

Health and Safety Commission Paper		HSC/03/124	
<b>Meeting Date:</b>	11 November 2003	<b>Open Gov. Status:</b>	Partially Open
<b>Type of Paper:</b>	Above the line	<b>Paper File Ref:</b>	
<b>Exemptions:</b>	Annex A and B (Exemption under Paragraph 11 - incomplete information)		

## HEALTH AND SAFETY COMMISSION

### HELA Programme of Monitoring Local Authorities' Management of Health and Safety Enforcement - *Annual Report*

#### *Improvements, Opportunities and Challenges.*

A Paper by Allan Davies, Head of LAU

Adviser(s): Bill Myers (LA Chair of HELA), Nick O'Donnell, LAU

Cleared by Justin McCracken, October 2003

#### Issue

- 1 At its December 2001 meeting, the Health and Safety Commission (HSC) agreed a performance management framework to help to assure itself that local authorities (LAs) are managing health and safety enforcement effectively and complying with the Commission's Section 18 guidance. This paper reports on the second year of that monitoring programme and describes some of the opportunities and challenges faced by the programme.
- 2 The report also highlights some of the strategic issues, consistent throughout the programme, that will be of significance in developing the proposed strategic plan for health and safety and relevant to the debate in formulating the Local Authority Strategic Programme.

#### Timing

- 3 The HSC has asked for an annual report from HELA (HSE/LA Enforcement Liaison Committee) on the LA monitoring programme together with proposals for the following year's programme.

## **Recommendation**

- 4 The HSC is asked to:
- endorse the issues identified within paragraphs 5 to 11 of this report as those, key to developing the partnership with local government;
  - note the successful outcomes and significant improvements in health and safety enforcement achieved as a result of the programme (Annex A);
  - comment on the summary of the audit findings described in (Annex A); and
  - note the progress report on the audits (Annex B).

## **Challenges and opportunities for 2004/05 and onwards – The Issues.**

5. The results of the work completed to date seem to indicate that poorly performing authorities improve following the HSE (LAU) audit and the subsequent monitoring of the LAs' implementation of its action plan. It follows therefore that this is an effective means of ensuring improved local authority outputs and outcomes. This then raises a number of pertinent strategic considerations relevant to the strategic plan recently published for consultation on the relationship between HSC/E and local authorities.

6. LAU recognises from the evidence to date that the monitoring of local authorities' inter-authority audits and the implementation of their audit action plans, is an effective use of its resources. This will help to create a framework for an element of self-assessment and continuous improvement by LAs and will also complement the Comprehensive Performance Assessment (CPA) and Best Value frameworks. For this framework to be effective, HSE (LAU) will need to ensure that LAs' inter-authority activity is managed effectively. Therefore, issues about appropriate level of resourcing within OPD to continue with this approach are relevant.

7. Current thinking, subject to the strategic issues raised above, proposes a greater emphasis in the forthcoming year on monitoring LAs' activity on inter-authority audits and the implementation of their audit action plans. The consequence of this would clearly mean fewer audits of LAs during the year but with an emphasis on poor performing LAs.

8. The reports and action plans of all audits carried out from 1 April 2003 will be published on the HELA open website. The first such reports will be placed on the site in late November. A press release will be issued to accompany the publication of each report. In addition, an overall press release will be issued to describe the audit programme and to summarise the conclusions of the first two years of the programme. HSE's Press Office consider that this might generate significant media and journalist interest, which raises the question about the use of publicity.

9. There is a view within local government that the health and safety audit programme should be more prominent and widespread to assist the process of maintaining and increasing funding. The use of default powers is generally seen by local government as a significant deterrent and a way of ensuring local authorities adequately resource and consequently effectively discharge the

function. However, to ensure the integrity of the HSC's role in monitoring LAs' performance, it may be necessary for the Commission to consider taking proportionate action against one or two continually failing LAs in the near future. The LAU is visiting one of these in December and will report back to HELA and the Commission with its recommendations for further action.

