



Charnwood Borough Council

Regulatory Services

Commercial Group

# Health and Safety Enforcement Interventions Plan 2011/12

I have great pleasure in endorsing this Health and Safety Enforcement Interventions Plan for 2011/2012.

The Council is committed to its overarching vision that **Charnwood must be prosperous, progressive and innovative and a place of choice to live, work and enjoy leisure time** and this plan details how we intend to contribute by setting out our priorities to protect the health, safety and welfare of people at work and safeguard others who may be exposed to risks arising from the work activity.

The plan identifies both reactive and proactive work and includes details of planned promotional and educational activities. It reflects the Health and Safety Executive Board's new strategy "The Health and Safety of Great Britain\\ Be part of the solution" by carrying out effective health and safety regulatory interventions justified by risk.

It is hoped that this shift of focus, towards targeted campaigns and project work and partnership working with the Health and Safety Executive and others, will assist in delivering the national aims of reducing work related fatal and major injuries and ill-health, and the incidence rate of working days lost due to these factors.

Jane Hunt  
Lead Member – Housing and Regulatory Services

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The Commercial Group enforce health and safety legislation within the borough at premises that are allocated to the local authority by the Health and Safety (Enforcing Authority) Regulations 1998. The other enforcing authority for health and safety is the Health and Safety Executive (HSE).

This Health and Safety Enforcement Intervention Plan 2011/12 reviews the performance of the Commercial Group with regards to health and safety for 2010/11, and sets out the priority tasks for 2011/12.

It is intended to inform businesses and members of the public throughout Charnwood of the Council's approach to health and safety in providing a fair, consistent, open and effective enforcement service.

In March 2010 a "Health and Safety Enforcing Authority Business Letter and Questionnaire" was sent out to all businesses that were on our computer database for health and safety enforcement. One of the objectives of this was to raise awareness of the annual health and safety intervention plan which is available on the internet; to find out how many businesses have looked at it and who would like to be consulted on the health and safety intervention plan.

150 businesses were consulted on the draft Health and Safety Intervention Plan 2010/11 in May 2010. Only two responses were received which did not require any alterations to the plan. We will also be consulting on the Health and Safety Intervention Plan 2011/12 in April 2011.

The intervention plan meets the requirements of the mandatory guidance issued under Section 18 of the Health and Safety at Work etc Act 1974 that requires each local authority to make adequate arrangements for the enforcement of health and safety legislation.

## **I. SERVICE AIMS AND OBJECTIVES**

### **I.1 Aims and Objectives**

The overarching vision contained in our Corporate Plan 2009 - 2012 is **Charnwood must be prosperous, progressive and innovative and a place of choice to live, work and enjoy leisure time.**

The key priorities through which we will make this vision a reality for residents focus on four areas:

- The People of Charnwood
- Our Prosperity
- Our Place
- Our Environment

### **I.2 Links to Corporate Objectives and Plans**

The aim of the Commercial Group is to protect the health, safety and welfare of people at work, and to safeguard others, principally members of the public, who may be exposed to risks from the way that work is carried out and therefore particularly contributing to the corporate priorities 'The People of Charnwood' and 'Our Place'.

The priorities for the service and the resources provided for the delivery of these are determined by the Environmental Health Service Plan 2011-2012 which contains tasks and performance measures for the Environmental Health Service as a whole.

The following are the key performance indicators which are linked to the health and safety service

CSH10c	Percentage of topic based proactive high risk health and safety inspections (A-BI) completed that were due in 2010/11.
CS28	Percentage of service requests for Food Safety and Health and Safety responded to within 3 working days.
EH06	Percentage compliance with the Service Targets for the investigation by the Health and Safety Service for reported incidents under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations).
EH07	Percentage of proactive inspections completed for all licensed animal boarding or breeding establishments.

Further more specific tasks and customer service standards from the Environmental Health Service Plan 2011-2012 are identified in this intervention plan. One of those tasks includes the endorsement of the intervention plan by the lead member by the end of June 2011.

### **1.3 The Health and Safety of Great Britain\ Be part of the solution**

The overall mission of the HSE Board's strategy "Health and Safety of Great Britain\ Be part of the solution" is the "Prevention of death, injury and ill health to those at work and those affected by work activities".

The goals are to;

- \ Encourage strong leadership in championing the importance of, and a common-sense approach to, health and safety in the workplace.
- \ Motivate focus on the core aims of health and safety and, by doing so, to help risk makers and managers distinguish between real health and safety issues and trivial or ill-informed criticism.
- \ Encourage an increase in competence, which will enable greater ownership and profiling of risk, thereby promoting sensible and proportionate risk management.
- \ Reinforce the promotion of worker involvement and consultation in health and safety matters through out unionised and non-unionised workplaces of all sizes.
- \ Specifically target key health issues and to identify and work with those bodies best placed to bring about a reduction in the incidence rate and number of cases of work-related ill health.
- \ Set priorities and, within those priorities, to identify which activities, their length and scale, delivers a significant reduction in the rate and number of deaths and accidents.

- \\ Adapt and customise approaches to help the increasing numbers of SMEs in different sectors comply with their health and safety obligations.
- \\ Reduce the likelihood of low frequency, high impact catastrophic incidents while ensuring that Great Britain maintains its capabilities in those industries strategically important to the country's economy and social infrastructure.
- \\ Take account of wider issues that impact on health and safety as part of the continuing drive to improve Great Britain's health and safety performance.

From 1<sup>st</sup> April 2010 we have been implementing the requirements of the HELA LAC 67/2 (rev1) – “Advice / Guidance to Local Authorities on Priority Planning” to comply with Section 18 guidance on “Make it Happen”.

This guidance required a further shift of focus in terms of interventions planning by LAs and their officers. It reflects the HSE Board's new strategy “The Health and Safety of Great Britain\\ Be part of the Solution” and sets out a new approach to develop an effective health and safety regulatory interventions justified by risk. This is also mirrored through the reactive intervention approach via the “Incident Selection Criteria” (LAC 22/13). This enables LAs to focus and optimise impact in areas of greatest risk.

In previous years delivery portfolios have been produced by the Health and Safety Executive (HSE) which we have taken into consideration with local needs to select the health and safety interventions that we contribute to. Due to changes within HSE a delivery portfolio has not been produced for 2011/12 at the time of producing this plan.

The interventions that have been committed to in this plan have been influenced by the Council's Corporate Plan and the ‘Delivery Portfolio 2010/11’ to ensure that we are targeting areas that will have the most impact on the health, safety and well-being of our residents and visitors to the borough.

## **2. BACKGROUND**

### **2.1 Profile of Charnwood Borough Council**

Charnwood Borough covers an area of 27,930 hectares and has population of around 163,000 people. Just over one third of the population lives in the university town of Loughborough and of the remaining two thirds, many live in larger villages / small towns of the Soar and Wreake valleys and on the edge of Leicester. Around 10% of the population are from black and minority ethnic communities with the largest group being Asian or Asian British.

### **2.2 Organisational Structure**

The Lead member for Housing and Regulatory Services is Councillor Jane Hunt following local council elections in May 2011

**Chief Executive** – Geoff Parker

**Strategic Director** - Eileen Mallon

Responsibility for Housing, Planning, Regeneration and Regulatory Services.

**Head of Regulatory Services - Alan Twells**

Responsibility for Environmental Health (covering Environmental Protection, Food Safety, Health and Safety, Animal Welfare, Dog and Pest Control Service), Street Management and Licensing.

**Commercial Group Manager - Keith Taylor**

This position oversees the Commercial Group, which includes food safety, pest control, dog fouling as well as the health and safety function. Although the position spends a significant amount of time on health and safety, it is not operational time and will not be included in the intervention plan assessment.

**Lead Environmental Health Officer (Occupational Health) 1 FTE 1517 hours**

This post leads the team on health and safety issues, and carries out inspections etc. in primarily the non-food premises and establishes internal procedures and monitors the performance of the group.

This position is job shared.

Stuart Adkins	2 days a week	Monday and Tuesdays
Kerry Bowley	3 days a week	Wednesday, Thursday and Fridays

From 6<sup>th</sup> April 2011 to 4<sup>th</sup> April 2012, Kerry Bowley will be on maternity leave and Stuart Adkins will be covering this post on Wednesdays, Thursdays and Fridays.

**Environmental Health Technician – Alison Whitmore 0.5 FTE 758.5 hours**

This post assists the Lead Environmental Health Officers (Occupational Health) in carrying out the health and safety interventions detailed in this plan, carries out the water sampling of private water supplies and swimming pools, and oversees the animal welfare licensing and skin piercing registrations.

