance will be finalised on publication process and layout. New category system to be piloted using Fit3 material.   |

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| <b>5. Scientific support and research - LAU lead: Graham Bell</b> |   |
| Task  | To continue with the LA S&T Initiative.   |
| Progress  | Substantial activity - over 40 planned projects in various stages of completion and a significant number of reactive support jobs completed or in hand.<br>LAs making significant use of reactive support jobs (some form of enforcement activity in around 90% of cases).<br>Deliverables from planned project being utilised by sponsor LA and more widely.   |
| Remaining work and development needed                             | Action necessary to ensure that full £5m is effectively utilised.<br>Work in hand to develop a LA Science Plan, in line with those being developed by HSE, to cover the remaining years of the Initiative.<br>Further work needed to ensure that appropriate HSE input is obtained, when needed, to support projects by both peer review of the deliverables and to maximise their utilisation.   |
| Risks   | Science planning work proceeds slower than anticipated and consequent problems in ensuring that the full £5m is effectively committed by March 2009.<br>Difficulties in securing HSE support for some work as and when needed resulting in difficulties in delivering to timetables or no HSE support being available.  |
| What this will look like in March 08                              | Planned projects being completed to an agreed timetable, with appropriate HSE input.<br>Deliverables being maximally utilised by all LA.<br>Work on science planning proceeding such that agreement of HELA obtained in March 2008.   |
| <b>6. HELA extranet - LAU lead: Gareth Broughton</b>              |   |
| Task  | To realise the communication and other benefits of the HELA extranet (Helex)  |
| Progress  | 'HELex' and its ongoing development embedded within HSEs mainstream IS/IT strategy since Oct 06. Home page upgraded March 07. 'Fit3 Street' uploaded April 07. Electronic LAE1 created for LA use May 07. LA produced documents etc uploaded daily. HSE Web statistics package applied to extranet May 07. Web stats show month on month rise in numbers of users and site visits   |
| Remaining work and development needed                             | Website development/ management now incorporated into HSEs IS/IT arrangements, leading to:<br>- development arising from new functionalities from upgraded software which may be adopted within next 6 months<br>- content management development by LAU arising from HELA extranet user forum feedback.<br>- development arising from needs identified by LGP/HELA/Partnership Management Group/LACoRS   |
| Risks   | Incorporated into Risk Log for HSE Extranet and reviewed 4-6 monthly by HSE Extranet mgmt group   |
| What this will look like in March 08                              | HELA extranet is already in 'steady state' – continuous improvement.  |
| <b>7. Fit3 liaison and support - LAU lead: Gareth Broughton</b>   |   |
| Task  | To ensure effective communication between LAs, Fit3 and facilitators such as partnership teams.   |
| Progress  | Focus groups approach to feedback on LAs Fit3 delivery agreed Jun 07 and rolled out during Jul 07. 'Fit3 Street' – electronic resource of key advice and guidance on LA Fit3 interventions for 07/08 launched on HELEX in April 07.<br>CoSAS scoping work on direct data feeds from LA software WR systems begun in NW England. Replacement for LAC67/1 rev 3 (LA priority planning) out for consultation July 07.<br>New easier to read planning format for Fit3 work in 08/09 agreed at July Fit3 P&D meeting. LAU & LACoRS attend and contribute to Fit3 bimonthly planning and delivery meetings. |
| Remaining work and development needed                             | Review of Fit3/Partnership manager 'buddying' arrangements necessary due to changes in staff and Partnership Teams roles for Sept 07<br>LACoRS proposal for S&T research into barriers to LA reporting expected following Policy Forum meeting in mid September<br>Revised Fit3 Street and associated communications (eg portfolio of Fit3 projects where LA support is sought) to LAs due Oct 07   |
| Risks   | Changes to Partnership team staff and roles lead to a dilution of the teams' abilities and impact.  |

