

Minutes of first meeting between the Local Government Panel and Health and Safety Commission on 9th May 2006 at Rose Court, 2 Southwark Bridge, London SE1

Attendees

Local Government Panel

Cllr Geoffrey Theobald (Chair)
Cllr Caroline Seymour
Cllr Jeffrey James
Cllr Graham Brown
Cllr Peter Kent
Cllr Martin Greig

HSC

Bill Callaghan
Judith Donovan
John Spanswick
Hugh Robertson
Margaret Burns
Sayeed Khan
Danny Carrigan

LACORS

Mark du Val
Sarah Bull
Charles Loft
Darran West (Chesterfield BC)

HSE

Geoffrey Podger
Jonathan Rees
Giles Denham
Justin McCracken (except Item 1)
Phil Scott
Allan Davies
Susan Mawer

Welcome

The Chair was pleased that those present could attend this first meeting between the Local Government Panel (LGP) and Health and Safety Commission (HSC) and hoped it was the first of a long partnership between the two to improve the health and safety world.

Cllr Andy Sutton and HSC Commissioner Sandy Blair sent their apologies, as did the co-chair of HELA Malcolm Mathias who was represented instead by Darran West.

Item 1 - Agreement of the terms of reference and ways of working:
HSCLGP/2006/01 -introduced by Mark du Val.

1.1 Mark du Val explained that the aim of the terms of reference was to keep these meetings on a strategic level whilst allowing discussion of local, central and devolved issues and how to improve the partnership. It was not intended to create supplementary meetings but to build around existing meetings. Meetings would be reviewed annually to ensure the forum was continuing to deliver the aims.

1.2 In discussion, the key role of regional partnership managers was noted emphasising the role they had in raising the profile of health and safety especially amongst elected members.

1.3 It was noted that LACORS would write to the three Local Authority Associations (LAA's) to confirm nominations for the LGP including provision of substitutes.

1.4 The terms of reference and ways of working were agreed subject to the following amendment:

Bullet point two of the terms of reference should be amended to include the regional partnership managers.

Item 2 - Proposals for measuring and monitoring the performance of the partnership between HSE and LAs: HSCLGP/2006/02- introduced by Phil Scott.

2.1 Phil Scott felt it was difficult to over emphasise the importance of a performance management framework. Over the last two years there had been a big investment by HSE, local government and authorities into developing a closer partnership and in February this work was presented to the Commission. There had also been a magnificent response to this years Fit3 work plan from LAs but there was still a need to better define what success would look like and how to measure it. Areas to consider should include getting assurance:

- that the partnership basics were working,
- that activities taking place either jointly or separately were targeted to risks and priorities, and
- of the outcome and impact this work was having on the targets and revitalising PSA targets.

2.2 Initial work on this had been overtaken by work on performance management by the Local Better Regulation Office (LBRO)/ Hampton. HSE was working closely with LBRO where the current emphasis was on the performance management framework in the areas of environmental health and trading standards. HSE intended to provide a secondee to LBRO to continue the good relationship.

2.3 During discussion it was asked whether a traffic light format, as used for performance reports to the Commission on their strategic programmes, would be appropriate. However, it was felt that such a format would be too simplistic and work was underway to devise structures that could apply to both HSE and local authorities.

2.4 It was also questioned whether the necessary information would be available to back up the measures being considered, and - if not - how difficult it would be to collect it. In addition, how did this fit in with other data requests for information and how was honest reporting ensured? Officials responded that some of the information requirements would be easier than others. HSE had altered the request to LAs for performance and activity information to make it more consistent with the partnership and FIT3. 06/07 was the first

year that HSE had fully engaged LAs consistently so was a test year to see what worked. Qualitative data would be extremely valuable and may be the best route forward until the impact of the LBRO review on reducing burdens on business and local government was known.

2.5 It was explained that LAs would be happy to provide data if it was properly planned. Currently there was a serious culture change going on in LAs and planning for next year needs to build in the reporting line as well as agreeing a common reporting factor – contact time, FTE, days, no. of premises etc.

2.6 It was questioned whether HSE was looking at outcomes by areas or by organisation / overall outcomes; the example of the postal service was used - where some parts are HSE enforced and some parts LA enforced. HSE responded that it was focused on outcomes, which were only possible to measure at a regional level. It was therefore asking for data in a variety of ways to suit the need of LAs, such as reporting through the annual LAE1 report form, quarterly reports or joint reporting if working collaboratively on a project.

