

HELA
17 October 2007
Rose Court Fortune Room, HSE

Minutes

Attendees

Justin McCracken, Joint Chair, HSE
Paul Unsworth, Joint Chair, LG
Tim Galloway, Head of STSU (HSE)
Giles Denham, Director of Policy Programmes, HSE
Darran West, Chesterfield Borough Council
Phil Scott, HSE Regional Director, FOD East and South East Division
David Evans, Society of Chief Officers of Environmental Health (Scotland)
Max Walker, HSE
Kim Pugh, Torfaen County Borough Council
Graham Robertson, REHIS
David Newsum, CIEH

Officials

Charlotte Meller, LACORS
Sarah Bull, LACORS
Sean Edwards-Playne, HSE/LAU

Presenting

Mark Du Val, LACORS
Gareth Broughton, HSE/LAU
Gerry Kasprzak, HSE/LAU
Ravi Guhadasan, HSE

Item 1: Welcome and apologies

1.1 Justin McCracken welcomed those present to the fourth meeting of new HELA. David Newsum was welcomed as the representative of CIEH, replacing Shila Patel. David Newsum is on secondment to CIEH until February 2008 and invited HELA members to consider if there was any specific contribution that CIEH could make and if there was, to contact him at d.newsum@cieh.org. There were no apologies.

Item 2: Minutes from the last meeting

2.1 The minutes from the last meeting held on 1 March were agreed as a true record. The actions had been discharged including the action at 9.3 to draft a letter from the Joint Chairs to local authorities on the progress of the partnership. The letter had been brought to the meeting for the information of Members.

Item3: Stocktake on the partnership

3.1 Phil Scott introduced the paper and pointed out that the essence of the stocktake had been contained in the letter referred to at 2.1. It had been important to strike the right balance between self congratulation and the recognition of the challenges ahead. A fuller and more hardnosed evaluation of the partnership would be made in the summer of 2008. It was appropriate for HELA to record its thanks to those who had contributed to the success of the partnership.

3.2 Mark Du Val said it was important to congratulate those who had contributed to the success without underestimating the challenges. The view from the 'outside' was one of recognition and respect and there was now a sound foundation on which to build.

3.3 Gareth Broughton said that there was a need for him to meet with LACORS and the Partnership Liaison Officers to assign measures to the balanced business scorecard which would form the basis of the evaluation of the partnership.

3.4 Paul Unsworth said that it was important that COSAS continued to contribute data to assist with the argument for continued resource to be allocated to health and safety. He also asked for clarification of the likely effects if the proposed move of HSE's London headquarters to Bootle went ahead.

3.5 Justin McCracken said that if the move to Bootle went ahead, there would doubtless be benefits to a more joined up organisation and one that was easier to deal with. Phil Scott said it was an open question as to whether part of the small number of HSE staff left in London, would be the link with LACORS.

3.6 David Evans raised the issue of devolved administrations. There was an opportunity with the partnership events to provide a focus in the presence of elected members. Also HELA needed to be mindful of the perceptions and concerns of the future possibility of a single enforcement agency.

3.7 Max Walker updated members on the work of the BRE and the review team that was opening up thinking on the regime.

3.8 Justin McCracken said that the balanced scorecard should be brought back to the next meeting of HELA and endorsed the need to keep aware of the devolved administrations.

ACTION: Balanced business scorecard to be on the next agenda for HELA – LAU

Item 4: Improving HELA's Role

4.1 Sarah Bull introduced this paper and invited HELA members to re visit the HELA terms of reference and examine how the role of HELA could be enhanced. Dealing with the questions in turn:

How can further commitment from both HSE and LAs be encouraged and sustained by HELA's members?

4.2 Paul Unsworth said there was a need to remind other government departments about how they interface with health and safety and in this respect there was an opportunity for HELA to make its mark. There was an opportunity to brief Chairs of Local Strategic Partnerships on how LAAs could be developed and the value of health and safety in them. Gareth Broughton suggested LAU develop a HELA communications Strategy and plan following stakeholder mapping. Justin McCracken said that wide circulation at senior level of the successes of the stocktake would be a good idea and it was necessary to look at how approach other government departments.

ACTION: Develop a HELA communications plan - LAU

ACTION: Circulation of the stocktake paper to senior levels of HSE – Phil Scott

What further role should HELA have in relation to the provision of the support needed to sustain and develop the partnership this area?

4.3 Paul Unsworth said that it was not clear what resourcing was required. Phil Scott said there had been a need to think carefully about resourcing through difficult times and it would become clearer when the details of the spending review became known.