**Lead Environmental Health Officer (Food Hygiene) – Victoria Spanovic/Nadine Buckland (Job Share)**

*0.1 FTE 152 hours*

This post takes the lead on food hygiene issues within the team, but also has health and safety responsibilities within food premises that they visit.

**Specialist Environmental Health Officers – 0.26 FTE 394.4 hours**

They inspect food businesses for food hygiene purposes but also have responsibilities for health and safety at any food premises that are allocated to them. Approximately 10% of their time is spent on health and safety issues.

There are presently two full time Specialist Environmental Health Officers

Denise Ingram-Hall  
Laura Cowlshaw

There is also another full time Specialist Environmental Officer post which filled by Stuart Adkins 22 hours per week, as he job shares the Lead Environmental Health Officer (Occupational Health) role. However in 2011/12 he will be covering maternity leave for the Lead Environmental Health Officer (Occupational Health) post. Therefore the FTE for

2011/12 will be reduced by 0.6 FTE and reduce the time of Specialist Environmental Health Officers to 303.38 hours.

The remaining 2 days which are vacant of the Specialist Environmental Health Officer post are used to employ the use of consultants to assist with food hygiene visits, which this year will include on each visit the health and safety intervention "Gas Safety in Catering". They are expected to complete 200 food hygiene inspections in 2011/12; therefore this would contribute 50 hours to time spent on health and safety interventions.

**Total operational health and safety time 2010/11** ***1.86 FTE = 2780.88 hours***

The work of the Commercial Group is supported by 2.65 full time equivalent Administration Staff who spend approximately 15% of their time on the matters detailed in the intervention plan.

In producing the Health and Safety Intervention Plan 2011/12 the Commercial Group took into consideration the health and safety operational time available and has committed to provide the service detailed in this intervention plan.

### **2.3 Scope of the Health and Safety Service**

Health and safety enforcement sits within the Commercial Group of Regulatory Services. The Commercial Group also includes Food Safety Enforcement, Pest Control and the contracted out Dog Warden Service.

Principal areas of work undertaken by the Commercial Group with regards to health and safety are;

- Targeted programmed health and safety inspections.
- Planned special interventions, surveys or enforcement initiatives
- Investigations of notifiable workplace accidents, ill-health and dangerous occurrences.
- Investigation of complaints – concerning unacceptable management and poor welfare conditions etc.
- The provision of health and safety advice to employers, employees and members of the public.
- Provision of a newsletter annually to all businesses.
- CIEH Level 2 Award in Health and Safety in the Workplace
- Investigation of reports into defective lifting equipment.
- Assessment of licensed asbestos removal works.
- Enforcement of the Health Act 2006 and smoke free legislation.
- Cooling Tower and Evaporative Condensers Register
- Enforce the Sunday Trading Act 1994
- Skin piercing registrations
- The licensing of Zoos, Dangerous Wild Animals, Riding Establishments, Pet Shops, Animal Boarding, and Dog Breeding Establishments and the implementation of the Animal Welfare Act 2006.
- Consulted on Premises Licences Applications or variations
- Private Water Supply and Swimming Pool Water Sampling
- Drinking Water Quality

The Commercial Group can be contacted at the following address;

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E-mail: [occupational.health@charnwood.gov.uk](mailto:occupational.health@charnwood.gov.uk)

## **2.4 Demands**

The Commercial Group consists of one full time post devoted to health and safety enforcement only – the Lead Environmental Health Officer (Occupational Health), and the Environmental Health Technician who deals with issues in this interventions plan for approximately 50% of their time. Four inspectors also have a food safety role which takes priority due to the standards and targets placed upon them by the Food Standards Agency (FSA). However, procedures are in place to ensure that health and safety is still addressed.

The Commercial Group are responsible for implementing animal welfare licensing legislation i.e. riding establishments, animal boarding, breeding, pet shops and dangerous wild animals The Animal Welfare Act 2006 which came into effect on 6<sup>th</sup> April 2007 brings together and updates legislation that exists to promote the welfare of vertebrate animals, other than those in the wild and also provides new statutory powers. At some point in the future the existing licensing provisions will be reviewed and be brought within the statutory regime of the new Act and may include new provisions for pet fairs, animal sanctuaries and livery yards. The requirements will be phased in accordance with national guidelines and will continue in 2011/12.

## **2.5 Enforcement Policy**

The appropriate use of enforcement powers, including prosecution, is important both to secure compliance with the law and to ensure that those who have duties under it may be account for failures to safeguard health, safety and welfare.

The Commercial Group have a Health and Safety Enforcement Policy that was devised by the Leicestershire and Rutland Health and Safety Best Practice Group in consultation with stakeholders. The Enforcement Policy has been adopted by Council Members. The document states the Council's general policy with respect to health and safety law enforcement and is based on the principals of proportionality, consistency, targeting and transparency. The Health and Safety Enforcement Policy has been reviewed and is being consulted on in April 2011.

The enforcement policy is available on the Charnwood Borough Council website at <http://www.charnwoodbusiness.com/enforcementpolicy.html> or a copy can be obtained by contacting the Commercial Group directly.

There is a separate Smoke Free Enforcement Policy due to the different enforcement options available, i.e. fixed penalty notices, and this is available on the Charnwood Borough Council website at <http://www.charnwoodbusiness.com/smokefree.html>.

### 3. SERVICE DELIVERY

The Commercial Group will carry out the following activities and interventions with regards to health and safety in 2011/12;

#### 3.1 Health and Safety Interventions

Authorised officers of the Commercial Group will carry out proactive health and safety inspections in accordance with HELA Local Authority Circular 67/2 (rev1) – ‘Advice / guidance to Local Authorities on Priority Planning’. This new guidance was implemented from 1<sup>st</sup> April 2010 and involved a new approach to health and safety interventions and a new risk rating scheme.

On the 1<sup>st</sup> April 2011, a total number of 2370 businesses were on the Civica computer database for health and safety enforcement purposes.

<b>Number of businesses on 1<sup>st</sup> April 2011 according to HS Category</b>	
<b>HS Category</b>	<b>Number of Businesses</b>
Retail Shops	752
Wholesale shops, warehouses and fuel storage depots	156
Offices	411
Catering, restaurants & bars	537
Hotels, camp sites and other short stay accommodation	33
Residential care homes	62
Leisure and cultural services	66
Consumer Services	303
Other premises	50

All businesses determined to be Charnwood Borough Council’s for health and safety enforcement have been previously rated in accordance with HELA LAC 67/1 (rev3) ‘Advice to local authorities on intervention programmes and an inspection rating system’. We have followed the guidance in LAC 67/2 to convert these to the new rating system which is as follows;

Previous LAC 67/1 Categorisation	New Category in accordance with LAC 67/2	Description
A	A	Highest Risk
B1	B1	Medium Risk - 1
B2 & B3	B2	Medium Risk - 2
B4 & C	C	Lowest Risk

<b>Number of businesses on 1<sup>st</sup> April 2011 according to risk rating</b>				
Risk Rating	A	B1	B2	C
	Highest Risk	Medium Risk	Medium Risk	Lowest Risk
No of Businesses	0	25	201	2127
Intervention	Inspections not less than once per year.	Premises for inspection (e.g. programme directed; new employers/premises; local priority	Premises for intervention (e.g. programme directed; new employers/premises; local priority	Use non-inspection intervention methods/techniques.

		programmes)  Those premises without an intervention contact within 18 months to be reviewed.	programmes)	
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All “A” rated premises will be visited at least once every 12 months; this may be part of a programmed directed approach or in accordance with any reactive work. If an “A” rated premises condition have either deteriorated or not improved since the last visit, enforcement action will be considered to achieve improvements in conditions and systems, thereby enabling the premises to be re-rated to a lower category.

Appropriate interventions will be undertaken at all “B1” as part of a national priority programmes, local priority programmes or individually. This may be an inspection or other suitable intervention e.g. invites to seminars, followed by a visit if the business fails to attend.

For “B2” and “C” premises not included within any other proactive or programmes directed work, non-inspection interventions are considered acceptable. These include;

- Monitoring of accident reports
- Provision of seminars or awareness days
- Self-assessment questionnaires
- Provision of information or mail-shots specific to particular risks associated with the main work activity.

Ignoring low-risk premises is not an option.

### 3.2 High Risk Category “A” and Medium Risk “B1”

For 2011/12 the following interventions are scheduled;

<b><i>Proactive Inspections scheduled for 2011/12</i></b>		
Risk rating	A	B1
Number of interventions scheduled	0	16

Due to the low numbers of “A” and “B1” businesses that we do have, then they will all receive a proactive inspection, which will include any national and local programmes as appropriate to their work activities.

