

<b>Open Government: Fully Open</b>	<b>Paper: H7/02</b>
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## **HELA**

### **Governance of the HSE/LA Partnership – implementing the recommendations from the evaluation report**

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**Cleared by Marcia Davies**

#### **Issue**

1. Implementing the recommendations from the evaluation report relating to governance of the HSE/LA partnership, including consideration of a draft leaflet (attached separately) setting out:

- the governance structures and bodies; and
- a proposed new statement of commitment between HSE and local government representative bodies.

#### **Timing**

2. It's proposed to put the draft leaflet to the 15 April meeting between the HSE Board and Local Government Panel then - subject to agreement by HSE, LACORS, LGA, WLGA & COSLA - publication in summer 2009. This leaflet will also augment the toolkit (due September 2009) for the "working together in partnership" part of the "S18 Standard on Enforcement".

3. The timescale for other actions arising out of the governance recommendations – such as reconsidering the terms of reference for the various governance groups – is not time critical and is covered below.

#### **Recommendation**

4. That HELA comment on the draft leaflet and proposed Statement of Commitment. HELA's views are also sought on other suggestions in this paper (Annex 1) for responding to the governance recommendations.

#### **Background**

5. The last HELA meeting considered (H6/04) the development of a response to the findings in the HSE/LA partnership evaluation report on partnership governance including:

- Recommendation 3: *“Clarify and communicate more widely the roles and responsibilities of high level governance structures and bodies.”*

It was suggested that a short, simple, document be developed setting out the partnership governance arrangements and this could include a replacement to the now extant 2004 “Statement of Intent” between HSE and LAs.

6. Other recommendations relating to the governance of the partnership, considered in this paper, are:

- Recommendation 6: *“Formalisation of the roles and responsibilities of Partnership Teams and Managers” (This has been produced and will form part of the S18 standard toolkit planned for September 2009)*
- Recommendation 9: *“Review the effectiveness and robustness of the existing governance structures and look at ways to improve them”*
- Recommendation 15: *“Consider how to engage further local councillors and Chief Executives in the health and safety system, looking at existing mechanisms such as the Local Government Panel or new ways of doing this.”*

7. The LACORS Health and Safety Policy Forum were informed at their 3<sup>rd</sup> February meeting about proposals to start work on the leaflet and Statement of Commitment and supported the style and approach being taken.

## **Argument**

8. The roles, responsibilities and contribution of parties have evolved as the partnership has developed since the Statement of Intent. For example: HELA reconstituted; Local Government Panel and LACORS Policy Forum formed. Despite publicity etc these changes were not communicated as widely and effectively as necessary. Allied to these governance changes have been other developments:

- Generally completion of the commitments set out in the 2004 Statement of Intent;
- the HSC/E merger in 2008; and
- the development of a new HSE strategy for *The Health and Safety of Great Britain*.

## Draft leaflet

9. The attached draft leaflet aims to set out in clear and simple terms the partnership governance arrangements and to replace the Statement of Intent with a new “Statement of Commitment” between HSE and LAs. It would also support the “S18 Standard on Enforcement” by providing a framework for the “Work Together” element - in particular, contributing to the aim of setting out how LAs can “actively contribute to liaison, policy and governance arrangements at a local, regional and national level”.

10. The principal aim was to produce a short document setting out HSE and local government's commitment to the health and safety partnership and an associated governance route map – in particular showing the high level structures and bodies. The draft leaflet is intended to be a four page A3 fold-over leaflet comprising:

- Page 1: introduction from the Chairs of the HSE Board and LACORS (note suggested text is for illustrative purposes at this stage – not agreed with Chairs. This could be strengthened so as to deliver key messages on the contribution that Councillors and practitioners can make to the partnership and their way in to the governance arrangements)
- Pages 2-3: governance information
- Page 4: draft Statement of Commitment between HSE and LA representative bodies

11. The draft Statement aims to set out HSE & local government's commitment to working together in partnership to deliver the new HSE strategy for the Health and Safety of Great Britain. This comprises:

- i. Strategic goals for health and safety - as expressed in HSE's consultation on their new strategy. Note this may need amendment in the light of the wording used when the new strategy is published and developing business plan.
- ii. Strategic goals for the partnership – as expressed in the partnership working section of the Section 18 standard on enforcement. This is intended to be a reaffirmation of the commitment to comply fully with the Section 18 standard on enforcement by 2011.