### **What next**

10. As an immediate measure the LAU will produce further guidance for LAs on the powers of direction and action that the HSC will take against failing LAs. This guidance will take account of recently issued ODPM guidance on action to be considered against poor performing local authorities. LAU will also consult the LGA and CoSLA in the development of this guidance. It is planned to submit this for the approval of HELA and the HSC next Spring.

11. The next stage in developing the strategic plan will be the need to consider a range of issues that are significant in formulating a real and genuine partnership with local government, amongst those issue will be the role and form of auditing. It is clear that this will be a major factor in taking forward the Local Authority Strategic Programme.

### **Consultation**

12. The Local Authority Associations have been consulted in the development of this paper. The paper has been agreed by HELA. Other HSE Directorates represented on HELA (Policy Directorate, Field Operations Directorate (FOD), Strategy and Intelligence Division (SID), have also had an opportunity to comment on the paper.

### **Costs and Benefits**

13. There have been significant improvements in the performance of all of the LAs audited. As noted in Annex A, most of the LAs have secured additional resources for health and safety enforcement in respect of the audit visits and all have made significant improvements to their management of health and safety enforcement.

### **Financial/Resource Implications for HSE/LAs**

14. There are cost implications for LAs in the implementation of inter-authority auditing. However, local authorities have reported that the benefits and improvements achieved by inter-authority auditing and peer review by far outweigh the costs. There are possible resource implications for HSE should the HSC agree to any expansion of the performance management programme.

### **Environmental Implications**

15. None.

## **Other Implications**

16. None.

## **Action**

17. The HSC is asked to comment on the:

- the proposed programme of activity for 2004/05 and the challenges facing the programme (paragraphs 5 to 11);
- the evaluation of the programme (Annex A);
- the successful outcomes of the audit programme described in Annex A; and
- Progress reports of audits attached in Annex B.

## Annex A

### **HELA Audit of Local Authority Enforcement Activity**

1. A programme of auditing LAs commenced in November 2001. A total of 23 audits and 2 re-visits have been carried out so far. A further two audits were carried out as part of a training exercise for the London inter-authority audit programme. In addition, two visits were carried out to authorities identified as demonstrating good practice (Sunderland and Bradford) to observe their procedures and systems for managing enforcement effectively. Table 1 at Annex B summarises the results of the audits carried out. Two further audits and an audit re-visit are planned for the period October-December 2003.

### **Background**

2 On the back of a continuing fall in LA activity and resources for health and safety enforcement (the full-time equivalent number of LA enforcement officers carrying out health and safety enforcement has fallen by 33% in the last six years), the HSC agreed a programme of closer monitoring of LAs' management of health and safety enforcement. The HELA performance management framework has three main components. These are: LAU audits of LAs; the monitoring of LAs' own inter-authority audits and benchmarking activity; and the development of guidance to LAs on auditing and performance management. All of these auditing activities are underpinned by the HSC's Section 18 HSWA (Health and Safety at Work etc. Act 1974) mandatory guidance which outlines the principles that it wishes LAs to adopt when enforcing health and safety. Revised guidance was issue to LAs by the Commission in September 2001. The guidance outlines the standard against which LAs are audited.

### **Audit Programme**

3 The first two years of the audit programme have focused on LAs identified as possible poor performing authorities. These LAs were largely selected on the basis of the information contained in their annual (LAE1 form) returns to HELA. The returns for the audited LAs either indicated that the authority had carried out very little, or no, preventive activity and that the activity carried out was not risk based. Some of these LAs had carried out no planned preventive activity for the previous two or three years. Secondly, LAs who had failed to return their annual LAE1 form for the last 2-3 years were also selected for audit.

4. An audit report has been produced following each visit. This has been agreed with the audited LA. If appropriate, the LA has then been asked to develop an Action Plan to address the recommendations made in the audit report. The LA has then been asked to submit progress reports after 6 and 12 months. Where necessary, LAU will carry out a re-visit to an LA to check that they have implemented their audit action plans and are complying with Section 18 guidance. Of the twenty-two LAs audited to date, four LAs have been identified for closer scrutiny. If an LA still fails to achieve compliance with Section 18 guidance after an agreed period of time (usually 12 months), the LA Chair of HELA will write to the local authority. If HELA still has concerns about the local authority's performance, then it will recommend an intervention by the HSC. A report of that intervention would be made public.

