

<b>Open Government : Fully Open</b>	<b>Paper : H6/04</b>
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<b>Exempt material : None</b>	<b>Type of Paper: Above the line</b>

## **HELA**

### **Evaluation of the LA/HSE Partnership**

#### **A Paper by Tony Hetherington**

**Cleared by Marcia Davies on 8 October 2008**

#### **Issue**

1. Developing a response to the findings contained in an evaluation report on the HSE/LA partnership.

#### **Timing**

2. Discussions at HELA will help inform debate at the HSE Board's meeting on 21/22 October where HSE's developing strategy is being considered. The Chair of HSE's Board asked that the Board receive a presentation on the findings of the evaluation at that meeting to assist it in developing its strategy.

#### **Recommendation**

3. That HELA notes the findings of the report and considers how the recommendations can best be taken forward.

#### **Background**

4. Development of a closer partnership between HSE and LAs was a key part of achieving one of the four strategic themes of HSC's strategy to 2010 and beyond.
5. Following four years of work to embed the partnership, an evaluation of the LA/HSE partnership was undertaken this summer by an independent consultant (PA Consulting) and the report is now available. The evaluation was undertaken in time to inform the development of HSE's new strategy.
6. The evaluation has found that the partnership is in good health and has produced a "step change" in the relationship between HSE and LAs. It is therefore assumed that partnership with LAs will continue to feature as an important element of the emerging HSE strategy. The Management Summary of the evaluation is attached as Annex1.

7. This paper reviews the report's recommendations for further improvement to the partnership, how these might be taken forward and seeks the views of HELA members on the proposals made.

## Argument

8. The report makes twenty recommendations to maintain and improve the partnership. These recommendations are set out in the attached table (Annex 2) together with some suggestions for taking issues forward.
9. Recommendations 1, 2 and 7 are matters to be addressed by HSE, but for the present it is assumed that resourcing of partnership teams will continue.
10. Apart from recommendation 8 (work on securing the availability of Partnership Liaison Officers - secondees from local authorities working within HSE's partnership teams) the recommendations can be grouped into five themes as below.
  - **Governance** Development and dissemination of a document setting out the partnership governance arrangements and the roles and responsibilities of all those involved; this could be the "partnership summary" to replace the existing Statement of Intent (Recommendations 3, 6, 9 & 15)
  - **Communications** Work would be based around the findings of the Sussex/Surrey project looking at means to share good practice across LAs and planned updates to HElex. Further work on involving LA Chief Executives and Councillors may be required (Recommendations 4, 5, 14, 16, 17 & 18)
  - **Standard setting and performance management** Work would be based around developing the S18 Standard and the system of assurance to demonstrate that LAs and FOD are meeting the standards. (Recommendations 10 & 11)
  - **Planning issues** Examining ways to better engage LAs in the planning and delivery process (Recommendations 12 & 13)
  - **Enforcement allocation issues** Examining how the split of responsibilities between LA and HSE is best managed (Recommendations 19 and 20).

## Consultation

11. Currently, views on the findings of the evaluation are being sought from within HSE and LACORS. The full report will be released following the Board meeting.

## Action

12. HELA members are asked to consider
  - 1) Are all 20 recommendations reasonable and achievable? For example, considering the work already done, is it likely that we will be able to achieve a breakthrough in communications with LA Chief Executives and local councillors'?
  - 2) Are all the necessary responses to the recommendations covered within the attached table (Annex 2)?
  - 3) Which recommendations should be given particular priority?

- 4) Are the five themes appropriate? For example, much work has been and much progress made on coordinating HSE and LA planning cycles, so does this merit its own theme, or should it be subsumed within communications?

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RECOMMENDATION	ISSUE	PROPOSED ACTION	WHO CAN CONTRIBUTE	RESOURCING and TIMESCALES
<b>Maintaining the partnership</b>				
(1) Continue to resource the Partnership Teams and supporting infrastructure	Commitment to continue to resource * Partnership Managers and their teams * LAU * Scientific and SG support for LA activities * FOD Operational support * Policy Group/Fit3 support  LA side also to review support to LAs and partnership provided via LACORS	Resourcing to be maintained at current level.	Confirmation needed by SMT/HSE Board.	No additional resource required. Current resourcing to be maintained until end of current planning/spending round.
(2) Ensure the role of Partnership Managers is protected	To ensure the role of Partnership Manager remains a specific focus of a B2 in each division and to maintain visibility of this role to local LAs	The PM role to be an explicit responsibility of a B2 in each FOD Division, although the role may be combined with others (eg stakeholder engagement)	Decision needed by SMT and FOD MB.	No additional resource required. Decision by end of 08 for presentational reasons.

