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HELA

Data Collection from Local Authorities

A Paper by Alexander Tsavalos (LAU)

Cleared by Kevin Myers on 5th January 2015

Issue

1. In response to the drive for better implementation of the National Local Authority Code for Health and Safety at Work, HSE is proposing a review of data gathered from Local Authorities (LAs) via the LAE1 form.

Timing

2. The proposal is for delivery of a light touch review during 2014-15 with final implementation of any amendments identified by autumn 2015. If any amendments are to be proposed for the the 2016-17 work year, LAs will need to be fully engaged so they will implement them.

Recommendation

3. HELA is invited to:
 - a. To provide comment on, and endorsement of, the proposal to undertake a review of the current approach to collecting visit/inspection etc. data from LAs and to support HSE in its engagement with LAs during the review.
 - b. Commit to consider the findings of this review in autumn 2015.

Background

4. One of the recommendations of the Triennial Review was that *“HSE should actively review LAs annual returns on their inspection and advisory activities. Where there is evidence of significant deviations from the norm, they should explore the reason with the outliers. HSE should draw attention of the appropriate political leader of those LAs where its performance is significantly out of step of the potential risk this may pose”*.
5. The two annual returns LAs provide are:
 - a. LAE1 form- numbers of notices, inspection and other planned interventions, along with details of the workforce required to deliver such work, and
 - b. Prosecutions undertaken – collected via the prosecutions database.

6. In both cases facilities for direct electronic submission of information are provided and used by the majority of LAs. Submission by email and paper is also supported.
7. This information is used to assess LA activity. HSE reviews the data and contacts those LAs that may be having difficulty implementing the Code. In addition the data enables HSE to provide coherent feedback to the Minister on action taken by LAs (in addition to HSE), and can be used by LAs for benchmarking purposes.
8. The content of the LAE1 data return was last fully reviewed and simplified in 2011/12. This reduced the data requested to the absolute minimum to align with the Government's policy of reducing the data collection burden on LAs. Subsequent minor changes to the collection of visit/inspection data via the LAE1 have been made in line with this policy.
9. A number of responses to the consultation on the implementation of the Code expressed concerns that the current LAE1 question set did not give a full picture of LA activity and did little to help capture new or emerging issues that may be suitable for a coordinated national intervention plan. In particular, they expressed concern that the LAE1 did not:
 - a. Differentiate between proactive visits that are in accordance with the guidance list of activities in sectors that may be suitable for proactive inspection and those identified using local intelligence;
 - b. Identify the number of times or the key issues that an LA officer felt it necessary to address as a health and safety related 'Matter of Evident Concern' (MEC) when they had originally visited the duty holder for a non-health and safety reason.
10. To address this concern and to ensure that HSE is maximising, in an efficient way, the field intelligence that could be provided by LAs, we propose to undertake a light touch review of the data requested via the LAE1, making any tweaks necessary to address the concerns outlined in paragraph 9.

Proposed review

11. The key objectives of the review would be to:
 - a. Determine the benefits/limits of current data collection
 - b. Identify possible improvements to data collection that would, without placing additional burdens upon LAs:
 - i. Improve HSE's ability to understand LA regulatory activity and identify outliers;
 - ii. Provide operational intelligence to help improve the national targeting of regulatory resources.
12. The review could be managed from within LAU, with a sub-HELA virtual group providing comments as the review progresses. A summary timeline is attached in Annex 1.

13. To promote LA buy-in we propose an open policy making approach, engaging with LAs via the Practitioner Forum and on-line consultation questionnaire. The review would also incorporate input from HSE statisticians and social scientists. This would allow the effectiveness of current practice to be assessed and any refinements to be made as appropriate. Where relevant the practicality of such amendments will be reality checked by direct consultation with LA IT providers. In addition, the scope of potential amendments would be discussed with DCLG and the Scottish and Welsh administrations to ensure that they are pragmatic, supported across the three administrations and place no increased on-going burdens upon LAs.

Action

14. Subject to HELA’s endorsement of the proposals HSE LAU will take forward a review of data collection and, if supported by the review, suggest amendments to the LAE1 for discussion at HELA in autumn 2015.

Contact

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Annex 1

Date	Draft Milestones
20 January 2015	Agreement by HELA to review LAE1, and HELA LA representatives to volunteer for virtual sub group.
30 January	PF meeting discussion of LAE1
January - March	Engagement with HSE Statisticians and Social Scientists
24 & 27 February	Discussion at LA Chairs and Secretaries meetings
10 March	Discussion at Scottish LAs ‘Update event’
11 March	Discussion at Wales Expert Panel
March	Update to virtual sub group
April -May	On line consultation/questionnaire
April-May	Discussions with IT Providers
May	Meetings with DCLG and Regional Governments/LA representatives
June	Update to virtual sub group
Autumn 2015	Present revised LAE1 to HELA