Inspectors will also incorporate any of the following in their inspection;

- Leadership and worker involvement
- Competence
- Migrant / vulnerable workers
- Any hazards proven significant risk to that industry
- Any significant risks identified during the inspection
- Any issues raised by employers, and employees / representatives
- Any complaints or reportable accidents related to the premises or duty holder.
- Assessment of compliance with smokefree legislation.

These visits should be for health and safety purposes only, unless the Inspector can ensure that sufficient time can be devoted to this topic on a joint inspection, such as food hygiene.

16 x 5 hours (Preparation, visit and letter) = 80 hours.

PERFORMANCE AIMS – To carry out 100% of scheduled A to B1 proactive inspections.

PERFORMANCE INDICATORS - % of inspections achieved for A to B1 Category

In 2010/11 18 revisits were carried out to assess their progress with issues previously raised, therefore (18 hours) hours have been allocated per year to carry out revisits.

### **3.3 Category “B2” and “C” Businesses**

When carrying out competency exercises on the new risk rating scheme there was concern when comparing the two risk rating schemes that officers were rating businesses slightly lower on the old risk rating scheme. As a result, last year and for this year, we have decided to review those businesses that are rated B2 Medium Risk that are due this year to ensure that our risk ratings are consistent.

In 2011/12 79 businesses are due and are now risk rated as a B2.

PERFORMANCE AIM – To visit 50% of businesses rated B2 that were due an inspection in 2010/11 under the old risk rating.

PERFORMANCE INDICATOR - % of visits to B2 businesses due, minimum of 40 visits to be carried out.

This will require a minimum of 200 officer hours.

There will be a significant number of category “B2” and “C” businesses involved in the health and safety campaigns which are detailed later in this plan. We do try and vary the campaigns that we carry out to try and ensure that a wide variety of businesses are included over a period of 3 – 5 years with contact from a health and safety officer.

However, from 1<sup>st</sup> April 2010 non inspection interventions are considered acceptable in accordance with LAC 67/2 for these categories.

#### **3.3.1 Health and Safety Handbook**

We continue to distribute the Charnwood Borough Council Health and Safety Handbook. The handbook details the health and safety legislation that may be applicable to businesses and where they can obtain further information. This, along with a questionnaire, has been sent to all previous category C businesses as an alternative to an inspection.

The handbook is also available on the Charnwood Borough Council website with links to the leaflets and Health and Safety Executive’s website. The questionnaire is now available to be completed online for businesses. In this form the contents can be updated periodically and when there are changes in legislation. The Health and Safety Handbook was republished in November 2007 and we will continue to distribute this useful tool in keeping businesses up to date on health and safety legislation that no longer receive a routine inspection.

It is expected that the handbook will need to be reviewed and reprinted in 2012.

This will require a minimum of 30 hours of officer time.

### **3.3.2 Specific Mail shots**

The Health and Safety Executive (HSE) have recently launched “Health and safety made simple” which is a website that will make it easier for businesses to comply with the law and manage health and safety. We will consider how we can promote this website to small businesses in 2011/12.

As part of this the (HSE) have developed a number of example completed risk assessments that are available on the HSE website at <http://www.hse.gov.uk/risk/casestudies/index.htm>. Resources permitting then it would be desirable to target a particular kind of work activity such as butchers or village halls etc. and send out the example of completed risk assessments for their work activity and a copy of the Health and Safety Handbook for their information.

Also throughout the year specific guidance for a work activity may be produced or revised which we may decide to forward on to relevant businesses.

In March 2010, a Health and Safety Questionnaire was sent out to all businesses and as part of that we requested e-mail addresses for those businesses that could be contacted by e-mail to enable us to distribute such information more effectively. Unfortunately we did not receive a high response rate and the number of businesses that provided an e-mail address for them to be contacted on is less than 4%, therefore the majority would still have to be sent by mail.

**PERFORMANCE AIM** – To use mail shot for “B2” and “C2” category businesses where appropriate, i.e. provision of example risk assessments or to let them know of reviewed or new guidance for their work activity.

**PERFORMANCE INDICATOR** – To send out at least one mail shot of appropriate information to a specific work activity in 2011/12.

This will require a minimum of 5 hours of officer time.

We will also consider, where appropriate, the use of seminars to distribute this type of information.

### **3.3.3 Newsletter**

A health and safety newsletter is produced annually and distributed to all businesses for which Charnwood Borough Council is the enforcing authority.

The purpose of the newsletter is to maintain contact with all businesses and inform them of any changes in legislation, new guidance and the priority areas for health and safety. The newsletter also assists in keeping the database up to date.

In 2011 the first Leicestershire Health and Safety Newsletter was produced by the Leicestershire and Rutland Health and Safety Best Practice Group and distributed to all businesses within Charnwood, and throughout the County.

The production and distribution of the newsletter requires 30 officer hours.

Due to the limited number of businesses that have provided an e-mail address to be contacted on, and the cost involved in producing and distributing the newsletter, we are not certain if one will be produced and distributed in 2011/12. We will however explore opportunities to distribute appropriate information to businesses wherever possible, and ideally this will be through a newsletter if possible.

### **3.4 Accurate Database**

The Civica database will be kept as up to date and accurate as possible with regards the businesses for which Charnwood are the enforcing authority and in accordance with guidance.

The following methods will be used;

- Registrations forms (food and skin piercing)
- Planning Applications
- Officer Observations
- Licences (Premises and Animal Welfare)
- Notifications (Accidents, Asbestos Removal and defective lift reports)
- Media Publicity, Yellow Pages, Internet
- Health and Safety Executive.
- Distribution of Newsletter
- Closed Business Checks – Carried out annually
- Advice enquiries
- Complaints

All businesses will be rated in accordance with LAC 67/2 (rev1) and internal procedures. The health and safety handbook and a number of new business inspections will be carried out to assist in risk rating.

It is estimated that 2 hours a week will be spent updating the civica database = 104 hours.

**PERFORMANCE AIM** – To maintain an accurate and up to date premises database, as far as is reasonably practicable.

**PERFORMANCE INDICATOR** – This is very difficult to determine, therefore a performance measure is difficult to establish, however the following can be used as indicators; distribution of the newsletter and closed business checks.

We also have to allocate sufficient time for the assessment of new businesses which is carried out in accordance with LAC 67/2 and internal procedures.

In 20010/11 92 new businesses were inspected for health and safety purposes, therefore a minimum of (276 hours) hours per year are allocated to visit new businesses to assess their health and safety compliance.

### **3.5 Health and Safety Campaigns**

LAC 67/2 (rev) – “Advice/Guidance to Local Authorities on Priority Planning” required a shift of focus in terms of interventions planning by LAs and reflects HSE Board’s new strategy “The Health and Safety of Great Britain\\Be part of the solution”

A 'Delivery Portfolio 2010/11' was produced by the Health and Safety Executive (HSE), which included projects for working in partnership with the HSE, and which LAs are to use to select appropriate campaigns for their area.

The Commercial Group have committed to the following projects from the portfolio as well as carrying out proactive inspections of A – B1 premises and investigating incidents and complaints in line with the Incident Selection Criteria (LAC 22/13).

### **3.5.1 LPG Inspection Campaign**

This project has been designated with high priority from the 'Delivery Portfolio 2010/11' and work will continue into 2011/12.

On 16<sup>th</sup> July 2009, Lord Gill published his Inquiry Report into the explosion at the ICL Plastics Factory in Glasgow in 2004, in which nine people died and 33 were injured.

Local authorities as part of this campaign have been asked to visit all 'higher risk' sites identified through the industry survey to ensure that action is being taken to replace buried metallic pipe work in the required timescale or, alternatively, that a robust inspection, examination and maintenance strategy is in place to ensure pipe work integrity.

We will also follow up any non-return of questionnaires or incomplete questionnaires when requested to do so.

In 2010/11 we received notification of ten 'high risk' sites within Charnwood that have all been visited. We have one officer trained to carry out these visits and have allocated a minimum of 50 hours to contribute to this project. As it is reactive it is very difficult to allocate resources.

We have also committed to a Flexible Warranting Scheme and Memorandum of Understanding with the HSE and other Leicestershire and Rutland Local Authorities to carry out this project.

**PERFORMANCE AIM** – To visit or contact all 'high risk' sites and all sites that have failed to return the questionnaire or it is incomplete.

**PERFORMANCE INDICATOR** – The number of visits / contacts made.

### **3.5.2 Gas Safety in Catering (Extension 2011/12)**

This campaign is a continuation of the successful "Gas Safety in Catering" campaign that was carried out in 2010/11 across Leicestershire and in close partnership with the Gas Safe Register.