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(3) Clarify and communicate more widely the roles and responsibilities of high level governance structures and bodies	The roles, responsibilities and contribution of parties have evolved with the partnership. This has lead to some confusion and many LA and FOD staff in the field and some Policy Group staff do not appreciate how influence can be exerted on partnership activities. In particular many LA staff have little awareness of how to influence partnership issues or feed into policy development.	Reframe the roles of LGP, HELA and LACORS Policy Forum etc. The resulting document may form the basis of follow-up to the Statement of Intent or support the new strategy by making LA links into the HSE Board explicit. A review of the adequacy of the arrangements (Recommendation 9) also to be included.	LAU and LACORS with advice from LGP and HELA	No additional cost or resource requirements. Organisation chart to be available April 09. Consideration also to be given to an initial simplified document to be publicised via Partnership Conference delegate packs and strategy regional events.
(4) Explore ways in which Local Authority successes could be more widely publicised and how best practice can be shared across Local Authorities	Many FOD and to a lesser extent LA staff are unaware of the benefits delivered through the partnership. Wider knowledge of the benefits partnership has and can deliver should improve engagement of staff in both FOD and LAs	A LA S&T funded Research Project 'Improving LA Communications by Identifying and Sharing Good Practice and Expertise' is underway in Surrey and Sussex. Interim findings and proposals should be available at the National	LAs in Surrey and Sussex and then LAU/LACORS more widely. LAU LAS and LACORS via County Liaison Groups	No immediate additional costs. Total project costs (already secured) anticipated to be £100-150k. Resources for wider roll-out, to be justified on basis of research evidence. Proposals for implementation April 09.

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		<p>Partnership Conference on 5 November.                      Work is also underway to restructure the HElEx website.                      Review how existing County Liaison Groups can discharge this function more effectively.</p>		
<p>(5) HSE and LACORS to look at ways of communicating more effectively with other Local Authority services where synergies with health and safety exist</p>	<p>More effective communication will enhance interactions with other regulators and raise the profile of H&amp;S increasing likelihood that H&amp;S will appear in future LAAs etc</p>	<p>Engage with LBRO who are attempting to develop more “joined-up” communications channels between regulators. Review comms routes into LAs.</p>	<p>LBRO to review inter regulators comms. LACORS to lead on comms with LAs, with support from HSE’s wider communications teams and HSE Programme Teams communicating with PCTs, manufacturing sector, construction etc.</p>	<p>No additional cost for work done in-house by LACORS/HSE. Any work by external consultants (cost say £100k), which it is likely that HSE would secure from Science or Communications budgets by business case. Review progress Jan 10.</p>

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<b>Partnership teams</b>				
(6) Formalisation of the roles and responsibilities of Partnership Teams and Managers	A sub set of recommendation 3, PLOs and other partnership team members to be included	Existing descriptions to be fed into development of roles and responsibilities work.	Partnership Teams, LAU, LACORS and LA.	No additional cost or resource requirements. Organisation chart to be available April 09.
(7) Examine ways of ensuring a more structured approach to the secondee process, with a rolling programme of funding for the role of the Partnership Liaison Officer and communicating this Local Authorities	PLOs are experienced LA staff seconded to the Partnership Teams (usually for 12 months). Their experience of LA issues has been vital to the success of the partnership. Funding for these posts beyond Oct 09 is unclear. This gives a message to LAs that they are not valued.	Agreement to a structured, rolling approach to PLO recruitment and funding.	Decision needed from SMT/Recruitment and Retention Panel.	Commitment to role current resources (9 FTEs) to roll forward into 09/10
(8) Examine ways of helping Local Authorities release staff for secondment to PLO roles	Not all post available to LA can be filled as potential candidates are too valuable to their LA to be released.	LACORS, LGP and HELA to consider and make recommendations. Possible work may involve gathering and disseminating evidence demonstrating the added value to LA staff from their experienced	LACORS, LGP and HELA	No costs foreseen at this stage. Timescales dependant upon advice received.

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		gained during their secondments. Exploring if there are any ways of being more flexible about how the secondments are structured		
<b>Governance structures</b>				
(9) Review the effectiveness and robustness of the existing governance structures and look at ways to improve them	Roles and responsibilities within the governance arrangements have not all evolved in response to developments in the partnership..	A review of the current governance structures in association with the work to respond to Recommendations 3 and 12	HSE and LACORS.	No additional cost or resource requirements. Organisation chart taking account of necessary changes to be available April 09.
<b>Standard setting and performance management</b>				
(10) Build in new permanent monitoring arrangements for the Section 18 Standard and explore how compliance with the Section 18 Standard will be monitored, including establishment of the peer review process and exploring the possibility of benchmarking Local Authority performance	All LAs have a part to play in the health and safety system and they need to contribute resource. A mechanism to ensure all parties make a proportionate contribution is needed. The work of LBRO in ensuring all LAs make an appropriate contribution to regulation may assist	A programme for the development and implementation of the S18 standard is currently in progress. Development of mechanisms to monitor implementation are included in this work.	A HELA Task and Finish Group is currently examining this issue.	No additional costs