What other action can HELA take to challenge both HSE and LAs?

4.4 Giles Denham said there was a question for HELA as to where it should be focussing its efforts. Phil Scott said that it would be helpful both within HSE and outside, to use its brand image to promote some important issues. Feedback was being received on successes but there was a need to win hearts and minds further. There was a need to make sure that LAs views were taken fully into account on matters of policy.

4.5 Kim Pugh said that it would be helpful for LAs to be sure of what their input into HSE programmes and projects had been and what it could be. Mark Du Val said that LACORS could plug the communications gap in this respect. Local authority colleagues could be invited to use the communication facilities (eg. Videoconferencing) of HSE.

ACTION: LACORS to continue to promote LA input into HSE programmes and projects.

4.7 Tim Galloway said that it would be difficult for Sectors and HSE Field Operations staff to support LA priorities unless they were recognised in HSE's high level communications planning..

ACTION: Mark Du Val and Gareth Broughton to explore this possibility.

Should HELA consider more outside speakers for items on the agenda where appropriate?

4.8 On the matter of considering outside speakers for HELA agenda items, this was considered to be appropriate where it would be beneficial. However, there may be some benefit in linking up with SOLACE, and Sandy Blair could be consulted on this.

Action: LACORS to discuss this possibility with Sandy Blair.

Item 5 Update on Task and Finish Groups

Enforcement

5.1 Mark Du Val gave a verbal update and said that there would be a further meeting in November.

- Communications needed to be worked on as too many assumptions were being made.
- Linkages needed to be made with section 18 etc.
- Barriers and drivers between HSE and LA enforcement needed to be looked at.

5.2 A report to the next meeting of HELA was anticipated.

5.3 Key messages from the Policy Forum were:

- Enforcement was very important
- Resources were not a primary driver
- There were fundamental communications issues

5.4 Gareth Broughton said that Donna Sidwell from LACORS had begun some very important work with other government departments and agencies in relation to how to develop a portal which would link databases from various departments that record convictions.

ACTION: Task and finish group to report at next meeting

Flexible Warrants

5.5 Gerry Kasprzok introduced this item. There had been senior management support for this from within HSE. The main issues surrounding competency were being looked at by the professional institutions.

5.6 Kim Pugh said that there was a desire for flexible warranting in Wales but mainly in relation to specific projects. There was confusion over the reference to county groups as all authorities in Wales were unitary. Gerry

Kasprzok said that there were larger groupings within Wales and these could be utilised.

5.7 Paul Unsworth said that there was a question as to how to evaluate into the future

5.8 Gerry Kasprzok said that there was a commitment to report in September 2008 and that the matter would be coming back to HELA seeking support.

5.9 Justin Mc Cracken confirmed that HELA was happy to support the recommendations so long as each scheme was properly targeted on a voluntary basis and was properly evaluated.

LAC 67/1

5.10 Gareth Broughton introduced this item. LAC67/1, the priority planning LAC was currently in revision 3. In 2006, Allan Davies had sought the views of LAs on the need for further revision. It had been brought to HELA in October 2006 and they had approved the recommendation for limited revision. A task and finish group had been set up and it had met in early 2007 to consider the options. It had decided that the best approach was to enable LAs to identify premises likely to be targeted as part of FIT3 and to assign a weighting score to guarantee their workplan prioritisation.

5.11 Draft revision 4 was put out for consultation. There were some responses but they were not particularly supportive of the revisions. The task and finish group's views were that a more comprehensive approach was needed.

5.12 The recommendation now was that draft revision 4 should not be adopted and that the LAC should be replaced ultimately with something more substantial and that the Joint chairs of HELA should write out to LAs outlining this approach.

5.13 Kim Pugh agreed that things had moved on and that box ticking was no longer appropriate.

5.14 Justin McCracken asked if the task and finish group were willing to approach a more substantial revision project and Kim Pugh said that she thought that they were.

5.15 Gareth Broughton said that some research money could be available for the job and Justin McCracken indicated that the task and finish groups input to the research specification was vital.

5.16 Phil Scott said that it would be desirable for the research to run in parallel with the work of the task and finish group.

ACTION: Kim Pugh to consult the task and finish group with the support of LAU. There was a need to be conscious of the time frames and it was worth considering shadow running.

ACTION: After the LGP, Joint Chairs of HELA to write out to LAs confirming this approach.

Item 6 Fit 3 Portfolio – introduced by Ravi Guhadasan

6.1 The Fit3 programme board approved the portfolio for 2008/09 with a number of provisos namely that performance measure would be tightened up, prioritisation would be given to projects and that more work is required on communications.