## Performance monitoring

5. A number of LA liaison groups have commenced a programme of inter-authority auditing. LAU has worked with a number of these (including Berkshire, Essex, Wales, Fife and Tayside, Cambridgeshire, Kent, Hertfordshire and Bedfordshire, Surrey, Devon, Cornwall, Greater Manchester, Cumbria and London) to provide training on the use and interpretations of the audit protocol, and to help promote consistent standards and approaches. The LAs have agreed to send to HELA copies of their audit reports and action plans. LAU does not intend to carry out audits of LAs who submit copies of these unless there is a genuine concern about an LAs' performance and the likelihood that it will not improve and achieve the required standard (compliance with Section 18). So far, very few LAs have submitted copies of their audit reports. The current annual (LAE1) return includes a question on whether LAs have undergone an audit of their health and safety service. LAU plans to use this information to contact appropriate LAs to request copies of audit reports and subsequent action plans.

6. A few of the inter-authority audit exercises have used the Section 18 performance indicator to assess an LA's performance. The most comprehensive have been the London, Sussex and Devon inter-authority audit exercises. The outcome of these exercises is described in more detail in paragraph 11.

## Development of guidance

7. A HELA local authority circular (LAC) on auditing was sent to all LAs on 24 January 2002. This outlined the HSC's role in monitoring the performance of LAs and provided guidance to LAs on carrying out inter-authority audits. The LAC also included a revised HELA audit protocol. This was revised in the light of the HSC's revised Section 18 guidance and Enforcement Policy Statement. The LAC also outlined the performance indicator recommended in Action Point 27 of the *Revitalising health and safety - strategy statement* (RHS) for LAs' health and safety regulatory activity. The indicator was agreed as a measure of LAs' compliance with Section 18 guidance.

8. LAU identified the need for further guidance for LAs on how to calculate the compliance score and what evidence might be provided by LAs to demonstrate compliance with Section 18 HSWA. These guidelines, together with other examples of good enforcement practice, were issued to LAs in HELA LAC 23/20 in July 2003. This was designed to promote consistent standards and approaches for inter-authority auditing. The framework was piloted by the London audit exercise and proved to be very versatile and well liked by LAs. The LAU is also preparing an example of a 'model' audit. This will be based on an actual audit and will include the audit report and supporting documents, together with the LAs' enforcement policies, service plans, procedures and other evidence to demonstrate compliance with Section 18 guidance and their contribution towards the HSC's Priority Programmes.

## Evaluation of the HELA auditing programme

9. LAU commissioned a student employed through the Windsor Fellowship programme to evaluate the effects of the auditing programme. Seven audited local authorities were examined in depth. This considered details of their performance from the audit reports, their service and actions plans, annual returns and any subsequent information supplied by the LAs as part of the monitoring activity. The study concluded that there had been some very positive outcomes for the period 1999/2000 to 2003/2004 in the performance of the LAs. These included:

- an 184% increase in the average levels of full-time equivalent (FTE) resources;

- a 64% increase in the number of preventative inspections carried out;
- a significant increase in the focus on the HSC's Priority Programme topics;
- the development of improved arrangements for the effective management of enforcement and the demonstration of transparency and consistency; and
- three of the LAs were now fully complying with Section 18 guidance

10. There was widespread support from LAs on the implementation of the performance management framework. They recognise that closer monitoring from the HSC is required to increase the profile of health and safety enforcement by LAs and in turn help to increase the contribution of LAs to the Government's *Revitalising* agenda. The support of LAs has been achieved largely through their involvement in the implementation of the performance management and auditing programme and partly due to the fact that, initially, the audit reports have not been made public.