The campaign has highlighted the need for intervention in this area as 46% of visits have been unable to show that they had an appropriate maintenance regime in place for gas safety, and 22 engineers were used who were Gas Safe Registered but did not have the correct competencies, and 1 engineer who was not registered with Gas Safe Register.

The main aim of the campaign is to ensure that catering businesses have an appropriate maintenance scheme in place for all their gas catering appliances and that this is carried out

by a competent Gas Safe registered engineer. Inspectors will also be looking at their other arrangements in place to ensure gas safety.

The Leicestershire and Rutland Health and Safety Best Practice Group decided it would be appropriate to extend this campaign by 6 months to cover the Category C businesses for food (that are inspected every 18 months) that are due in the first 6 months of 2011/12 and any new businesses due in this period.

From 1<sup>st</sup> April to the end of September 2011 there are 227 routine food hygiene inspections due that are Category C risk rated for food, this is expected to take no longer than 15 minutes on the visit itself, however it may involve additional work in requesting details of checks carried out and ensuring that they are a Gas Safe registered engineer. There are also expected to be approximately 65 new business visits in this time frame which will include a gas safety assessment. A minimum of 232.5 hours of officer time has been dedicated to this campaign.

**PERFORMANCE AIM** – Ensure that catering businesses that have gas appliances have appropriate arrangements in place to ensure gas safety; and that they are employing the services of competent Gas Safe registered engineers. We aim to carry out a gas safety assessment of 95% of businesses targeted where relevant, i.e. they have gas.

**PERFORMANCE INDICATOR** – As part of the campaign we will be able to report on the following;

Number of visits carried out and the type of gas that they use (mains/bulk banks/LPG cylinders)

Whether the catering business had a suitable gas maintenance scheme in place?

Are catering businesses using competent Gas Safe registered engineers?

The number of extract ventilation canopies that are interlocked to the gas supply.

The number of emergency control valves that were considered to be easily accessible.

Number of 1<sup>st</sup> Reminder Letters

Number of 2<sup>nd</sup> Reminder Letters

Number of Improvement Notices

Number of Prosecutions

It is planned to revisit this campaign in two years time for a shorter period (ideally two months) to assess whether improvements have been made as a result of this campaign.

### **3.5.3 Violence in the Late Night Retail Sector Campaign**

From the Delivery Portfolio 2010/1, a Midlands Partnership 2010-11 Project Plan was produced for Work Related Violence. This was identified as a desirable campaign for 2010/11 and in March 2011, 132 information packs with questionnaire were sent out to

businesses in the late night retail sector within Charnwood to raise awareness of work-related violence.

This campaign has been extended in 2011/12 as 47 of the businesses that were sent an information pack and questionnaire are due a routine food safety inspection in 2011/12. These visits will include a discussion and assessment of their arrangements in place to reduce the risk of work-related violence and to ensure that appropriate arrangements are in place to deal with should it occur.

We are presently working with Leicestershire Police to investigate any opportunities to develop partnership working as part of this campaign and the campaign will may be expanded further in 2011/12.

**PERFORMANCE AIM** – To raise awareness of work-related violence in its late night retail sector.

**PERFORMANCE INDICATORS** – 47 routine food safety inspections are to be carried out which will include discussions regarding work-related violence.

### **3.5.4 Residential Care Homes**

From the Delivery Portfolio 2010/1, a Midlands Partnership 2010-11 Project Plan was produced for Care Homes. Many falls in care homes are preventable and this project aims to raise awareness among duty holders of the simple steps that can be taken to reduce the number of injuries from falls. Other key causes of major and fatal injuries to residential care homes will also be addressed including people handling and bathing.

The guidance in HSG 220 'Health and Safety in Care Homes' is currently under review, and once this is available the performance indicators for this campaign will be determined.

Although we do not receive a high number of RIDDOR incidents linked to residential care homes, the majority of residential care homes are rated B2 or C for health and safety purposes and do not receive regular health and safety visits. On routine food safety inspections it is not appropriate to combine this visit with an assessment of the arrangements regarding residential care, therefore a separate campaign is considered to be required.

As this campaign was a successful Midlands Partnership 2010-11 Project, it has been decided that it would be appropriate for Charnwood to address in 2011/12.

**PERFORMANCE AIM** – To raise awareness of duty holders of key health and safety risks and precautions affecting residents of care homes and to promote best practice.

**PERFORMANCE INDICATOR** – To be determined, likely to be the provision of information and a number of campaign visits to a number of residential care homes in the borough.

### **3.5.5 Beauty Sector Campaign**

In early 2011 a questionnaire was sent out to all beauty salons or businesses that may be offering beauty services to assess the range of treatments that are being offered by businesses in Charnwood, to determine an appropriate campaign for the beauty sector in 2011/12.

This campaign is considered appropriate due to the majority of beauty salons in the area being rated B2 or C for health and safety purposes, therefore receive limited health and safety intervention and also due to emerging treatments and the deregulation of lasers it is an appropriate time to review the activities being carried out.

Section 120 of the Local Government Act 2003 amends s15 of the Local Government (Miscellaneous Provisions) Act 1982 which extends the skin piercing registration requirements to include body piercing, micro-pigmentation, semi-permanent make up and temporary tattooing activities. Byelaws and procedures have to be developed and adopted by Charnwood Borough Council to enable the registration requirements to be extended, therefore as part of this campaign there will be an assessment of whether there is a need for the introduction of such byelaws within the borough for these activities and a review of our existing registrations.

**PERFORMANCE AIM** – To provide appropriate information and assessment of health and safety compliance in the beauty industry - a specific campaign is to be determined once all questionnaires have been received.

To review the need to adopt the byelaws that requires the registration of body piercing, micro-pigmentation, semi-permanent make-up and temporary tattooing activities.

**PERFORMANCE INDICATOR** – To be determined.

The decision whether to adopt the byelaws under Section 120 of the Local Government Act 2003.

A minimum of 150 officer hours has been allocated to this campaign in 2011/12.

### **3.5.6 Noise in the Entertainment Industry**

Work has been carried out with 7 entertainment venues in the previous 3 years to assist in compliance with the Control of Noise at Work Regulations 2005 in this type of industry and to ensure compliance with the 'Sound Advice' guidance from HSE. Work will continue with 3 businesses in 2011/12 to ensure compliance with these Regulations and guidance.

**PERFORMANCE AIM** – To ensure compliance with the Control of Noise at Work Regulations 2005 and relevant guidance.

**PERFORMANCE INDICATOR** – To continue to work with three businesses to ensure compliance with the Control of Noise at Work Regulations 2005 and relevant guidance.

### **3.5.7 Car Wash and Valeting**

In March 2011 4 premises were visited as part of a campaign assessing the health and safety arrangement in place at this type of premises. Premises that were included in the campaign were those offering hand car washing and valeting at fixed premises, but not as part of a larger business activity. Originally this was going to be carried out as part of a flexible warranting campaign with HSE and other local authorities, but this did not progress as a Leicestershire and Rutland Campaign. Instead it was decided to formally transfer those that are considered to be HSE enforced to Charnwood Borough Council so that they could be included as part of the campaign.

The campaign is to be extended into 2011/12 to ensure that all relevant premises have been identified and included in the campaign.

**PERFORMANCE AIM** – To identify and visit all car wash and valeting premises within Charnwood.

**PERFORMANCE INDICATOR** – The number of visits carried out.

This campaign will require a minimum of 20 officer hours.

### **3.6 Investigations of notifiable workplace accidents, ill-health and dangerous occurrences.**

The Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR) Regulations 1995 requires the reporting of certain work-related accidents, diseases, and dangerous occurrences to the enforcing authority for health and safety.

As it is not possible to investigate all incidents reported under RIDDOR, internal policy and procedures have been developed, which include clearly stated criteria on which decisions to investigate are made in line with the HELA LAC 22/13 – ‘Incident investigation selection procedures’. The Lead Environmental Health Officer (Occupational Health) assesses all reports and whether an investigation is considered necessary.

All incidents involving the priority programmes, i.e. workplace transport, falls from height, musculoskeletal disorders and slips, trips and falls, will be investigated.

Fatalities will be investigated within one working day.

Major injuries and members of the public within three working days.

Over three day injuries will be investigated within ten working days or the next routine inspection, if within the next three months.

Type	2010/11	2009/10	2008/09	2007/08	Difference (09/10 to 10/11)
Fatality	0	0	0	0	0
Major	9	17	13	5	- 8
Over 3 days	35	47	53	36	- 12
Member of Public	15	20	28	13	- 5
Dangerous Occurrence	2	1	0	3	+ 1
Disease	0	0	0	0	0
Total	61	85	94	57	- 24
Investigated	35	61	78	38	- 26
Non Reportable	23	10	9	24	+ 13
<b>Reportable Accident by Type</b>					
Slips, Trips & Falls	16	20	35	13	- 4
Falls from Height	6	8	12	11	- 2
Manual Handling	9	8	14	9	+ 1
Workplace	0	0	2	0	-

Transport					
Other	30	49	21	24	- 19

Investigations of this type will take a priority and all incidents as required by internal procedures and will be investigated.