6.2 Slips and trips feature heavily in the portfolio for 2008/09 because despite trends going down in a number of other injury areas slips and trips remain at a stubborn level and mean that injuries reduction are not meeting the targets they needs in relation to the PSA.

6.3 Work related violence in the retail sector has been incorporated as a priority and this was put forward by LAs and LACORS as a topic that they feel is important and needs to be tackled meeting not only days lost targets but also wider community objectives. This work will be supported by the toolkit produced by HSL for Westminster.

6.4 By December the portfolio and all instructions will be completed and available on Fit3 Street.

6.5 This draft portfolio is also currently available on the LACORS website to assist with planning for 2008/09.

6.6 HELA queried why slips and trips had been on the agenda for a while and whether that was due to lack of effort or because of a higher baseline. Ravi Guhadasan indicated that a lot of good work has been done on slips and trips especially by LAs but that campaigns covering ubiquitous topics took a long time to have an impact. However, statistics show that catering, cleaning and education are three main areas that we should be concentrating on.

6.7 HELA were glad to hear that the performance measures were being tightened up as many felt they were currently difficult to measure against.

6.8 David Newsum indicated that Fit3 topics were not well known in the commercial side of health and safety and questioned whether Fit3 for business could be created so that practitioners working as trainers and advisors were aware of the key topics and spread the message further. REHIS agreed they could do the same.

ACTION: Fit3 to tighten up the performance measures

ACTION: HELA therefore endorses the portfolio providing the performance measures are tightened up.

ACTION: Fit3 to discuss with CIEH and REHIS about getting the Fit3 topics and reasoning out to health and safety practitioners in the commercial field.

Item 7 Section 18 – Introduced by Gerry Kasprzok

7.1 Section 18 Standard (previously S18 Guidance) has been reviewed to not only support the new partnership but encourage the best use of joint resources and address emerging issues such as the better regulation agenda. It has been written to apply to LAs and those parts of HSE that have an equivalent function i.e. predominantly Field Operations Directorate (FOD), whilst recognising the differences in the two organisations.

7.2 The new version of the S18 Standard has been shadow run by a number of different LAs in England Scotland and Wales over the last 6 months. It has also been tested within HSE. Following this testing phase HSE will be making some refinements to the Standard and is intending to issue the new Standard by April 2008.

7.3 Refinements will include references to the RES Bill, compliance code any revised LAC67/1 and the competency framework that is being developed jointly by HSE, CIEH, REHIS and LACORS.

7.4 A timetable for implementation was tabled at HELA, concern was raised that there was no local government sign off and it was decided that GK and MDV would discuss Local Government sign off.

ACTION: GK and MDV to discuss Local Government sign up to the new Section 18 standard.

7.5 Concerns were raised that the only auditing process would be through self assessment and Local Government colleagues at HELA were concerned that there should be something else. GK identified that there was a balance between placing burdens on LAs and identifying when LAs have met the requirements.

7.6 LACORS are doing some work on a peer review model and will let the consultants know about the need to see something developed to fit in with S18.

7.7 Discussions also took place around what format would be taken to assess whether HSE has met the standard. This is to be picked up by GK.

ACTION: MDV to make consultants working with LACORS aware of this issue.

ACTION: GK to identify how HSE will be measured against the standard.

7.8 Concerns were also raised about how the new Section 18 would be communicated to LAs and HSE and asked that a communications plan on the introduction of Section 18 to LAs and HSE should be developed by the end of November and circulated to HELA members.

ACTION: GK to develop communications plan and share with HELA members by the end of November 2007.

Item 8 LAAs - Introduced by Mark Du Val

8.1 The paper identified the national indicators that have been recently published by the Government and which ones health and safety could fit into. Generally the main problem for these targets is how they can be measured and health and safety can often offer a good way for measuring them. The paper identified some key messages;

- that the people putting together LAAs need to be sought out and influenced because the LAAs need to be developed with partners,
- be imaginative about how health and safety (regulatory services) fits in with LAAs, and
- there is a need to write to/ get in touch with Government Offices to influence re the role of regulatory services.

ACTION: MDV and Mike Wilcock to discuss the story of health and safety and the impact it can have and for LACORS to develop a letter to go to the Government Offices from HELA chairs.

8.2 Max Walker tabled the South West Regional Forum document in relation to LAAs which is to be launched at the Regional Event on 14th November in Bristol. HELA members were very impressed with the document and asked Max Walker to circulate a full electronic version when ready.

ACTION: MW to circulate electronic version of the South West LAA document.