11. An evaluation exercise was carried out in 2001/02 to provide a baseline standard of LAs' management of health and safety enforcement. This estimated that 17% of LAs were at a level 3 or 4 standard (that is full compliance with HSC's Section 18 guidance); 61 % were of a level 2 standard (frequently complying) and 22% were of a level 1 standard (infrequently complying). LAU has collected the detailed results of the London, Sussex and Devon inter-authority exercises together with the compliance scores from the 25 HSE (LAU) audits. An evaluation of these exercises are shown in the following table. The analysis reveals very consistent results between the two programmes. The auditors from the London inter-authority exercise reported that they marked the authorities quite stringently and this may have resulted in lower levels of compliance. This might explain why the ratios from the peer review exercises are comparable with the HSE (LAU) audits of poor performing authorities. It is hoped that the results from the Welsh inter-authority exercise will also be collected. The Society of Directors for Public Protection in Wales (SODPPW) has indicated its support for this.

### Comparison of 'compliance scores' from HSE (LAU) and inter-authority audits

Compliance score	HSE (LAU) audits		Inter-authority audits	
	Number of LAs	Proportion	Number of LAs	Proportion
0	1	4%	1	2%
1	8	32%	16	32%
2	13	52%	27	54%
3	3	12%	6	12%
4	0	0%	0	0%

## Findings from the first two years of the programme

12. There have been a number of successful outcomes from the first two years programme of the programme. The majority of local authorities (e.g. Copeland, South Derbyshire, Redbridge, North Devon) have secured additional health and safety resources, either as a result of the audit or in anticipation of it. A number of the audited LAs have made substantial improvements to their service delivery and have now recommenced a preventive health and safety inspection programme.

13. At the time of the audit, two of the authorities (Blackburn and Harborough) were assessed to be fully complying with their statutory duties and in a few areas (e.g. arrangements for competency of staff and performance management) there were adjudged to be demonstrating good practice (level 4 compliance score). LAU intends to publish details of the Blackburn audit (audit report, enforcement policy, service plan, etc.) on the HELA website as an example of good practice and to provide a 'model' of a complying LA to help promote continuous improvement. The LA has agreed to this. A number of other LAs (eg North Devon, Teesdale, Copeland) were assessed to be fully complying with Section 18 guidance at the end of the post-audit monitoring period.

14. Thirteen of the LAs audited were assessed to be at level 2 compliance. This represents an improvement in the performance of these LAs as all were adjudged to be at a level 1 standard when they were selected for audit. Eight of the LAs were assessed as level 1 and one LA at level 0. Copeland District Council had achieved a level 3 compliance in their audit re-visit. It is hoped that all of the audited LAs will have achieved at least a level 2 compliance score by the time of their interim (after six months) progress report.

15. The main area where LAs were failing to comply with Section 18 guidance was found to be in relation to the implementation of a programme of planned risk-based activity. Most of the LAs who scored a compliance score of 1 had carried out little planned inspection activity over the last few years and invariably they were failing to operate an effective priority planning system for health and safety inspections. A majority of these LAs had only risk-rated a small proportion of the premises where they enforced health and safety law. These LAs are now taking forward a risk-based inspection programme as a priority action.

16. All of the audited LAs had an enforcement policy, either specific to health and safety or environmental health. Not all of these had been published and they were publicised to differing degrees. Enforcement practices were generally good; although in two or three LAs, there were concerns about monitoring officers' activity to ensure consistency and competency. Monitoring of officers' and inspection activity was found to be overall quite weak. Strategic monitoring was taking place in most LAs, however, monitoring of implementation of planned inspections to agreed frequencies was often poor.

17. Investigation of reported accidents and complaints was found to be good in most of the LAs; invariably reactive work was the only health and safety activity that had been carried out by some of the LAs in recent years. Arrangements for the competency of officers were also found to be good in the large majority of the LAs. Significant differences were often noticed between LAs who employed specialist health and safety teams and those with combined health and safety and food safety teams. Differences in the quantity and quality of enforcement activity were also noticed in relation to the levels of administrative involvement and support provided.