**FINAL: 31 AUGUST**

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|  | LACoRS S&T proposal takes longer than expected to produce outcomes/recommendations or HSE unable to address recommendations that arise.<br>Revised Fit3 street etc material delivered too late to significantly affect LAs 08/09 planning.  |
| What this will look like in March 08                               | Fit3 street etc for 08/09 uploaded to HElEx before end Mar 08.<br>Partnership teams fully engaged in supporting LAs planning to do Fit3 work and able to report levels of LA commitment to Fit3 programme office.<br>Suite of means available to Fit3 and LAs to enable effective qualitative and some quantitative feedback on delivery.   |
| <b>8. Section 18 HSWA 'standard' - LAU lead: Gerry Kasprzok</b>    |   |
| Task   | To develop a standard describing "adequate arrangements for enforcement " - that applies equitably to LAs and HSE.  |
| Progress   | Draft Standard developed to apply to LAs by virtue of s.18 and to FOD by virtue of s.11(4)(b) HSWA. HELA and LACoRS Policy Forum have endorsed the framework of the new Draft Standard. Currently being tested (shadow run) by a number of LAs.<br>FOD HoOPS have discussed and "tested" via operational group with FOD HQ also involved.   |
| Remaining work and development needed                              | Conclude LA "shadow running" and analysis. Conclude FOD "testing". Finalise electronic links. Develop "toolkits" and audit protocol. Report to HELA October 2007.   |
| Risks  | The development s from other drivers e.g. LBRO, Competency Framework – need to maintain close dialogue with interested groups.  |
| What this will look like in March 08                               | A completed s.18 HSWA standard that will apply equitably to LAs and HSE's FOD.  |
| <b>9. Partnership management - LAU lead: Gareth Broughton</b>      |   |
| Task   | To ensure that the liaison and governance arrangements of the partnership are fit for purpose, reflecting the equivalent status of LAs and HSE as enforcing authorities.  |
| Progress   | HSE's LAU and LACORS meeting regularly.<br>Local Government Panel (LGP) established – met HSC three times. "New" HELA established – met three times. Partnership Management Group established – met twice.<br>LACORS Health and Safety Policy Forum established.<br>Partnership Managers established Group meets regularly.   |
| Remaining work and development needed                              | Further development of working arrangements between HSC and LGP – next meeting Nov 07. Key decisions from Task & Finish Groups for HELA to consider at their meeting – Oct 07. Support for regional partnership teams.  |
| Risks  | Departures/change of key colleagues in the liaison/governance arrangements eg HSC Chair, LAU Head of Unit leave Aug/Sep 07 plus many recent changes to partnership teams.<br>Better regulation agenda could adversely impact on current partnership arrangements.   |
| What this will look like in March 08                               | All stakeholders contribute and understand their role in delivering the partnership.  |
| <b>10. Communications - LAU lead: Gareth Broughton/Graham Bell</b> |   |
| Task   | To maintain and improve LA/HSE communications and communications tools not referenced elsewhere in this document.   |
| Progress   | Implementation of Communications Plan 07/08 including:<br>Ongoing review of LAU web pages on HSE website.<br>Project to agree and codify current policy on content of LAU web pages, LACoRS website and HElEx begun Aug 07.<br>Revised format and branding for LAU newsletter agreed July 07.<br>Planning started for several regional partnership events to be held Oct/Nov 07.<br>Ministerial agreement to Ministers video for partnership events –aug 07.<br>Support for CIEH sponsored London conference on LAAs on 6 Sept 07 agreed July 07. |
| Remaining work and development needed                              | CDS to set up contract for Ministerial video for 11 Oct 07<br>LAU to create Ministerial 'speech' or video script and agree internally and with LACoRS by Sept 07  |