It is estimated that there will be 35 incidents that are investigated annually, with an average investigation time being 4 hours, therefore 140 hours of officer time is allocated for incident investigation.

The priority programme topics are still however significant in the number of incidents that are occurring within Charnwood and the numbers occurring within Charnwood increased last year.

**PERFORMANCE AIM** – To investigate incidents reported under RIDDOR in line with internal procedures and where investigations are required;

Fatality	within one working day
Major injury	within three working days
Over three day injury	within ten working days or the next routine inspection
Member of the Public	within three working days

**PERFORMANCE INDICATOR** – Compliance with the investigation targets.

It can be seen that there has been a significant reduction (reduction of 28%) on the previous year) in the incidents reported under RIDDOR, and the incidents occurring in the priority areas is also reducing, which shows that the work that is being carried out in Charnwood and nationally may be having an impact.

The only increase was that of dangerous occurrences that were reported by Gas Safe registered engineers as part of the Gas Safety in Catering Campaign, and one additional manual handling injury received on the year before.

It is also interesting to note that at least 14% of reportable RIDDOR incidents occurred at businesses with a Primary Authority for health and safety.

### 3.7 Complaints

We will investigate all service requests, e.g. complaints about working conditions, where we have an enforcement role, with the exception of anonymous complaints which are malicious, where a risk to public health cannot be identified or when adequate information is not available.

All complaints will be responded to within 3 working days, unless it is determined to be an issue that with the agreement of the complainant will be discussed at the next routine visit.

In 2010/11 there were 45 complaints of a health and safety nature, therefore 135 hours of officer time is allocated to investigating complaints.

**PERFORMANCE AIM** – To respond to 98% of complaints where we have an enforcement role within 3 working days.

**PERFORMANCE INDICATOR** - % of complaints responded to within 3 working days.

### 3.8 Enforcement

All enforcement action will be taken by authorised and competent officers in accordance with the Health and Safety Enforcement Policy which incorporates the Enforcement Management Model. The following actions may be taken following an inspection or investigation;

Enforcement Action	Description	Number 2010/11
Informal Letter	Letter or report of visit pro forma setting out the legal requirements requiring their attention but also any recommendations.	486
Improvement Notice	A notice requiring works to be carried out within a minimum of 21 days.	12
Prohibition Notice	A notice prohibiting an activity being carried out where there is a serious risk of personal injury.	0
Deferred Prohibition Notice	As above, but a time delay before it comes into force.	0
Formal Caution	May be offered in certain circumstances instead of prosecution.	0
Prosecution	Where the health and safety contravention(s) are dealt with at Court.	1

The number of health and safety letters and improvement notices has significantly increased on last year as a result of the Gas Safety in Catering Campaign.

A successful prosecution was taken against an automotive refinish distributor where an employee sustained serious injuries from an accident involving the use of a waste compactor used to crush paint cans. The court fined the company £30,000 and ordered costs of £2,250. The case highlighted the needs to regularly review and update risk assessments and ensure employees receive sufficient information and training, particularly on potentially dangerous equipment.

### 3.9 Advice

Advice will be provided on all health and safety issues within our statutory remit, referring them to a more appropriate body where relevant e.g. HSE, Trading Standards, HSE Infoline etc. Our advice role does not extend to acting in the role of a consultant.

Dependant upon staff resources and available information within the section a request for advice will be responded to within 3 working days.

The Council website will also be used to provide advice on various health and safety issues and already contains a version of the health and safety handbook with links to various leaflets and websites. This will be updated on a regular basis and will include details on any new legislative requirements.

In 2010/11 there were 17 health and safety enquiries received, therefore 17 hours of officer time is allocated to deal with such enquiries.

**PERFORMANCE AIM** – To respond to 98% requests for advice on all health and safety issues within our statutory remit within 3 working days.

PERFORMANCE INDICATOR – The % of advice enquiries responded to within 3 working days.

### **3.10 Level 2 Award in Health and Safety in the Workplace**

The Commercial Group no longer offer the Chartered Institute of Environmental Health Officers Level 2 Award in Health and Safety in the Workplace as there has not been sufficient demand to hold the course over the last 3 years.

### **3.11 European Agency for Safety and Health at Work**

At the time of publishing this plan there was no information available on the European Agency for Safety and Health at Work Campaign for 2011/12.

### **3.12 Statutory Notification**

#### **3.12.1 Lifting Defect Reports**

A person making a thorough examination under Regulation 9 of the Lifting Operations and Lifting Equipment Regulations 1998 shall where there is in his opinion a defect in the lifting equipment involving an existing or imminent risk of serious personal injury, send a copy of the report as soon as practicable to the relevant enforcing authority.

The investigating officer will respond within 24 hours of receiving such a notification, whether by telephone or site visit, and where necessary any enforcement action will be taken in accordance with the Enforcement Policy.

Number of notifications received 2010/11 3

Estimated time spent 3 x 1 hour = 3 hours.

PERFORMANCE AIM – To investigate all notifications of defects in lifting equipment within 24 hours of receipt of the report.

PERFORMANCE INDICATOR - % of defective lifting reports investigated within 24 hours.

#### **3.12.2 Asbestos Notifications**

Under Control of Asbestos Regulations 2006 a licence is required for work with asbestos insulation or asbestos coating or work with asbestos insulating board, subject to exemptions. If such work is carried out in a premises enforced for health and safety by Charnwood Borough Council, then the Council must be notified 14 days before the work begins, unless a dispensation is granted.

The notification documentation will be assessed by a competent officer, a visit will be carried out in accordance with internal procedures, but at no time will an officer put themselves in a situation at risk of breathing in asbestos fibres.

PERFORMANCE AIM – To assess all notified asbestos removal works carried out by licensed asbestos removal contractors.

PERFORMANCE INDICATOR - A performance measure for this aim is difficult to report upon.

Number of notifications received 2010/11 2  
Number of visits to assess notified works 1

Not all notifications need to be visited. 5 hours of officer time is allocated for the assessment of asbestos removal notifications.

### **3.12.3 Cooling Towers Register**

The Notification of Cooling Towers and Evaporative Condensers Regulations 1992 require that the local authority is notified of all 'cooling towers' and 'notifiable devices' within the borough. The Commercial Group maintain such a register.

On 31<sup>st</sup> March 2011 there were 36 operational 'cooling towers' sites within the borough.

None of the 'cooling towers' registered with the Council are generally in premises enforced for health and safety by Charnwood Borough Council, therefore no visits are planned to these businesses.

The Commercial Group will maintain a register as required by the Notification of Cooling towers and Evaporative Condensers Regulations 1992 and this is estimated to take 6 hours a year to deal with new registrations or changes.

### **3.12.4 Skin Piercing Registrations**

Registrations of persons carrying on the business of ear piercing, electrolysis, tattooing and acupuncture, and the premises where those businesses are being undertaken, are granted under sections 14 and 15 of the Local Government (Miscellaneous Provisions) Act 1982. Charnwood Borough Council have adopted byelaw for these activities that must be complied with.

These premises are visited upon first registration, and then only in accordance with their health and safety rating if they are ours for health and safety enforcement or if there has been a complaint regarding the skin piercing activities.

In 2010/11, 11 new registration applications were received, and 5 other complaints or enquiries were received regarding skin piercing. Approx 48 hours of officer time is allocated to issuing new registrations, dealing with enquiries and skin piercing complaints.

### **3.12.5 Sunday Trading**

The Sunday Trading Act 1994 restricts the opening of certain types of shops, larger than 280 square metres floor area, to 6 hours between 10am and 6pm on a Sunday. Although Charnwood Borough Council are no longer required to keep a register of up to date trading hours, all complaints of businesses not complying with the Sunday Trading Act will be investigated.

In 2010/11 no complaints or enquiries were received by the Commercial Group with regards to the Sunday Trading Act 1994.

### **3.13 Animal Licensing**

#### **3.13.1 Zoo Licensing**

At present there are no licensed Zoo's within the borough; therefore the only officer time that will be dedicated to this activity would be if there was a new zoo planned which there are no known proposals at this stage.

#### **3.13.2 Dangerous Wild Animals**

Under the Dangerous Wild Animals Act 1976 certain types of animals are classified as dangerous wild animals. Anyone who wants to keep a classified dangerous wild animal must hold a licence that is renewed annually.