18. All of the LAs audited had produced Health and Safety Service Plans. In all cases, the Plans outlined the commitment of the authorities to the HSC's and HELA's Strategic Plans. All the LAs intended to take forward activity to contribute to the HSC's Priority Programmes. The requirement on LAs to produce a health and safety service plan has helped to raise the profile of

the service and the HSC's key priorities. Similarly, it has helped to focus health and safety enforcement in the minds of Elected Members and local employers/employees. Very few LAs have sent copies of their Service Plans to HELA. LAU is contacting LAs to request submission of these.

19. It was found that the LAs who were accredited to quality management systems (QMS), or were striving to be so, were managing health and safety enforcement the most effectively. The development of such systems complemented compliance with Section 18 guidance and the Best Value framework. These LAs were found to be very good at measuring, monitoring and reviewing their activity and systems, and for documenting all activity being carried out.

20 Two London Boroughs are being closely monitored currently by LAU; Lewisham who scored 0 (no compliance with S18) in the LAU audit and Lambeth who also scored 0 from an inter authority audit. Both authorities will be visited by LAU staff over the next three months when a decision is likely to be reached in relation to a recommendation to HELA and the Commission for intervention. The Commission may wish to consider, in advance, the options that it might have and the impact on other failing authorities.

## HSC/03/124 Annex B

## SUMMARY OF AUDITS CARRIED OUT BY HSE (LAU) BETWEEN NOVEMBER 2001 - OCTOBER 2003

Local Authority	Date of Audit	Summary	PI Score	Action
Copeland BC	8 Nov '01	<p>Concern was raised by the LA about its standard of H&amp;S enforcement. The LA had devoted very little resources to H&amp;S activity and no planned inspections had been carried out during the previous 6 months. There were very limited policies and procedures for enforcement work. Activity was being measured and monitored effectively (although there was not very much). The LA had recently been audited by the FSA and was committing resources to implementing a food safety action plan.</p> <p><b>Progress</b> The LA appointed two additional EHOs to carry out health and safety enforcement and an effective risk-based inspection programme has recommenced. A re-visit is being carried out on 27 May 03 and the findings of this will be reported to HELA on 19 June.</p>	1	<p>First and second progress reports submitted show evidence of improvements.</p> <p>Re-visit on 27/05/03. The LA had now developed effective arrangements for H&amp;S enforcement. The LA was scored as <b>compliance level 3. No further action required.</b></p>
South Derbyshire DC	27/28 Nov '01	<p>The LA had carried out very little planned inspection activity in the last few years. It was now starting to develop a planned programme although this was not particularly risk-based. The LA was applying for an additional FTE to fully implement a targeted programme of inspections and risk-rate all its premises. It was developing detailed and comprehensive management procedures.</p> <p><b>Progress</b> The six-monthly progress report indicated a number of improvements. The LA has carried out one or two health and safety initiatives and it submitted an entry for the HELA Award for</p>	1	<p>An assessment of the LA's performance will be made on receipt of the final progress report. A decision as to whether to re-visit the LA will then be taken.</p>