12. It is intended that the hard copy statement will form the framework for the e-based element of the S18 Standard. The e-based version will have the same basic text, format and appearance as the hard copy but with additional links to more detailed information. Effectively this will make the hard copy a communication tool for a wide audience, with the e-based version providing the more detailed tool applied by professionals as the S18 Standard.

13. It is intended that a Welsh translation of the leaflet and "Statement of Commitment" should be produced.

### **Action and next steps**

14. HELA members are asked for their views on the content and structure of the draft leaflet. In particular:

- a. Is the leaflet a suitable communications tool to describe the governance arrangements of the HSE/LA partnership?
- b. Does the proposed "Statement of Commitment" strike the right balance in terms of the partnership's aims?

15. HELA members are also asked for their suggestions and views on improving the effectiveness and robustness of existing governance structures, taking into account the other suggestions and next steps set out in Annex 1.

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## **Annex 1 - Other recommendations and next steps**

### **Other recommendations**

#### Terms of reference of the main governance groups

16. As part of this project, we have looked at the current terms of reference for the main governance groups. In our opinion:

- LGP/HSE Board ToRs need amending as the way this forum operates has evolved with experience into a smaller, more informal, forum. Generally, the profile of this Forum needs to be raised further and be more outward-facing – particularly in terms of *engaging further local councillors and Chief Executives in the health and safety system (Recommendation 15)*.
- HELA's ToRs are generally OK.
- The LACORS Health and Safety Policy Forum ToRs are generally adequate although Forum members should perhaps do more in fulfilling their communications functions. It would be helpful if the ToRs (for this Forum and the others) were amended to set out the roles that individual members should play to fulfil their function e.g. cascading information more widely.

#### Feedback from meetings of chairs and secretaries of County liaison groups – July 2008 London and Birmingham

17. There were a number of very good suggestions concerning governance made at these meetings and the opportunity should be taken for them to be acted upon. For example:

- Set up a community of interest at local level (Sussex have already done this)
- Use or set up regional meetings where they do not already exist
- Identification of size of county liaison groups – some groups quite small so might be useful to join with another county so share the work more. It was suggested that 12-14 LAs was about right
- Need to clarify HSE's role – who should attend meetings – and “job descriptions” for members on groups. It should be noted that the “Midlands Regional Strategy Group” terms of reference appears to be an excellent model setting out clear aims, objectives, membership and mode of operation.
- Very useful for representative from Chiefs group to attend liaison groups
- Meetings of county groups – suggested 6 times a year was optimum

18. It is suggested that the Partnership Managers could play an important role here in facilitating these suggestions.

#### Websites

19. It's essential that governance information on the relevant websites is informative, easy to access and up to date. The main routes for the governance arrangements are:

- LACORS website: The information is up to date so far as the high-level governance is concerned e.g. Policy Forum, LGP, HELA and is easily accessible by LAs. However, although there's a specific "Liaison Groups" section, the health and safety category is sparsely populated. LACORS should investigate.

- HELA Extranet (Helex): A good start was made in populating local governance information in the Partnership Manager Regions section. However, this is not up to date for all regions and gaps have started to appear e.g. on County Liaison Groups. Partnership teams should rectify. The evaluation report highlighted the value of Helex - but difficulties in using the security password system may be restricting usage – HSE should investigate.

- HSE LAU website: Information is reasonably up to date e.g. on HELA, Local Government Panel and is easily accessible. HSE LAU could create a "Partnership governance" section – with key fora/links to other relevant sites.

### **Next steps**

20 Subject to HELA's views, the next steps are:

- if content with the structure of the leaflet, agreeing the detailed text & introductions from the HSE Board Chair & LACORS Chair;
- clearance of the "Statement of Commitment" with HSE, LACORS, LGA, WLGA & COSLA;
- further review of governance ToRs – identifying best practice e.g. Midlands Regional Strategy Group & promulgating;
- develop the underlying links for the S18 Standard toolkit on partnership working;
- other recommendations as set out above e.g. websites, suggestions from County liaison groups.

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