

HELA

20th October 2008

HSE Rose Court

Attendees

HSE:

Kevin Myers (Chair)
Giles Denham
Max Walker
Marcia Davies
Tony Hetherington
Gareth Broughton
Gerry Kasprzak
Wendy Rimmer

CIEH – David Newsum

REHIS – Graham Robertson

Local Authorities

Paul Unsworth (Co-Chair)
David Evans
Kim Pugh
Darran West

LACORS

Mark Du Val
Charlotte Meller
Karen Ashdown
Sarah Bull

LBRO – Phil Preece

Item 1 – Welcome and Apologies

1.1 Apologies were received from Tim Galloway.

Item 2 – Minutes of the last meeting

2.1 The minutes from the last meeting were agreed. All actions from the previous meeting had been completed.

Item 3 – HSE strategy (Paper H606)

3.1 HELA welcomed the update on the strategy and discussed how HELA might input in the consultation and the development afterwards. It was agreed that where members of HELA responded on behalf of their organisation to the consultation that this would be shared with HELA on the web community. If it was felt by members that if there was any matter of significance that required HELA to put in a response to the consultation then this could be done by correspondence before the closing date at the end of February.

3.2 HELA requested a paper on the results of the consultation at its meeting in March, to be able to decide its possible role in promoting and delivering the strategy.

ACTION: HELA members to share their responses to the strategy consultation on the HELA web community.

ACTION: Secretariat to ensure the Strategy is on the agenda for the next HELA meeting.

Item 4 - Section 18 (Paper H601)

4.1 The task and finish group was set up to look at developing a system that would provide reassurance that both LAs and FOD were complying with Section 18 whilst also not imposing a burdensome system. The group has developed a proposed system to be administered through existing structures such as liaison groups, FOD divisional management teams and partnership managers. The proposed system is one made up of self assessment, action/ improvement plans and then peer challenge (peer review).

4.2 The Peer Review process would involve the liaison group/ DMT – facilitated by the partnership manager looking at the improvement plans and sharing information and good practice between LAs.

4.3 The PMs would then provide HELA with a report on a regional basis on areas that LAs were performing well, where there were issues and where support from the centre was required.

4.4 Discussion on the proposed system focussed on whether the Peer Review part of the system would provide enough challenge. CIEH felt that there needed to be a more robust external audit. This however was not the general view of HELA who felt that Peer Review was the way to ensure LAs and FOD owned their improvement journey. An example was given in Wales where Peer Review had recently taken place and the results of which had led to LAs appointing new staff and improving standards. Further dissemination of this work in Wales may help to reassure those that Peer Review is the better way to improve standards. However HELA did feel that the Peer Review process currently planned for a 3 year cycle should include an annual review, to ensure that action and improvement plans are progressed.

4.5 It was recognised that this was an organic process that needs to be tested. It was suggested that recognition of performance rather than the threat of sanctions should be brought out more in guidance developed to support the proposed system.

4.6 HELA decided that they needed to receive information in relation to two areas one how the process was running and secondly the outcomes from the process so that they can ensure support is provided from the centre on issues affecting a large number of LAs or FOD. They felt that these should be annual reports and this needs to be reflected in the flowchart in Annex 2 of the paper.

4.7 It was questioned whether work by LBRO on the national priorities set out by Rogers would have any impact on this work. LBRO has responsibilities to review the national priorities but there is no explicit role for them in seeing what impact the current ones have had.

4.8 In relation to the recommendations HELA :

1. **Provided broad endorsement** to the proposed system and agreed this was more about quality assurance than quality control. However they suggested that the current Peer Review process needs to include an annual review and there needs to be further articulation of the challenge

function of the Peer Review process – including examples where possible eg Wales. Guidance on the process should emphasise celebrating success rather than dwelling on failure.

2. **Agreed** that the Task and Finish group to further develop the system and bring back to HELA.

3. **Requested** that the report to HELA should contain information about the pressure points and barriers for LAs and FOD in complying, it should not identify individual LAs but figures about numbers of LAs complying would be useful.

4. **Agreed** that LAU and the T+F group continued to take forward this work.

Item 5 – Revising LA Priority Planning (Paper H602)

Priority Planning

5.1 A new structure for the way LAs undertake priority planning has been developed. It is along the lines used by FOD but instead of having just two categories of premises (A and other), the LA model has three A, B and C. The current version has been tested by a number of LAs and results have been positive. The proposal is to consult more widely with LAs for 3 months, review the guidance as necessary after this and then the guidance will be published by March/April 09 with endorsement from HELA. This will allow LAs time to make any necessary changes prior to planning future activity in October 2009.

5.2 It was felt that there may be some overlap with the Primary Authority Principle (PAP) being developed by LBRO, but LBRO are being careful to ensure that LBRO guidance does not result in any conflict between inspection plans being developed via Primary Authority arrangements and Inspection approaches/ priority areas identified by HSE and LAs. The view from LBRO was that the national regulators priorities and guidance would have primacy over the PAP inspection plan.