		Innovation 2002. The final progress report is imminent.		
LB of Redbridge	12/13 Dec '01	<p>The LA had carried out no planned H&amp;S activity over the previous 3 years. It had recently desktop rated a majority of its premises to commence a risk-rated programme. However, inspections being carried out were not risk based. The LA had got additional resource to carry out H&amp;S work although it was considered that this was insufficient to meet the demands on the service.</p> <p>There is concern that unless the LA gains additional resources, it will not achieve the target of full compliance with s18 during the monitoring period. A re-visit after 12 months is planned and <b>close monitoring is proposed.</b></p> <p><b>Progress</b> The LA has significantly increased the number of inspections carried out over the last year. However, there is concern about the quality of these and whether they have been targeted according to risk. The audit re-visit highlighted that the LA was implementing adequate arrangements for most areas. However, some improvements were still required. The LA was scored at level 2 at the re-visit. The authority has been given a further six months to demonstrate that it is fully complying with Section 18.</p>	1	<p>There is concern that the authority is not taking forward a fully effective health and safety enforcement service.</p> <p><b>A re-view of the LAs' compliance has been scheduled for April 04. Failure to comply will result in the LA being reported to the HSC for intervention.</b></p>
Teesdale DC	18/19 Dec '01	<p>The LA had been heavily criticised by the Best Value Inspection Service, particularly on H&amp;S for non-delivery of targets and no documented records for enforcement actions and decisions. The LA is developing systems and procedures to address these and has made some notable improvements. Nearly all inspections are carried out according to food safety frequencies although the LA does carry out a high number of H&amp;S inspections to these premises.</p> <p><b>Progress</b> The LA has made a number of improvements and given its small size (350 premises) the view of the auditor is that it will achieve compliance with s18 during the monitoring period. The LA is assessed to be complying with Section 18 guidance.</p>	1	<p>The LA is now considered to be complying with its statutory duties. <b>No further visits are planned.</b></p>

St Albans DC	15/16 Jan '02	<p>The LA had recognised that it was not delivering an effective H&amp;S programme. It had appointed a specialist H&amp;S officer to carry out a planned inspection programme. The officer was carrying risk-based visits and also focusing effectively on HSC's priority programmes.</p> <p>There were small concerns regarding enforcement practices and the lack of systems/activity to promote consistency of enforcement. The LA was demonstrating good practice in a number of areas and is expected to achieve compliance with s18 in the near future.</p> <p><b>Progress</b> The LA has submitted six-monthly and 12-monthly progress reports. These have outlined a number of improvements already implemented. The LA has secured an additional member of staff for health and safety enforcement.</p>	2	The LA is expected to be achieving full compliance with Section 18 guidance by the end of the monitoring period.
North Devon DC	4/5 Feb '02	<p>The LA had made a number of significant improvements to H&amp;S enforcement in the previous 6 months. A risk-based inspection programme was now being carried out. It was in the process of risk-rating all premises. A Service Plan had been developed and this was very much focused on RHS.</p> <p>Management systems were being drafted for all aspects of H&amp;S activity, although a number of these would not be fully in operation until 1 April 2002. It was considered that the LA would improve quickly and there was an impressive commitment from management to do so.</p> <p><b>Progress</b> The second progress report indicated that the LA was complying in all areas with the exception of enforcement consistency. A peer review exercise is planned and so the LA has been signed off as fully complying is imminent.</p>	2	<p>No further visits or monitoring is likely subject to receipt of a satisfactory final progress report.</p> <p>The LA is now assessed to be a level 3 subject to the completion of the peer review exercise.</p>
LB of Sutton	26/27 Feb '02	A programme of targeted inspections had commenced although the majority of premises had not been risk rated. The authority was	1	The LA has drawn up an Action Plan to take forward

		<p>committed to improving its service and to the delivery of a planned programme to target high and medium risk premises. It had developed a comprehensive draft health and safety service plan and this was due to be agreed by Members shortly. The authority was carrying out effective enforcement activity including the investigation of reported accidents and complaints.</p> <p><b>Progress</b> The LA has restructured its Environmental Health function to create a separate health and safety team. However, a number of staff have recently left and a number of vacancies have recently been advertised. The first progress report was some 4 months late. Inspection activity is still relatively low and only partial improvements have been achieved to date.</p>		<p>the audit recommendations. This includes activity to improve targeted inspections and consistency of enforcement.</p> <p><b>It is planned to carry out a re-visit of the LA towards the end of 2003/04.</b></p>
Rochford	20/21 March '02	<p>The LA had identified that it was not delivering an effective risk-based programme of health and safety activity. Only six planned inspections had been carried out over the previous two years. It planned to determine the risk-rating for all its premises in the near future although no timescales had been specified for this. Activity was concentrated almost entirely on reactive work to investigate reported accidents and complaints/requests for service. This work was being carried out effectively and there was evidence that officers were competent.</p> <p>There is concern that unless the LA gains additional resources, it will not achieve the target of full compliance with s18 during the monitoring period. A re-visit after 12-18 months is planned and close monitoring is proposed.</p> <p><b>Progress</b> The LA submitted its first progress report some 4 months late. This indicated that the LA was now beginning to implement adequate arrangements for health and safety. A planned inspection programme had commenced together with some educational work in response to European Week for Safety and Health.</p>	1	<p>The LA has been asked to develop an action plan to implement the audit recommendations. This will be reviewed after 6 and 12 months.</p> <p><b>It is planned to carry out re-visit in 2004/05.</b></p>
	15/16 April			

