

PAPER H101

HELTA

Agreement of Terms of Reference

A Paper by

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Issues:

To agree on the terms of reference for the new HELTA to ensure:

- they will fulfil the aim of providing strategic oversight of the partnership
- they enable HELTA to appropriately receive the views of professional bodies, including identifying the mechanism for doing this.
- they enable HELTA to recognise the need for task and finish groups and provide direction, support and timeframes for those groups.

Background:

The terms of reference have been drawn from the findings of the Nick Cull report, input from the “old HELTA” about what the new HELTA should be, input from HSE and LACORS as well as from new HELTA members.

The terms of reference should set out what HELTA wants to achieve, how it intends to achieve this and who is represented on this group.

Previously professional bodies such as CIEH and REHIS were observers, and representatives of building control, trading standards and fire safety services were members of HELTA.

CIEH has written to LACORS expecting as a partner, that it should be a member of HELTA and expressing disappointment that LACORS considers that membership is something that the core members of HELTA should consider at its first meeting.

Action:

HELA is invited to comment on the terms of reference in Annex 1 and to agree:

1. that the terms of reference fulfil the aim of the new HELA.
2. the role HELA wants professional bodies to have and what mechanism HELA would like in place to receive these views.
3. that the membership details are correct – subsequent to amendments to reflect the role of the partnership manager and following a decision about the role of professional bodies.
4. that the ways of working are correct - following decisions made on the role of task and finish groups.

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Draft Terms of Reference

Newly Constituted HELA

Aim

To provide strategic oversight of the partnership between HSE and LAs, with a view to maximising its effectiveness in improving health and safety outcomes.

Terms of reference

- To recommend, endorse and champion health and safety enforcement priorities for LAs.
- To embed partnership working across HSE/LAs, LAs/LAs and between HSC and LGP.
- To oversee the provision of the support needed to sustain and develop the partnership, including comprehensive, appropriate and timely guidance to LAs.
- To provide authoritative advice to HSC and LGP on issues of importance to local government, local communities and best approaches to business, identify consequences of policy impact, and challenge responses.
- To ensure local government's contribution is seen as essential to HSC/E in terms of development of policy and its delivery, and challenge where it neglects local government positions; equally, to challenge local government where it is falling short of HSC's expectations.
- To work with HSE to develop sustainable and productive stakeholder links.
- To influence cross government issues so that they fully reflect local government's role and contribution e.g. Hampton implementation.
- To report on LA activities, priorities and concerns to HSC and LGP.
- To make best use of current local strategic partnerships and bring in experience of other enforcement regimes.

Membership

Local government membership will be through nominated representatives from the LACORS Policy Forum:

- 2 representatives from England
- 1 representative from Wales
- 1 representative from Scotland

Representatives from the Policy Forum will be the chair and vice chair plus two others, all heads of service nominees. This will always include

representatives from Wales and Scotland. Currently the chair and vice chair positions on the policy forum are filled by English representatives. When Scottish or Welsh representatives fulfil one of the chair/vice chair roles the numbers will be made up from England to maintain the ratio above.

Senior HSE representatives will include senior policy and operational managers, LAU and representatives from HSE's key sector, which provides guidance to LAs, Commercial and Consumer Services, Transport, and Utilities sector (CACTUS).

There will be equality of membership between Local Government representatives and HSE in terms of numbers.

Substitutes will also be identified in case nominated representatives are unable to attend.

The length of membership and terms of re-election will be agreed at the first meeting.

Ways of working

- HELA will be jointly chaired by a LA representative (Chair of the LACORS Health and Safety Policy Forum) and a senior HSE representative (Deputy Chief Executive).
- HELA will meet at least twice a year.
- HELA's Chairs will attend meetings of the LGP.
- HELA will meet with the local government Commissioner (at least once every year).
- HELA will seek to resolve issues by consensus.
- HELA will set up task and finish groups for specific projects.
- HELA will provide an open invitation for any Commissioners or members of the LGP to attend its meetings.
- The secretariat will be provided jointly by LACORS / HSE's Local Authority Unit (LAU).
- A review of these governance arrangements will occur every 2 years.