

HELA Minutes, 21 January 2014

City Room, Rose Court, Southwark Bridge, London

Attendees

Colin Alborough, Rushmoor BC (Chair)
Kevin Myers, HSE (Joint Chair)
Elaine Harbour, HSE Local Authority Unit
Jane Willis, HSE Cross-Cutting Interventions Directorate
Philip White, HSE OPSTD
Kim Pugh, Torfean Borough Council,
Brian Lawrie, South Ayrshire Council,
Jenny Morris, Chartered Institute of Environmental Health
Graham Robertson, Royal Environmental Health Institute of Scotland
Ellie Greenwood, Local Government Association
Tracy Hamilton, HSE Secretariat

Observer

Sarah Smith – Better Regulation Delivery Office

1. Welcome & Introduction

- a) The Chair welcomed everyone to the meeting, in particular new member Ellie Greenwood (LGA) attending her first meeting.
- b) Apologies for absence received from Samantha Peace, HSE FOD and Steve Miller, London Borough of Newham.

2. Minutes from the last meeting

- a) Minutes of the previous meeting held on 1 August 2013 were agreed.

3. Update on recent developments

- a) Scotland - The Regulatory Reform (Scotland) Bill continues to progress through the Scottish Parliament and may include the development of a Scottish Primary Authority scheme. The second PHASS (Partnership on Health & Safety in Scotland) led Estate Excellence project has been undertaken. SOCEHOS have had discussions with the Scottish Government on how the wider regulatory landscape may look in an independent Scotland.
- b) REHIS Investigation Support Service team, providing support to LA enforcement officers pre contact with the procurator Fiscal, has been established and training of the officers continues, Training for skin piercers, providing certification as part of their licensing conditions, is ongoing.

- c) Wales - Findings from 'Delivery of public services in Wales review' were published 20 January 2014. The Wales General Assembly have accepted the recommendation to halve the number of LAs from 22 to around 10/12. Proposals on how best to achieve this, possibly co-terminus with Local Health Boards, are being developed over the next couple of months. The impact on future LA regulatory services remains unclear.
- d) CIEH - Year Ahead Conference to be held February 2014 with HSE A/Chief Executive delivering a session. Work continues on beauty-related issues linked to the public health agenda.

3. HSE Triennial Review outcome and implications

- a) Elaine Harbour introduced the paper which provided an overview of the four Triennial Review recommendations relating to the co-regulatory partnership between HSE and LAs
- b) HELA acknowledged closer scrutiny/challenge of LA activity data was necessary to improve accuracy and consistency of recording data on the LAE1. HELA also agreed that requiring a signed declaration on the accuracy of the LAE1 by a senior responsible officer in each LA might be a good mechanism for providing better assurance.
- c) HELA agreed that inter-LA support via County Liaison Groups provided a powerful mechanism for supporting those authorities whose data suggests either inappropriate targeting of lower risk premises or where no proactive inspections were taking place. HSE involvement to provide professional guidance and challenge at a regional level would also be welcomed.
- d) HELA discussed the proposals for a review of LA National Code implementation later in 2014. HELA agreed that the 2013/2014 annual LAE1 statistics alongside public consultation views solicited from business and LAs would provide a robust evidence base. HELA also agreed that the business feedback collected by LAs would also provide useful intelligence to inform the review.
- e) HELA discussed the provision of a single point of contact/champion in each LA and agreed this offers a useful opportunity and would be beneficial

Actions:

- LAU to add a declaration to the LAE1 so LAs confirm the data submitted is accurate.

4. Data Collection – Analysis of LAE1 mid-year data collection 2013/14

- a) Elaine Harbour introduced the paper, providing HELA with mid-year data analysis and end year projections.
- b) HELA agreed the mid-year data suggests LAs appear to have generally implemented and are following the Code, but acknowledged the two issues around the number of LAs not undertaking any inspections at all and the numbers of lower risk inspections in some LAs remain a concern, albeit on a reducing scale. HELA encouraged further use of inter-LA support within existing county group networks in identifying and addressing these issues.
- c) HELA requested the Health & Safety Practitioner Forum provide a qualitative analysis of the information behind the LAE1 data within their regions.

Actions:

- LAU to provide mid-year LAE1 information to HELA members for England, Scotland and Wales.
- Practitioner Forum to undertake a qualitative analysis of data.

5. Contracting out H&S enforcement

- a) Elaine Harbour introduced this paper.
- b) HELA members confirmed that a number of LAs are exploring options for service delivery, including contracting out their H&S enforcement and/or by rationalising costs through sharing of management services and back office functions.
- c) HELA recognised that contracting out of other 'end-user' services continues and agreed that all contractual issues need to be robust and commissioning of any services needs strict controls.

6. Any Other Business

- a) There were no items raised.

7. Date of next meeting

- a) To be confirmed, July/August 2014