

# Enforcement Programme

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# Lord Hunt of Kings Heath

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“I attach great importance to enforcement; undoubtedly, it remains an important tool in securing compliance.”



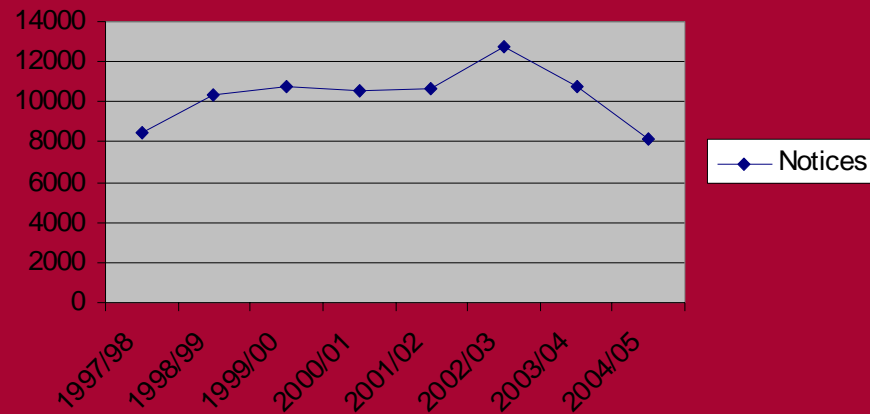
# Enforcement Programme Aims

- To make proposals to better enable HSE and LAs to use formal enforcement activities;
- Support delivery of targets to reduce occupational injury, ill-health and days lost;
- Undertake activities more effectively and efficiently, particularly in relation to investigation and prosecution;
- Identify, target and enforce against “rogues”; and
- Optimise and sustain, through communications, the ripple and deterrent effect of formal enforcement.

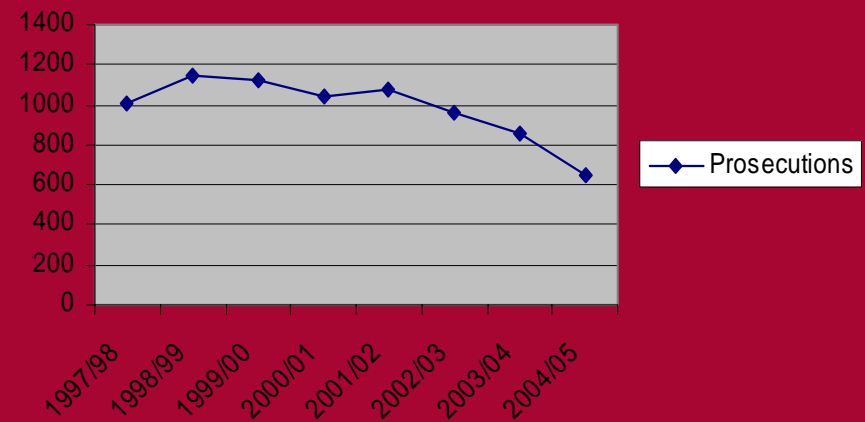
# Prosecutions and Notices for FOD – 1997/8 to 2004/5



Notices



Prosecutions



# Enforcement Programme Achievements



- **Work with Fit3 Programmes to embed enforcement activities into delivery plans;**
- **Development of a communications strategy to position HSE as “firm but fair” regulator;**
- **Development of “quick win” efficiency gains based on best practice;**
- **Examination of procedures and performance management arrangements and proposing behavioural and structural change;**
- **Development of a workstream to define, target and enforce against health and safety “rogues”;**
- **LA interests represented;**
- **Underpinned by research.**



## Messages from Programme Board

- Considerable progress had been made in the work of the Programme and the pace needed to be maintained;
- There was a shared HSE/LA perspective on the issues raised;
- The thrust of the Programme is consistent with the Hampton principles.

# Strategic Issues arising from Programme Board (12/01/06)



- Cross-government research;
- Mixed messages;
- Increasing the amount of enforcement (particularly prosecution) taken proactively (pre-harm);
- Structural change to support operational delivery.



## Cross-government research

- Enforcement Programme underpinned by research;
- Programme Board supported proposal for further work - ripple and deterrent effect of enforcement;
- Research of interest to all regulators;
- Joint approach felt to be beneficial.

Should HSE initiate cross-government research?

# Mixed Messages

- B2 interviews suggest mixed messages regarding context and importance of enforcement in delivering health and safety outcomes;
- Confirmed by comments from Fit3 programme directors;
- Direction from B2s important, but clear, unambiguous message needed from the Board.

How do we counter the effect of these mixed messages?

# Proactive (pre-harm) enforcement

- Work in progress to align proactive enforcement to achieving Fit3 objectives;
- Great potential to make efficiency gains;
- Savings should be used in proactive enforcement, this will help to:
  - Increase amount of proactive enforcement;
  - Maintain our position as a credible regulator.

Does the Board agree that with efficiency gains, HSE can increase the amount of proactive enforcement, to show that it is preventing harm?

# Structural Change

- Debate around efficiency – how to ensure enforcement is efficient and effective;
- Improved delivery of proactive enforcement;
- Consideration to be given to changing behaviours and structures;
- Structure follows strategy and function;
- Impact on LAs.

What degree of structural change is needed?

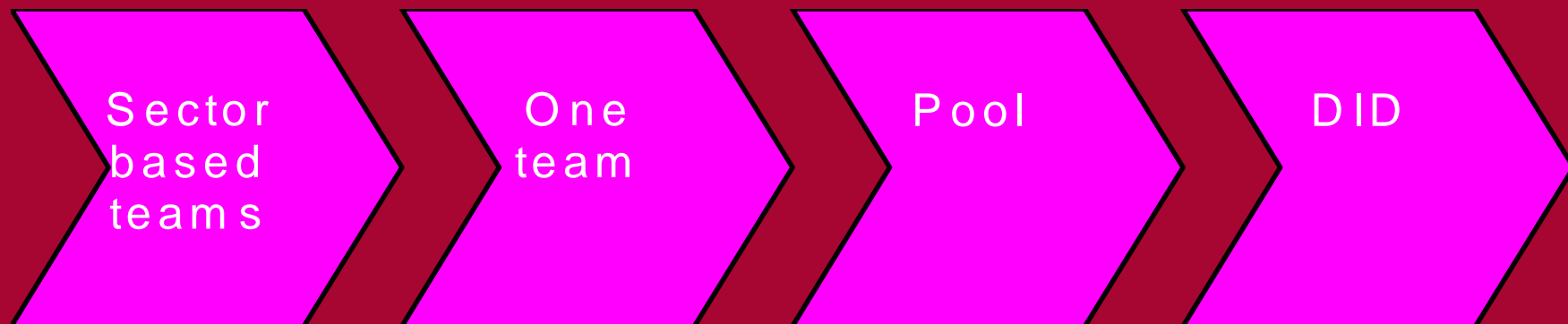
# Possible Investigation Structures

## Cultures & Behaviours

No formal Resource sharing  
Unpredictable workload  
Expertise Ad-hoc

Resource sharing  
More balanced workload  
Development of investigation and enforcement skills

Delivery of timely results  
Sound decision making  
Collaborative working  
Expertise in investigation & enforcement



DEGREE OF RADICAL CHANGE