**FINAL: 31 AUGUST**

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|  | <p>Support to partnership teams to ensure partnership events have good sound regional flavour within national framework agreed with LACoRS by September 07</p> <p>Launch of 'new' LAU newsletter September 07</p> <p>Briefing on partnership working for new HSC Chair in September/October 07</p> <p>Decision on format, content and timing of annual report and possible annual partnership event.</p> <p>Review and update of "heart and minds" communications project.</p>  |
| Risks  | <p>Inconsistent comms strategy between regional partnership teams and LAs eg at regional events.</p> <p>Partnership events fail to attract sufficient delegates</p> <p>Machinery of Govt changes affect Ministers ability to take part in video</p>   |
| What this will look like in March 08                   | <p>Successful partnership events delivered to local needs and evaluated.</p> <p>New look LAU newsletter in use. Format, content &amp; timing of annual report/conference agreed.</p> <p>New HSC Chair aware of LA/HSE partnership work and supportive and engaged.</p>  |
| <b>11. Evaluation - LAU lead: Gareth Broughton</b>     |   |
| Task   | To evaluate the strength, nature and extent of the LA/HSE partnership   |
| Progress   | Draft Balanced Business Scorecard (BBS) produced for initial consultation with LACoRS etc July 07   |
| Remaining work and development needed                  | <p>Finalisation of BBS by Nov/Dec 07. Plan to complete BBS agreed by Feb 08.</p> <p>Evaluation using BBS measures Mar-Apr 08</p>  |
| Risks  | <p>Remaining work not completed to timescale due to loss of LAU staff</p> <p>BBS evaluation plan requires resources that may not be available, resulting in incomplete evaluation</p>   |
| What this will look like in March 08                   | BBS agreed and published, evaluation plan agreed and published and HSE resources in place to deliver it.  |
| <b>12. Hampton agenda - LAU lead: Gareth Broughton</b> |   |
| Task   | To ensure developments in the LA/HSE partnership in tune with Hampton agenda and that Better Regulation Executive take into account in their work the impact of the partnership.  |
| Progress   | <p>LAU and LACoRS input to BRE led workshops on the Regulatory Enforcement Sanctions (RES) Bill – July 07</p> <p>HSC/E feedback to BRE on RES ConDoc by Aug 07</p> <p>LAPS and LOPP principles incorporated into RES based Primary Authority Principle by June 07</p> <p>Initial meetings between HSE senior management and LBRO and LAU/LACoRS and LBRO – July and Aug 07</p> <p>Ongoing LAU/LACoRS engagement in Retail Enforcement Pilot (REP) phase 2 piloting at strategic and working level.</p> <p>LAU input to Hampton Implementation Review (HIR) of HSE July/Aug 07</p> |
| Remaining work and development needed                  | <p>Dependent upon final outcome of the consultation and the RES bills progress through Parliament during Nov/Dec 07</p> <p>Dependent upon outcomes from HIR when known.</p> <p>BRE work on establishing a single risk metric for all Hampton Regulators and LAs may impact on LAC67/1 rev 3 replacement and on LACoRS</p>   |
| Risks  | <p>As yet unknown nature, extent and impact of any RES changes and HIR outcomes</p> <p>REP phase 2 may lead to conflict with Programme Directed Inspection approach HSE and LAs take to FIT3 work.</p> <p>Outcomes from REP phase 2 will not be known for at least 12 months.</p> <p>REP phase 2 support may take up disproportionate LAU resource</p>  |
| What this will look like in March 08                   | <p>RES Bill will be statute action needed to ensure partnership is compliant.</p> <p>HIR outcomes will be known and will need to be addressed</p> <p>REP will be mid – pilot and may require continued LAU input.</p>   |