West Somerset	'02	<p>The LA had carried out very limited proactive health and safety activity over the previous few years. Due to resource constraints, activity had been almost entirely reactive. The LA had made a number of improvements to its health and safety enforcement service since the beginning of 2002. It was developing effective internal systems and procedures for: enforcement policies and practices; inspections, incident investigation; trained and competent officers; and implementation of a managed work programme. It had developed a detailed service plan that outlined a programme of planned risk-based activity and provided a planned contribution to the HSC's Strategic Plan and Priority Programmes.</p> <p><b>Progress</b> The LA is taking forward a risk-based inspection programme. Activity is still relatively low although there are signs that the authority is improving in all areas.</p>	2	<p>The LA has been asked to develop an action plan to implement the audit recommendations. This will be reviewed after 6 and 12 months.</p> <p>A final decision on whether to re-visit the LA will be taken in October/November on receipt of the final report.</p>
Blackburn with Darwen	7/8 July 02	<p>The LA had developed effective arrangements for the management of enforcement. It had developed a comprehensive health and safety service plan and this targeted the key Government and HSC priorities. The LA had systems in place to ensure that enforcement action was targeted, transparent, proportionate and consistent.</p> <p>The LA was demonstrating good practice in a number of areas including arrangements for the competency of staff and performance management.</p>	3	<p><b>No further monitoring of the LA is required.</b> It is proposed to put a copy of the audit and associated documents onto the HELA website as a 'model' for what a complying LA might look like.</p>
Brighton & Hove	13/15 Aug '02	<p>The LA had developed effective arrangements for: enforcement policies and practices; performance management; competency of officers; and accident/complaint investigations. The authority did not have a fully effective risk-based programme of inspection activity although this was being addressed. It had carried out a number of promotional and educational initiatives.</p> <p><b>Progress</b> The interim progress report demonstrated that the LA had made a number of improvements. Activity was risk-based although relatively</p>	2	<p>The LA has been asked to develop an action plan to implement the audit recommendations. This will be reviewed after 6 (July 03) and 12 months (Jan 04).</p>

		low. It is expected that the LA will achieve full compliance at the end of the monitoring period.		
Bath & NE Somerset	21/22 Aug '02	<p>The LA had developed effective arrangements for: enforcement policies and practices; performance management; competency of officers; and accident/complaint investigations. The authority did not have a fully effective risk-based programme of inspection activity although it planned to address this in the near future. Inspection activity was relatively low and a high number of premises had not been risk-rated.</p> <p><b>Progress</b> The interim progress report demonstrated that the LA had made a number of improvements. Activity was risk-based although relatively low. It is expected that the LA will achieve full compliance at the end of the monitoring period.</p>	2	The LA has been asked to develop an action plan to implement the audit recommendations. This will be reviewed after 6 and 12 months.
Macclesfield	16/17 Jan '03	The LA was developing relatively effective arrangements for the management of health and safety enforcement. Small improvements were required in most areas, most notably the managed work programme and performance management. The LA was carrying out inspections to the highest risk premises, although visits to intermediate risk premises were not being carried out due largely to insufficient resources.	2	The LA has developed an audit action plan and this has been agreed. Activity to achieve this will be monitored after 6 and 12 months.
Lewisham	21 Jan 03	The LA was found to carrying out no planned health and safety activity. Some reactive work was taking place and the LA had taken a number of prosecutions in recent years. However, the complete absence of any programmed activity fully justified its no compliance assessment. The LA had 5 vacant posts for health and safety and was spending just 0.2FTE to cover reactive work	0	<b>The LA will be re-visited in December. It has been asked to develop an Action Plan and progress against this will be closely monitored over the next few months. Only one officer had been appointed by Oct 03.</b>
Mid-Sussex	5/6 Feb '03	The LA was developing effective arrangements for investigations and performance management. However, it was not operating an effective risk-based inspection programme although there were signs that this was being developed with the recruitment of an experienced health and safety enforcement officer. Improvements were also	1	The LA has developed an audit action plan. Activity to achieve this will be monitored after 6 and 12 months.