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	this process.			
(11) Explore options for the development of a programme of support to be provided to Local Authorities where performance is in need of improvement	A subset of Recommendation 10	HELA and LACORS to consider	HELA Task and Finish Group and LACORS.	No additional costs.
<b>Improving current planning arrangements</b>				
(12) Assess feasibility of mechanisms for engaging Local Authorities further in the HSE planning cycle	LAs need to be involved in the planning cycle to ensure HSE provide them with the right information at the right time and to enrich Policy Group knowledge of issues relevant in the LA enforced sector. Many LA inspectors do not understand how to become engaged in these processes.	As part of responding to Recommendations 3 and 9 these issues will be explored as part of the review of governance arrangements.	LAU, Policy Group, LACORS, LGP	No additional costs. To be included within responses to Recommendations 3,9 and 12. Organisation chart to be available April 09.
(13) Explore how HSE can develop guidance for Local Authorities in line with their own planning cycles even if HSE decision-making is	.HSE and LA planning vary considerably. Many LAs plan further in advance than does HSE. LAs need information by the	Much effective work already done in this area by Policy Group (eg FIT 3 Street). Work already in train to continue.	Policy Group with advice from LACORS and LGP	No additional costs envisaged.

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incomplete	January preceeding the planning period, HSE can be much later. Failure by HSE to make relevant data available has, in the past compromised delivery by LAs			
<b>Enhancing current flow of information and communications</b>				
(14) Explore ways of improving inter-authority collaboration through more sharing of good practice and experiences between Local Authorities	Links to Recommendation 4. Improvements in sharing data and good practice between Local Authorities and between LAs and HSE should help drive innovation and the development of best practice leading to more effective outcomes.	A LA S&T funded Research Project 'Improving LA Communications by Identifying and Sharing Good Practice and Expertise' is underway in Surrey and Sussex. Interim findings and proposals should be available at the National Partnership Conference on 5 November.	LAs in Surrey and Sussex and then LAU/LACORS.	No immediate additional costs. Total project costs (already secured) anticipated to be £100-150k. Resources for wider roll-out, to be justified on basis of research evidence. Report and proposals for implementation of findings from April 09 onwards.
(15) Consider how to further engage local councillors and Chief Executives in the health and safety system, looking at existing mechanism	Health and safety regulation has a very low profile with these groups. A higher profile for the subject should lead to commitment of additional local	Advice to be sought from LGP and LACORS to refine messages to be communicated and ensure communications expectations are realistic. Existing	LACORS, LGP, LGA, with support from HSE Communications Directorate.	Cost of HSE Comms activities (currently around £100k). No additional expenditure proposed at present.

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such as LGP or new ways of doing this	resources to H&S. Current approaches have had limited success.	Councillors H&S Handbook to be update as necessary. Consideration to incorporation of governance chart (as recommendations ....).		
<b>Training and development</b>				
(16) Test out options for better sharing of Local Authority expertise to HSE and extending out HSE training to Local Authorities	Currently much of the 'support, information and training' to LA staff has been delivered by HSE. There is a need to identify whether there is a mechanism to ensure accumulated LA expertise can be better and more effectively shared with LA and HSE colleagues.	'Improving LA Communications by Identifying and Sharing Good Practice and Expertise' is underway in Surrey and Sussex. Interim findings and proposals should be available at the National Partnership Conference on 5 November.	LACORS	No additional costs.
(17) Raise awareness of the Buddy Inspector scheme within Local Authorities	The Buddy Scheme provides support for LA inspectors by HSE staff. LA staff value this highly. Further raising of awareness of the service will better support LA staff.	Briefing material on the Buddy Scheme to be prepared and actively disseminated to all LA staff via County groups.	FOD, LAU, Partnership Teams, LACORS	No direct additional cost, but some FOD resource may be used if the demand for buddies increases. Information to be available by April 09.

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<b>Wider stakeholder engagement</b>				
(18) Explore ways that the partnership can engage more widely with external stakeholders	To review the HELA communications plan to ensure relevant stakeholders have been identified and appropriate actions are being undertaken.		LGP, HELA and LACORS to advise.	No additional costs.
<b>Enforcement Allocation</b>				
(19) HSE and Local Authorities to work together to look at how the current enforcement boundaries could be developed.	This links to work done by BRE that suggested proportionately LAs devote greater resource to medium to low risk activities than does HSE. The suggestion is that some LA resource should be diverted to work on higher risk premises and processes	Flexible warrants allow HSE and LA inspectors to work across the boundary imposed by the Allocation Regulations. Some areas (eg Peterborough) have transferred responsibility for various classes of premise from HSE to LA enforcement. Work to extend these initiatives is being developed in Hampshire and Dorset.	LAs (Particularly Hampshire and Dorset) FOD, LAU, LACORS	No additional costs beyond those already committed to these initiatives. Work delivering evaluation material April 2010 onwards.
(20) Review of the	As above	NB Not at this stage any	As above	As above

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distribution of risk in health and safety and subsequent redrawing of the enforcement roles and responsibilities of HSE and Local Authorities		proposal to make any decision about consulting on change to the regulatory framework until evidence from trials is available and evaluated.		