ACTION: HELA recognised the work that had gone into developing the priority planning guidance and endorsed the proposed consultation.

Incident Selection Criteria

5.2 Previously there had been no real guidance on the management role in relation to the incident selection criteria. A toolkit has now been developed and is being trialled by 30-40 LAs. Initial feedback has been very positive with some LAs indicating that they are now provided with the justification for investigating 50% less incidents and are able to focus more resource on priority areas.

5.3 Results from the evaluation are still coming in and the toolkit will then be refined after that. The intention is to publish on the web for LAs to use in December 08.

ACTION: HELA agreed to endorse the guidance via the online web community so that the guidance can be made available to LAs in December. If HELA is not content then they shall receive a paper in March.

LA reporting

5.4 The topic covers a wide range of reporting including Fit3, enforcement actions and the LAE1. The task and finish group feel that they need more time to complete the work and should remain

constituted. It was felt that this work needs to link in with other work being undertaken by other regulators as well as work by LBRO to create a single database for enforcement actions. However the principles that they are working to remain along the lines of reducing burdens, asking for data that HSE will use, voluntary data collection. It is intended that any data collected will not allow for comparative analysis between LAs.

5.5 It was suggested that the principles should also include fitting in with the national constraints in relation to collection of data.

ACTION: HELA endorsed the timescales proposed for this work and that the task and finish group should continue to along the lines proposed with the addition of the principle set out in 5.5.

Item 6 – RDNA tool (Paper H603)

6.1 Full details of the RDNA tool are now on the HELA extranet and the attached flyer gives full details of the project. The RDNA website is externally hosted and is accessed by LAs through the extranet, by HSE through the Intranet and there is also a signpost to it on the HSE website.

6.2 The tool contains four elements:
Frameworks for assessments
A pack of solutions
A development/ action plan pack
Guidance on the RDNA process itself.

It is anticipated that this assessment would be undertaken annually around quarter 3 or when an officer changes role. The assessment is undertaken by both the individual and the manager. There is also a mechanism for managers to feedback on residual training needs that cannot be met locally and a system in place to aggregate these reports and identify the main priorities that need to be met.

6.3 The feedback from the trials and the pilots has been positive and many concerns have now been dealt with. One issue for HELA to reflect upon was the management culture and how this could be affected. It was suggested that many LAs are working to improve management culture through IIP and personal development plans and that the RDNA tool is leading the way forwards.

6.4 Clarification was given to para 22 – a sub group of the World Class Coalition set up by LBRO are developing an approach to competency and it may be that the RDNA tool is the route they will take. But no decision has been made at this point in time.

ACTION: HELA agreed to provide their continued support to the project and that a letter (Wendy Rimmer to draft) from the joint chairs of HELA should be sent out to councils to encourage use of the tool.

Item 7 – Evaluation of the Partnership (H604)

7.1 The evaluation of the partnership proceeded quickly in order to feed in the development of the new health and safety strategy. The overall view from PA consulting was that the partnership was in good health and had achieved a step change. 20 recommendations have been put forward by the consultants and these have been placed into five themes. The HSE Board will be receiving a presentation on the partnership and in particular the evaluation on Wednesday 22nd October.

7.2 In relation to para 9 – it was felt that the assumption that funding to support the partnership was neutral needed to be tested and that there should be commitment that the resources for the partnership should at least be sustained. But there was recognition that over the next stage of the partnership the measures of success needed to be defined and more tangible. It was suggested that LAU discuss this with the HSE economists.

ACTION: LAU to discuss partnership success measures with the HSE economists.

In response to the recommendations in the paper HELA:

12 (1) Agreed that all 20 recommendations were reasonable and achievable.

12(2) Felt that capturing benefits and successes of the partnership was not fully brought out in many of the entries and although recognising the difficulty in this, this should be an area that is prioritised. **ACTION: LAU to consider when discussing success measures with economists.**

12(3) – Were asked whether communication to chief executives and councillors should move up in terms of priority. Many felt that the right level of approach was being taken and the key still remained through LAAs or their equivalents, plus the key statistics would help officers capture the attentions of chief executives ie cost of ill health in their LA.

- HELA felt ensuring support to PMs and PLOs required a high priority

12(4) – It was felt that because of the current changes in relation to the strategy and the move to Beyond Fit3, that planning should remain a theme on its own.

Item 8 - AOB

Communications

It was requested that the Communications plan from HELA meeting 030308 should be reviewed and updated in light of developments discussed at the meeting on the strategy, RDNA tool, Priority planning, evaluation of the Partnership etc.

ACTION: HELA Communications Plan to be reviewed and updated by the Secretariat and circulated to HELA members.

The evaluation of the partnership identified that the Governance arrangements for the partnership were not clear. Part of the work for LAU and LACORS is setting this out better but also for HELA members to be active in cascading information and canvassing viewpoints from the constituencies they represent.

It was requested that the HELA secretariat produce a short summary of the meeting for HELA members and others to cascade to the constituents they represent.

ACTION: Secretariat to produce a summary of the meeting for cascading.

Date of next meeting – March 09