2.7 The interface with other regulators, and LBRO, was also highly relevant to this work. HSE was also represented on the Local Services Inspectorate (LSI), which was also looking at performance management, covering all local government delivery services.

2.8 It was agreed that the recommendations should be taken forward.

Item 3 - Legal and enforcement framework: HSCLGP/2006/03 introduced by Phil Scott.

3.1 This paper reported on a consultation process in November 2005 involving HSE and LAs practitioners and some senior managers. Workshops were held looking at 3 elements: Section 18 Health and Safety at Work etc Act 1974 (HSWA) guidance, Enforcing Authority (EA) regulations and performance management. There was strong support for the partnership and a strong message that there needed to be clarity about the expectation of the HSC of LAs and greater direction. The EA regulations were thought to provide certainty about vires in most areas and the partnership approach to any tricky areas eg joint warranting of inspectors was welcomed.

3.2 In terms of Section 18 HSWA guidance HSE preferred a model setting high-level objectives rather than numerical targets. There was a need to recognise the partnership was dynamic and to work together to take opportunities to develop it, but also to measure success. HSC/LGP felt that there should be targets set to enable them to be able to measure the success of the partnership.

3.3 There was discussion as to whether new Section 18 HSWA guidance was needed and whether it should be prescriptive. Whilst practitioners might feel that prescription would help with securing resources, it would be less popular with senior managers because it could hinder the delivery of local needs.

3.4 It was important to understand what drives LAs and pushes health and safety up the agenda to help practitioners to use different information to secure resources. The main issues driving LAs are to reduce budgets and pressure from areas such as highways and social security; regulatory activities take a back seat. One route to changing priorities might be to engage LAs HR departments with the importance of managing sickness absence and this might translate to the regulatory service.

3.5 Agreed with the proposals for the way forward.

Item 4 - Communications with the HSE/LA partnership including engaging with LA elected members: HSCLGP/2006/04 - introduced by Mark du Val.

4.1 Mark du Val had attended many events around the country with elected members and LA officers and seen a positive enthusiasm and embracing of the agenda ahead. The targets on reducing accidents/ ill health and days lost made sense to LAs and related to the local government agenda so that LAs were able to refocus efforts and resources. Health and safety could have an important impact on the delivery of local objectives and the paper looked at how that could be maintained and built on.

4.2 There was discussion on how information on best/worst practice was disseminated, and how the health and safety brand was used at a local level. It was important to identify the key arguments that would be persuasive.

4.3 The following points were suggested for communication activities:

- a central alert mechanism between LAs and HSE to encourage exchange of information, and learning from incidents.
- sharing and promulgation of best practice.
- understanding of what LAs need from HSC and HSE in terms of support and recognising LA input/interest.
- engaging with elected members on wider community issues and explaining what health and safety can achieve in that context.
- stopping incorrect health and safety news stories eg that HSC/LAs are risk averse.

4.4 Health and safety objectives now appear in LBRO's four key strategic priorities and it was felt that this would help raise the profile of health and safety. It was agreed that this was a vitally important area and the paper had made a good start.

Item 5 AOB

5.1 There was no other business.

Item 6 - Date of next meeting

6.1 It was agreed to hold the next meeting on the afternoon of 7/11/06 to follow the morning HSC meeting.

Item 7 Below the line paper on LBRO: HSCLGP/2006/05 - introduced by Phil Scott.

7.1 This paper was a factual account of discussion of the LBRO with regulators, also setting out the scope of the LBRO and current issues.

7.2 Several areas in the papers raised concerns in terms of the language used namely paras 9, 13 and 14. It was explained that this was reported speech from discussions the LBRO had had when looking at LA regulation.

7.3 It was recognised that recently there were a huge number of initiatives coming out of central government and that LBRO might be able to provide some unification but we would need to see how it would work.

7.4 Over the years there had been moves to centralise many LA services and the big prize was that making the partnership work would continue to allow local discretion. HSC/LGP would need to track LBRO and discuss these high-level policy issues.

7.5 The group requested an above the line paper on progress for the next agenda.