On 31<sup>st</sup> March 2011 there was no dangerous wild animal licence in use.

An additional 4 hours is allocated for any proposed new licences, however none have been received in 10/11.

#### **3.13.3 Animal Boarding**

Under the Animal Boarding Establishments Act 1963, anyone who wishes to carry on the business of providing accommodation for other people's cats and dogs must obtain a licence to do so.

On 31<sup>st</sup> March 2011 there were 11 animal boarding establishments licensed with Charnwood Borough Council.

An Officer from the Commercial Group carries out a licensing visit (3 hours) and an unannounced half yearly inspection (1 hour) for each animal boarding establishment annually. (Total 44 hours)

#### **3.13.4 Dog Breeding**

Under the Breeding of Dogs Act 1973 and 1991 a keeper of a breeding establishment (any premises where the business of breeding dogs for sale is carried on) must be licensed annually. A person will be presumed to carry on such a business where, in a period of one year, 5 or more litters are born to bitches kept there or on associated premises for the purpose of sale.

On 31<sup>st</sup> March 2011 there was 1 licensed dog breeding establishment. They are inspected annually by an authorised officer of the Commercial Group (3 hours) and a veterinary inspection is carried out every four years.

#### **3.13.5 Pet Shops**

The Pet Animals Act 1951 requires any person who trades in pets (which means vertebrate including fish) must possess a pet shop licence.

On 31<sup>st</sup> March 2011 there were 8 licensed pet shops within the borough. The licence is renewed annually following an inspection by an authorised officer of the Commercial Group (24 hours).

All pet shops will be inspected annually prior to the new licence being issued and a mid licence unannounced visit may also be carried out to ensure licence conditions are being complied with (8 hours).

### **3.13.6 Riding Establishments**

The Riding Establishments Acts 1964 and 1970 require a licence for the carrying on of a business of keeping horses for the purpose of their being let out on hire for riding and / or being used in providing in return for payment, instruction in riding.

The licence is renewed annually following a satisfactory report from an authorised independent veterinary surgeon. The authorised officer will spend two hours on administration for each riding establishment. (12 hours)

Riding establishments are only visited in accordance with their health and safety rating by an officer from this department, or when there is a complaint or accident at the premises.

On 31<sup>st</sup> March 2011, there were 6 licensed Riding Establishments within Charnwood.

83 hours are allocated to inspecting and licensing the animal welfare activities. An additional 15 hours may be spent on dealing with licence enquiries and animal welfare complaints.

### **3.13.7 Animal Welfare Act 2006**

The Commercial Group will also be responsible for implementing the Animal Welfare Act 2006 which brings together and updates legislation that exists to promote the welfare of vertebrate animals and comes into effect in phases from 6<sup>th</sup> April 2007. The Act provides new powers to deal with animal welfare matters. It will involve a review of existing licensing, including riding establishments, animal boarding and pet shops etc, but will include new licensing such as pet fairs, animal sanctuaries and livery yards.

14 hours of officer time has been allocated to implementing the Animal Welfare Act 2006.

### **3.14 Smokefree**

The Health Act 2006 and smoke free regulations prohibit smoking in enclosed and substantial enclosed workplaces, public buildings and work vehicles from 1<sup>st</sup> July 2007.

The smoke free legislation was successfully introduced into the borough without too many problems in 2007. No fixed penalties or prosecutions were served or taken regarding smoke free in 2010/11.

The Commercial Group will continue on routine inspections to assess compliance with smoke free offences and deal with any complaints or enquiries.

It is anticipated that a minimum of 25 hours will required to be spent dealing with smokefree enquiries, complaints and other issues.

### **3.15 Premises Licences**

The Commercial Group are a statutory consultee on any new premises licence or variation received by the Charnwood Licensing Team.

### **3.16 Water Sampling**

#### **3.16.1 Swimming Pool Sampling**

Swimming pool sampling is entirely discretionary but all pool operators are under a duty to sample their own bathing water. It is intended to restrict sampling to

1 leisure centre - owned and managed by the Council- sample every month (bacteriological) and quarterly (chemically)

And where necessary as part of an infectious disease or health and safety investigation

A total of 36 hours is dedicated for the water sampling of swimming pools and spas.

#### **3.16.2 Public/Private Water Supplies**

The Service fulfils the Councils statutory functions in relation to public and private water supply quality, as required by Water Industry Act 1991, by;

- monitoring the water undertakers annual results for water samples taken in the Borough,
- attendance at an annual health liaison meeting with water undertaker and emergency planning exercise,
- liaison over water quality incidents (average one a year) with water undertaker and Drinking Water Inspectorate,
- investigation of water quality complaints /mains water sampling where necessary including sampling at two major events with temporary water supply.
- The new Private Water Supply Regulations came into effect in January 2010. There is a requirement to risk assess private water supplies dependant on their use and private distribution systems within 5 years and implement a new sampling and enforcement regime. The amount of sampling will be dependant upon the risk assessment. Having regard to the guidance issued in April 2010 it is envisaged that seven private water supplies will be risk assessed in 2010/11 and consequently a minimum of 12 samples taken. Requests for risk assessment may be received from individual domestic supplies and these will need to be investigated. Partnership working with Severn Trent Water will also be necessary to identify private distribution systems and implement a programme of risk assessment and sampling.

It is estimated that this requires 70 hours of office time.

### **3.17 Monitoring**

74 hours of officer time is allocated to producing and monitoring the contents of this intervention plan and the Commercial Groups performance and producing the LAEI return in June each year and involvement in benchmarking exercises.

54 hours of officer time is spent attending internal meetings and the Leicestershire and Rutland Health and Safety Best Practice Group.

We have now carried out a Section 18 guidance self assessment and peer review with Leicestershire and Rutland Best Practice Group and also completed a moderation exercise with the Partnership Manager. From this work we have developed an action plan to ensure

compliance with Section 18 guidance. The main points in this action plan are to consult and formally endorse the revised Health and Safety Enforcement Policy and to review communications and monitoring once the senior management review has been implemented and continuing work on reviewing existing procedures which will be ongoing. This is likely to involve an additional 25 hours in 11/12.

### 3.18 Complaints about the Service

The Commercial Group aims to provide efficient, good quality services to its customers. Even so, on occasions, things can go wrong. We want to resolve all complaints quickly and effectively. Initially complaints may be raised with the officer involved, then if they cannot be resolved to the Commercial Group Manager. If it still cannot be resolved then a decision will be made with the complainant whether they wish to make a formal complaint. A formal complaint is investigated in line with corporate procedures.

In 2010/11 there were no formal complaints regarding the health and safety service of the Commercial Group.

## 4. RESOURCES

### 4.1 Financial Allocation.

	2008/09	2009/10	2010/11	2011/12
Description	Actuals	Actuals	Original Current Budget	Original Budget
Employees	245,531	231,161	249,800	251,200
Transport	4,331	5,314	6,700	7,200
Supplies & Services	10,310	10,021	13,300	11,200
Support Services	43,884	76,065	59,000	64,300
Capital Charges	0	0	0	0
<b>Gross Expenditure</b>	<b>304,056</b>	<b>322,561</b>	<b>328,800</b>	<b>333,900</b>
Prime income	-43,018	-3,868	-4,300	-4,000
Internal Recharge Income	0	0	0	0
<b>Gross Income</b>	<b>-43,018</b>	<b>-3,868</b>	<b>-4,300</b>	<b>-4,000</b>
<b>Recharge to other Su's</b>	<b>-130,519</b>	<b>-159,346</b>	<b>-159,000</b>	<b>-162,700</b>
Net Expenditure	130,519	159,347	165,500	167,200

### 4.2 Staffing Allocation

See 2.2

Arrangements are in place to ensure that all staff are competent, appointed and authorised for the tasks that they carry out and a programme of training and supervision is in place.

On producing this intervention plan it can be seen that the allocated hours are adequate for the service that the Commercial Group plan to deliver in 2011/12. The time allocated is an estimated maximum time that would be required, therefore there remains a safety net of time to deal with additional requirements, training, research and enforcement action etc.

### **4.3 Staff Development Plan**

As part of the Environmental Health Services the Group is an Investor in People and any significant staff development is coordinated through the Divisional Training and Development plan. Within the Group training and development needs are identified through a Performance Development Review, which is undertaken annually, and links into the budget planning process. Our procedures will be reviewed to include the use of the HSE's new Regulators Development Needs Assessment Tool.

Additional resources are also available for ancillary training to take into account any new legislation or developments in health and safety enforcement.

## **5. QUALITY ASSESSMENT**

Historically quality management due the overall size of the Team has been assured by sound management practices, the professionalism of officers and checks by the Lead Officers on outgoing correspondence. The production and implementation of revised internal procedures will assist in improving controls.