**ANNEX 4: ISSUES/WORK FROM LACoRS PERSPECTIVE**

| Area of work                                | Progress   | Challenges   |
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| Governance and liaison arrangements         |  |  |
| LGP   | <p>Following views from both Commissioners and Panel members the third meeting of the LGP in May 07 with the commission was very positive. Commissioner Sandy Blair has played a key role and we welcome his interest and contributions at both HSC and LGP meetings.</p> <p>Significant progress was made at the third meeting when it was agreed that LACORS could put papers directly to the Commission. This will provide LAs with opportunities to influence policy making on health and safety at the highest level.</p> | <p>The HSC/E Merger does provide a challenge and an opportunity for local government representation at the highest level. We still have concerns about only having one LA representative identified on the new body and also the emphasis placed on the role of the LGP.</p> <p>New Chair of HSC – there will be a need to ensure that similar positive dynamics between the HSC and LGP continue.</p> |
| HELA  | <p>HELA meetings continue to work well, the new representative arrangements provide a clear link to the policy forum and the HSE representatives cover a range of areas with LA responsibilities.</p> <p>A number of task and finish groups have been set up to look at:</p> <p>Revision of LAC67/1 – current draft out for consultation.</p> <p>Flexible Warrants Enforcement.</p>  | HELA needs to become more visible both within HSE and LAs.   |
| Policy Forum                                | The policy forum continues to have very good attendance and provides key direction for LACORS in relation to policy areas.   | One concern remains regarding the amount of cascading that happens to and from the policy forum. LACORS are working to encourage policy forum members to seek views more widely where possible.  |
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| <b>Fostering Closer Partnership Working</b> |  |  |
| Partnership teams                           | The partnership teams in the regions continue to provide a valuable role in developing and sustaining the partnership. The continued support from FOD to fund these roles helps to show the commitment from FOD to partnership working.  | HSE's financial difficulties are a concern in respect of the ongoing commitment and likelihood of further cuts. LACORS are concerned about the delays in recruiting people to fulfil key roles.  |
| Fit 3                                       | <p>Greater involvement of LACORS in early planning for Fit3.</p> <p>LACORS and LAU attend the Fit3 planning and delivery group.</p> <p>Planning processes now better aligned with</p>  | <p>Providing both LAs and FOD with evidence to support interventions.</p> <p>Reporting remains a challenge both for LAs and HSE.</p>   |

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|   | <p>LA planning timescales.<br/>                 Commitment to meeting concerns regarding evidence for projects.<br/>                 Development of the Focus groups as a way to collect qualitative feedback seems to provide both the inspectors and the Fit3 team with valuable information and also a chance to meet the relevant people.</p>  |   |
| Partnership Branding  | <p>Development of partnership branding ensures continuity, helps to develop sustainability and raising the profile of the partnership.</p>   | <p>Use of the branding in a consistent manner is still an issue that needs to be resolved and communicated to all in HSE and LAs.</p>   |
| Regular Keep in touch meetings with LAU, DRP, STSU and Fit3 | <p>These provide an informal opportunity for LACORS to raise issues regarding delivery of projects or programmes and develop stronger links.</p>   |   |
| Construction  | <p>The Construction programme has recognised partnership working as a way to help it deliver, and part of this is with LAs. The policy team recently presented a paper at the policy forum and links continued to be developed.</p>  |   |
| LOPP  | <p>There has been better consultation and involvement from the LOPP team, especially in relation to communications and the development of the evaluation.</p>  | <p>The challenge will be developing LOPP in light of the wider BRE changes and proposed Regulatory and Enforcement Sanctions Bill in relation to the “Prime Authority Principle”.</p>   |
| Joint working on conferences                                | <p>The last Partnership conference was very successful in terms of the joint organisation between LACORS and LAU, and more importantly in terms of showcasing the great strides forward that both LAs and HSE have taken together to help deliver the HSC’s targets.<br/>                 LACORS also value the contribution and continued commitment that HSE have given to the LACORS/CIEH Environmental Health Year Ahead Conference.</p> | <p>This will be the first year of trialling regional events – the challenge will be ensuring coordination and delivery of targets.<br/><br/>                 This year LAU and LACORS are trialling regional events with an annual conference next year</p> |
| Sensible Risk   | <p>The commitment to involve LAs in this agenda has been very good. The sign-up campaign was organised between HSE, LGE and LACORS and promoted the issue well at the LGA conference.<br/>                 LACORS have also consulted LAs in relation to the example risk assessments that have been published and will continue to do so. This has been a valuable process for all.</p>   | <p>Currently only a small number of LAs are signed up so further work is needed to encourage other to sign up.</p>  |
| Science and Technology Initiative                           | <p>This has provided LAs will invaluable help especially in terms of reactive support which has meant that enforcement action has been taken when otherwise it may not have.</p>   | <p>In some cases timescales to finish projects have been delayed and regular updates to LAs have been slow.<br/>                 The impact on HSE time required for</p>  |