		required to competency of staff and enforcement policies/practices.		The LA will be monitored relatively closely. An interim progress report indicates that some actions have been completed. <b>A re-visit is planned in 2004/05</b>
West Oxfordshire	11/12 Feb '03	<p>The LA was found to have fully effective arrangements in place for the competency of staff and performance management. West Oxford had developed a number of areas of good practice in terms of benchmarking. However, improvements were required to the managed risk-based work programme and premises database, enforcement policy/practices and investigations.</p> <p>It is expected that the LA will achieve full compliance by the end of the monitoring period. The interim progress report is due in Oct/Nov</p>	2	The LA has developed an action plan to implement the audit recommendations. Progress to achieve this will be reviewed after 6 and 12 months.
Hart	6/7 Mar '03	The LA was assessed to have effective arrangements in place for enforcement policies and practices, competency of staff and investigations. Some small improvements were required in the areas of the managed work programme and performance management. The LA was not achieving all of its planned inspections although inspections to high-risk premises were being targeted.	2	The LA has developed an action plan to implement the audit recommendations. Progress to achieve this will be reviewed after 6 and 12 months.
Harborough	20/21 Mar '03	<p>The LA had been targeted for audit due to its failure to return its annual (LAE1) form for the last three years.</p> <p>The LA was found to be delivering a fully effective enforcement service and in one or two areas was demonstrating good practice. The LA has been invited to consider taking forward a LAP.</p>	3	No further monitoring is required.
Hambleton	21/22 May '03	<p>The LA had carried out very little inspection activity over the previous few years. It was now beginning to target its higher risk premises for inspection. However, planned levels of activity were still low.</p> <p>The LA had developed effective arrangements for investigations, competency of officers and performance management. Improvements were required to enforcement policies and practices and a risk-based managed work programme.</p>	1	The LA has agreed the audit report and an audit action plan has been developed and agreed. Progress reports at 6 and 12 months have been requested.
Bournemouth	11/12 June	The LA had carried out little inspection activity over the previous few	2	The LA has agreed the audit

	03	<p>years. It had also made late returns for a number of its recent LAE1s.</p> <p>He LA had made a number of improvements to its health and safety enforcement service. Effective arrangements were in place for all areas except the managed work programme. It was hoped that subject to the implementation of the planned inspection programme, the LA would achieve full compliance with Section 18.</p>		<p>report and an audit action plan has been developed and agreed. Progress reports at 6 and 12 months have been requested.</p>
East Riding of Yorkshire	17/18 June 03	<p>The LA had carried out little inspection activity over the previous few years and there was concern over whether this activity was risk based.</p> <p>The LA had developed effective arrangements for investigations, competency of officers and performance management. Improvements were required to enforcement policies and practices and a risk-based managed work programme.</p>	2	<p>The LA has agreed the audit report and has been asked to develop an audit action plan. Progress reports at 6 and 12 months have been requested.</p>
Rosendale	24/25 July 03	<p>The LA had carried out very little inspection activity over the previous few years. It was now beginning to target its higher risk premises for inspection and effective arrangements were in place for the competency of officers and performance management. Improvements were required to enforcement transparency and consistency.</p>	2	<p>The audit report has been sent to the LA and comments are awaited.</p> <p>Progress reports at 6 and 12 months will be requested.</p>
Harrogate	7/8 Oct 03			
Newcastle	20/21 Oct 2003			