Benchmarking within the Leicestershire Health and Safety Liaison Group and the National Picture is carried out annually.

In order to ascertain the quality of the inspection service Health and Safety questionnaires are sent out with all commercial premises inspection reports and similarly feedback is obtained on the health and safety handbook.

## **6. REVIEW**

### **6.1 Review against Service Plan**

The Commercial Group of Regulatory Services will review its performance in accordance with the Health and Safety Intervention Plan annually for that period and against specified performance targets and performance standard improvements and targeted outcomes.

The Head of Regulatory Services undertakes a monthly performance meeting with all Lead Environmental Health Officers within the department, which assess progress with the Team Plan and this intervention plan. Key performance indicators are also collated every quarter and uploaded to the corporate performance management system. Reviews will also be carried out every three months to ensure that the expected performance in the Health and Safety Intervention Plan will be achieved.

The reviews will be carried out by the Commercial Group Manager with the assistance of the Lead Environmental Health Officers (Occupational Health) and fed into the planning process that produces the intervention plan for the following year using Table 1.1 Health and Safety Enforcement Intervention Plan 11/12.

## **6.2 Identification of any variation from the Service Plan**

Each year an annual review will be carried out to identify any variance from the Health and Safety Intervention Plan and where appropriate the reasons for any variance.

The Table 1.2 Environmental Health Service Delivery Plan details the performance of the Commercial Group in 10/11.

As can be seen from the table the Commercial Group has generally achieved its aims and objectives as set out in the Health and Safety Intervention Plan 10/11.

Due to the Senior Management Review we had to reschedule the revised Health and Safety Enforcement Policy consultation and formal endorsement to begin April 2011, to ensure that there were no significant changes once the review had been implemented.

We have extended the work of many of the campaigns into 2011/12, such as the Gas Safety in Catering, Beauty Sector Campaign, Noise in the Entertainment Industry and Car Washes and Valeting Campaign.

The Gas Safety in Catering campaign has been a successful campaign, but has needed a significant amount of time chasing maintenance details from businesses to ensure that they have effective arrangements in place. This campaign has highlighted problems for both local authorities and the Gas Safe Register.

Considerable effort and resources were put into investigating and preparing the prosecution case mentioned above however it is hoped the resultant publicity would serve to highlight to employers the consequences of inadequate risk assessment and failure to provide employees with sufficient information and training to carry out their duties safely.

**Table I.1 Health and Safety Enforcement Intervention Plan 2011/12.**

The following table will be used next year to review the Commercial Groups' performance against the Intervention Plan.

<b>Title:</b>	<b>Health and Safety Enforcement Service Delivery Plan</b>		
<b>Manager:</b>	<b>Keith Taylor – Commercial Group Manager</b>		
<b>Team:</b>	<b>Commercial Group</b>		
<b>AIM</b>	<b>Carry out a health and safety enforcement intervention programme in line with the health and safety service plan 2011/12</b>		<b>Date: March 2011</b>

<b>Action No</b>	<b>Action</b>	<b>Target Date (end of)</b>	<b>Lead Officer</b>	<b>Action Status</b>	<b>Deliverables</b>	<b>Update</b>
<b>001</b>	Endorsement by the Lead Member of the annual Health and Safety Intervention Plan as required by Section 18 guidance	June 2011	LOOH & KCT		Intervention Plan endorsed by Lead Member and published by the end of June 2011	
<b>002</b>	Review the Action Plan produced as a result of Section 18 Guidance, which will include consulting on the revised Health and Safety Enforcement Policy and its formal endorsement.	End of December 2011	KCT & LOOH		Enforcement Policy has been revised, formally endorsed and published by the end of December 2011. Review communication and monitoring following the implementation of the senior management review.	
<b>003</b>	<b>CHS10C – Proactive Inspections</b> Carry out 100% of scheduled A to B1 proactive topic based inspections	March 2012	LOOH & KCT		% of inspections achieved. 16 visits have been scheduled.	
<b>004</b>	To visit 50% of businesses rated B" that were due an inspection in 2010/11 under the old risk rating.	March 2012	LOOH		% of inspections achieved. Minimum of 40 visits to be carried out.	
<b>005</b>	To use mail shot for "B2" and "C" category businesses where appropriate	March 2012	LOOH		To send out at least one mail shot of appropriate information	

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
006	<b>CHSI0D - LPG Inspection Campaign</b> To visit or contact all 'high risk' sites and all sites that have failed to return the questionnaire or it is incomplete.	March 2012	LOOH -SA		to a specific work activity in 2011/12. The number of visits / contacts made.	
007	<b>CHSI0D – Gas Safety in Catering Gas Safety at Work</b> To assess the arrangements in place for ensuring gas safety at all catering premises where a routine food hygiene inspection is carried out at category C premises for food April to September 2011.	February 2012	LOOH and all Food Officers		As part of the campaign we will be able to report on the following: Number of visits carried out and the type of gas that they use (mains/bulk banks/LPG cylinders). A minimum target of 95% of these visits has been set to have a gas safety assessment included. Whether the catering business had a suitable gas maintenance scheme in place? Are catering businesses using competent Gas Safe registered engineers? The number of extract ventilation canopies that are interlocked to the gas supply. The number of emergency control valves that were considered to be easily accessible.	
008	<b>CHSI0D – Violence in the Late Night Retail Sector</b> – To raise awareness of work-related	March 2012	LOOH		47 routine food safety inspections are to be carried out which will include	

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
	violence in its late night retail sector on relevant routine food safety inspections.				discussions regarding work-related violence.	
<b>009</b>	<b>CHSI0D – Residential Care Homes</b> To raise awareness of duty holders of key health and safety risks and precautions affecting residents of care homes and to promote best practice.	March 2012	LOOH		To be determined	
<b>010</b>	<b>CHSI0D – Beauty Sector</b> To provide appropriate information and assessment of health and safety compliance in the beauty industry - a specific campaign is to be determined once all questionnaires have been received.  Te review the need to adopt the byelaws that requires the registration of body piercing, micro-pigmentation, semi-permanent make-up and temporary tattooing activities.	March 2012	LOOH		To be determined.	
<b>011</b>	<b>CHSI0D – Noise in the Entertainment Sector</b> To continue to work with three businesses to ensure compliance with the Control of Noise at Work Regulations 2005 and relevant	March 2012	LOOH		To carry out three revisits to the businesses that we have had previous involvement with as part of the Noise in the Entertainment Sector Campaign, and any other remedial work identified.	

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
	guidance.					
<b>012</b>	<b>CHS10D – Car Washes and Valeting</b> To identify and visit all car wash and valeting premises within Charnwood.	October 2011	LOOH		The main activity was carried out in March 2011, work will continue in 2011 to assess whether we have included all relevant businesses.	
<b>013</b>	To maintain an accurate and up to date premises database	At all times	ALL		Newsletter distributed Closed business checks carried out	
<b>014</b>	To investigate incidents reported under the RIDDOR in line with the internal procedures and where investigation are required: <ul style="list-style-type: none"> <li>• Fatal</li> <li>• Major Injuries</li> <li>• Over three day injuries</li> <li>• Members of the public</li> </ul>	March 2012	LOOH		Fatal – within 1 working day Major Injuries – Within three working days Over three day injuries – within ten working days or the next routine inspection Members of the public – within three working days	
<b>015</b>	To respond to 98% of complaints where we have an enforcement role within 3 working days	March 2012	KCT		% of complaints responded to within 3 working days	
<b>016</b>	To respond to 98% of requests for advice on all health and safety issues within our statutory remit within 3 working days	March 2012	KCT		% of advice enquiries responded to within 3 working days	
<b>017</b>	To investigate all notifications of defective lifting equipment within 24 hours of receipt	March 2012	LOOH		% of defective lifting reports investigated within 24 hours	
<b>018</b>	To assess all notified asbestos removal works carried out by licensed asbestos removal contractors	March 2012	LOOH		Number of notifications received Number of visits to assess notified works	
<b>019</b>	To proactively check compliance with	March	KCT and		% response times to service	

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
	smoke free legislation and to investigate all complaints regarding smoke free	2012	LOOH		requests for smoke-free complaints Number of checks undertaken at premises for smoke-free compliance.	
<b>020</b>	To ensure that the Council's statutory responsibilities for animal welfare are met	March 2012	KCT & EHT		100% inspections of all licensed animal establishments.	
<b>021</b>	Implement the new requirements under the Private Water Supply Regulations 2009 and undertake a programme of water sampling to ensure water fit for purpose	March 2012	LOOH-SA and KCT		Risk Assessments completed as required. Sampling Programme implemented. New fees determined and in place, as appropriate.	
<b>022</b>	98% satisfaction from the inspection feedback questionnaires	March 2012	KCT		% satisfied from the inspection feedback questionnaires As we now carry out significantly reduced 'inspections' we will investigate ways of assessing satisfaction from the health and safety campaigns that we carry out.	

