

<b>Open Government Fully Open</b>	<b>Paper Number: H6/05</b>
	<b>Meeting Date: 20 October 2008</b>
<b>Exempt material None</b>	<b>Type of Paper: Below the line</b>

## **HELA**

### **LBRO representation on HELA**

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

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

#### **Issue**

1. Local Better Regulation Office's (LBRO) participation in HELA.

#### **Timing**

2. Phil Preece, senior policy adviser at LBRO, has been invited to attend the 20 October HELA meeting as an observer.

#### **Recommendation**

3. That members agree to consider the further involvement of LBRO in the workings of HELA in the light of experience of LBRO's attendance at this and further HELA meetings in 2009.

#### **Background**

4. At its last meeting, HELA discussed whether LBRO should be invited to join HELA and asked for this to be considered further.
5. LBRO are emerging as an important influence on how Local Authorities regulate. Details of LBRO's roles and responsibilities are given in the attached Annex, provided by LBRO.

#### **Argument**

6. By involving LBRO in HELA's business LBRO will be better informed of the work undertaken by HELA in relation to LA regulation of health and safety. LBRO's

involvement will ensure that HELA is informed of developments in the wider regulatory field that could impact on its work.

7. It is intended that Phil Preece should attend this meeting and the following two meetings in 2009 as an observer representing LBRO. At the second meeting in 2009 the mutual value of LBRO's input will be reviewed by HELA and LBRO and a decision made on further involvement.

### **Action**

8. None at this stage.

### **Contacts**

Tony Hetherington  
Local Authority Unit  
07717 766220  
[tony.hetherington@hse.gsi.gov.uk](mailto:tony.hetherington@hse.gsi.gov.uk)

Phil Preece  
Local Better Regulation Office  
0121 226 4013  
[philip.preece@lbro.org.uk](mailto:philip.preece@lbro.org.uk)

**The Local Better Regulation Office**

**Background**

The Local Better Regulation Office (LBRO) was established last year following the publication of Sir Philip Hampton's report '*reducing administrative burdens: effective inspection and enforcement*'. The report identified five principles of better regulation – *consistency, accountability, transparency, proportionality and targeting*. The LBRO aims to help local authorities improve the way they enforce trading standards, environmental health (including occupational health and safety), licensing and fire safety legislation, and will ensure that local authorities operate according to the better regulation principles and strike the right balance between supporting businesses in delivering economic prosperity and protecting consumers, workers and the environment.

To make these changes happen the LBRO will focus its work on three strategic objectives:

- Supporting improvements in individual services.
- Improving the local regulatory system.
- Delivering consistency through the primary authority scheme.

On 1<sup>st</sup> October 2008, the LBRO became a Non-Departmental Public Body, and has statutory responsibility for:

- Providing guidance to local authorities on regulatory services.
- Advising ministers about local regulatory reform.
- Investing in projects to improve local regulation.
- Updating the list of national enforcement priorities for English local authorities.
- Setting up and running the primary authority scheme.
- Signing Memoranda of Understanding with five national regulators – the Food Standards Agency, Office of Fair Trading, Health and Safety Executive, Environment Agency and the Gambling Commission.

Although the LBRO is a small organisation, it has significant powers and influence and will not operate alone. The LBRO will work with a wide range of partners, including professional bodies, national regulators and local authorities and their representative

bodies. LBRO will also work with central government when it is drafting the regulations that local authorities enforce.

### **LBRO areas of activity**

It will be important for the LBRO to establish an effective and productive working relationship with the HSE and, in certain circumstances, with HELA. There are a number of areas of LBRO activity in which it is anticipated that the HSE / HELA will have an interest, including:

1. Provision of statutory guidance to local authorities that will or might impact on their arrangements for health and safety enforcement.
2. Provision of advice to the government on matters of relevance to health and safety regulation.
3. The operation of the primary authority scheme and HSE's role in connection with it.
4. The establishment of the national enforcement priorities.
5. Collection of data relating to the health and safety regulatory activities undertaken by local authorities.
6. Development of a common excellence standard for local authority regulatory services, against which LAs can assess themselves and which will facilitate improvements in performance.
7. Development of common approaches, for example with regard to risk assessment, competency of Inspectors and data sharing, in order to bring to bear the best elements of practice and to reduce duplication.

A World Class Coalition has been established to oversee points 6 and 7 above. The Coalition is chaired by the LBRO, and members include five national regulators (the HSE, Food Standards Agency, Environment Agency, Office of Fair Trading, and the Gambling Commission), professional bodies (the Chartered Institute of Environmental Health and the Trading Standards Institute), and LACORS.

The fostering of close links between the LBRO and HSE / HELA offers potential for furthering the objectives of both parties within areas of mutual interest, while at the same time minimising the likelihood of duplication of work, misunderstandings, and delivering

mixed or contradictory messages to those other organisations with an interest in the health and safety regulatory system and the work of local authorities.

Effective partnership working with key organisations such as the HSE will be a vital ingredient in enabling the LBRO to fulfil its role of helping local authority regulatory services deliver increased prosperity and better protection.