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|                             | The planned projects have allowed LAs to address issues that really matter to them, and for this information to be shared more widely across LAs eg manual handling DVD or work related violence guidance.   | some projects was not factored in at the beginning of the initiative. Link into long term science plan of concern and the role of LA needs in that.   |
| Work related death          | HSE has been very supportive of the national committees.<br>A Work Related Deaths Protocol for Scotland was signed by HSE, COPFS, ACPOS and BTP in October 2006. COSLA did not sign it as they have no power to oblige local authorities to comply with it, but they support the protocol and are willing to encourage LAs to work in accordance with it. LACORS is working to publicise the protocol and is examining the possibility of persuading COSLA to sign it. | Challenge is spreading awareness of and compliance with protocol but this is not specific to the LA/HSE partnership.  |
| Enforcement                 | Progress has been made on this issue in relation to ensuring LAs were represented on the initial project board, and through the working group. Papers were presented to the policy forum. Engagement since then has been sporadic. HELA have now set up a task and finish group to look at a number of issues relating to consistency of the use of enforcement.   |   |
| CSCI                        | Very good relationship with HSE in respect of this issue.  | Challenge for LAs and LACORS in developing a relationship with CSCI.  |
| Gas Safety                  | Local authority views have been well represented at the review of gas safety workshops and the practicality of some suggestions were taken into account.   | Continual LA involvement will be required especially if it is decided that some powers be given to the new registration body.   |
| MGS                         | Throughout the life of this project local authority representation has helped to shape the project and been key to delivering – demonstrating true partnership working.  |   |
| Competency framework        | Relations with HSE are not an issue here   | Ensuring LA concerns are considered by all partners   |
| <b>Community Well-being</b> |  |   |
| Public Safety               |  | This is a major challenge in the relationship between HSE and LAs. LAs consider public safety the same as worker safety and make no distinction between the two. The step back from this issue by HSE means that much guidance is now out of date and means that research projects which could also address public safety issues do not take an holistic approach. It also has an impact on planning work programmes which in |

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|   |   | LA case include public safety work  |
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| <b>Supporting and Informing</b>   |   |   |
| HELEX   | The information on HELEX has improved considerably.   | There is a need for identifying what information goes on the HELEX, what goes on the LACORS site and what goes on both. Working within the parameters of the 2 websites there is a need to streamline communications to LAs.  |
| LACs  | The intention to produce guidance for all inspectors was welcome and in some instances it has materialised.   | Progress is still needed in terms of review of the LA guidance currently available and also the process for producing LACs is still not clear. It is frustrating that the LAU-led project on guidance seemed to have reached an outcome only for another HSE sector to intervene and delay progress.                |
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| <b>General</b>  |   |   |
| Move to Bootle  |   | LACORS believe that the move of HSE policy staff to Bootle will impact on the relationship that LACORS have with HSE. As noted above we have developed good links with policy areas, we hope that these will be strong enough to withstand the move but LACORS will certainly have to consider new ways of working. |
| Demand on LACORS resources  | It is a sign of the partnership that LACORS continue to be invited and involved in a wide range of issues, by HSE.                                      | LACORS staff allocation for health and safety is 2 FTE with support where necessary from a Team Leader and Director. This limits what we can attend and who is able to attend.  |
| Reporting   | Although in the early stages the use of focus groups by Fit3 has seemed to provide a way to receive timely information about a particular Fit3 project. | The challenge however remains sustaining this form of feedback given that focus groups are expensive. This also does not solve the problem of meeting the end of year requirements as well – currently through the LAE1.  |
| Work with BERR in relation to the project on improving outcomes, easing the burden on low risk businesses |   | LACORS are unclear where the direction of this work is going and although involved in the process feels that current successful LA role in working with small businesses is recognised and built on.  |