**Table I.2 Health and Safety Intervention Plan 2010/11**

The following table shows our performance against the Health and Safety Intervention Plan 2010/11.

<b>Title:</b>	<b>Health and Safety Enforcement Service Delivery Plan</b>		
<b>Manager:</b>	<b>Keith Taylor – Commercial Group Manager</b>		
<b>Team:</b>	<b>Commercial Group</b>		
<b>AIM</b>	<b>Carry out a health and safety enforcement intervention programme in line with the health and safety service plan 2010 / 11</b>		<b>Date: March 2010</b>

<b>Action No</b>	<b>Action</b>	<b>Target Date (end of)</b>	<b>Lead Officer</b>	<b>Action Status</b>	<b>Deliverables</b>	<b>Update</b>
<b>001</b>	Endorsement by the Lead Member of the annual Health and Safety Intervention Plan as required by Section 18 guidance	June 2010	LOOH & KCT	<b>Completed</b>	Intervention Plan endorsed by Lead Member and published by the end of June 2010.	Completed by June 2010 and published on the internet site.
<b>002</b>	Review of the Health and Safety Enforcement Policy and procedures in line with Section 18 Guidance	End of October 2010	KCT & LOOH	<b>Ongoing</b>	Enforcement Policy has been revised and published by the end of October 2010	Due to Senior Management Reorganisation, it has been rescheduled to consult, formally endorse and then publish the reviewed Health and Safety Enforcement Policy by September 2011.
<b>003</b>	To further develop the business partnership consultation group	March 2011	KCT	<b>Ongoing</b>	Number of businesses on the group and consultation on the Health and Safety Intervention Plan 10/11 and revised Health and Safety Enforcement Policy	Consulted 150 businesses on the Health and Safety Intervention Plan, to do the same for the Health and Safety

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
004	Implementation of the HSE Regulators Development Needs Analysis Tool for competency of health and safety enforcement officers	December 2010	KCT and LOOH	Ongoing	All officers' competencies assess using the tool and authorisations reviewed in line with the assessment.	Policy and Intervention Plan in April 2011. An initial assessment was carried out of each officer in line with RDNA, these assessments are to be reviewed in 2011/12 and will include more detail in the assessment.
005	<b>CHS10C – Proactive Inspections</b> Carry out 100% of scheduled A to B1 proactive topic based inspections	March 2011	LOOH & KCT	Completed	% of inspections achieved. 8 visits have been scheduled.	Q1 – 100% Q2 – 100% Q3 – 100% Q4 – 100%
006	To visit 50% of businesses rated B2 that were due an inspection in 2010/11 under the old risk rating.	March 2011	LOOH	Completed	% of inspections achieved. Minimum of 23 visits to be carried out.	We were able to visit all B2 businesses due except for two where it was appropriate to send out an information pack.
007	To use mail shot for “B2” and “C” category businesses where appropriate	March 2011	LOOH	Completed	To send out at least one mail shot of appropriate information to a specific work activity in 2010/11.	Motor vehicle repair guidance was sent out to relevant businesses in June 2010. Also “Newsagents” and “Off Licences” example risk

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
008	<p><b>CHS10D - LPG Inspection Campaign</b> To visit or contact all 'high risk' sites and all sites that have failed to return the questionnaire or it is incomplete.</p> <p><b>CHS10D – Gas Safety in Catering Gas Safety at Work</b> To assess the arrangements in place for ensuring gas safety at all catering premises where a routine food hygiene inspection is carried out.</p>	<p>March 2010</p> <p>March 2010</p>	<p>LOOH - SA</p> <p>LOOH and all Food Officers</p>	<p><b>On Target</b></p> <p><b>On Target</b></p>	<p>The number of visits / contacts made.</p> <p>As part of the campaign we will be able to report on the following: Number of visits carried out and the type of gas that they use (mains/bulk banks/LPG cylinders). A minimum target of 95% of these visits has been set to have a gas safety assessment included. Whether the catering business had a suitable gas maintenance scheme in place? Are catering businesses using competent Gas Safe registered engineers? The number of extract ventilation canopies that are interlocked to the gas supply. The number of emergency control valves that were considered to be easily</p>	<p>assessments were sent out to businesses as part of the violence at work campaign (Approx 130 businesses).</p> <p>Q1 – 1 Q2 – 6 Q3 – 3 Q4 - 0</p> <p>92%</p> <p>358 Programmed and new business food safety have included an assessment of their arrangements in place for gas safety.</p> <p>Only 54% of businesses visited have had their gas appliances checked in the last 18 months.</p> <p>6% of businesses used a Gas Safe registered engineer that did not have the correct</p>
009						

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
					accessible.	<p>competencies to carry out the work.</p> <p>1 engineer was used that was not registered with the Gas Safe Register.</p> <p>Only 47% of businesses have their ventilation interlocked to the gas supply.</p> <p>Nearly 1 in 5 businesses had no easy access to their emergency control valve or did not know where it was.</p>
010	<p><b>Noise in the Entertainment Sector</b> To revisit 7 entertainment venues to ensure compliance with the Control of Noise at Work Regulations 2005 and the website "Sound Advice" to the music and entertainment industry.</p>	December 2010	LOOH-SA	<b>In Progress</b>	<p>Revisit 7 premises and take appropriate enforcement action.</p> <p>This was reviewed to 3 premises that had ongoing issues.</p>	<p>Presently working with three businesses to ensure compliance with the Regulations and guidance.</p>
011	<p><b>Local Authority Construction Engagement (LACE) Project</b> To work with Planning and Building Control to ensure that appropriate</p>	December 2010	LOOH	<b>Awaiting Others</b>	The provision of leaflets or information on the website to duty holders regarding the Construction (Design and	Ongoing, e mail sent to Planning and Building Control, awaiting response.

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
	information is reaching those with duties under the Construction (Design and Management) Regulations 2007.				Management) Regulations 2007.	
012	<b>Asbestos Duty to Manage</b> To continue to raise compliance levels with the duty to manage asbestos. The campaign is to be carried out county wide.	March 2010	LOOH	<b>Completed</b>	Discussed on all routine health and safety visits. Information placed on the internet and on the newsletter which is to be distributed. Information sent to a number of landlords regarding maintenance and the duty to manage asbestos.	This was combined with the European Week for Safety and Health on Maintenance. Discussed on all relevant health and safety visits. Newsletter distributed. Information on the internet. Information sent out to 17 landlords or large businesses.
013	<b>Sunbeds and Beauty Sector Campaign</b> To visit all premises with sun beds that are available for use by members of the public to ensure that under 18s do not use sun beds and that coin operated salons are supervised by trained staff.  To provide the beauty industry with appropriate health and safety	March 2010	LOOH	<b>On Target and extended in 2011/12</b>	Number of sun beds identified in the borough and number of visits carried out.  Number of beauty businesses provided with appropriate health and safety information.  The decision whether to adopt the byelaws under	12 visits were carried out as part of the sunbed campaign.  Letter and questionnaire has been sent out to 42 beauty salons.  Specific interventions to be carried out in

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
	information relevant to their activities. To review the need to adopt the byelaws that requires the registration of body piercing, micro-pigmentation, semi-permanent make-up and temporary tattooing activities.				Section 120 of the Local Government Act 2003.	2011/12.
<b>014</b>	Implementation of the joint Health and Safety Enforcement Flexible Warranting Scheme between Leicestershire Local Authorities and HSE.	To identify and visit all car washes within Charnwood under the flexible warranting scheme.	LOOH	<b>Ongoing</b>	The number of visits carried out and the production of a Memorandum of Understanding for the campaign.	We have inspected all LPG notifications for Charnwood. Flexible Warranting has been authorised but no visits have yet been carried out in other LAs.  Although not carried out under the flexible warranting campaign, we have inspected 4 car washes / valeters.
<b>015</b>	There are the following two campaigns that are desirable for us to be involved in, but are resources permitting: Musculoskeletal Disorders - To promote revised guidance for managing retail checkout operators' activities at visits to retail outlets of all sizes and promote good practice.	Jan – March 2011	LOOH	<b>Ongoing and extended into 2011/12.</b>	Only going ahead with the Work-related Violence and Aggression Campaign targeting late night retailers.  Questionnaire and information pack to be sent out to approximately 120 businesses.	Questionnaire and information pack was sent out in March 2011.

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
	Work-related Violence and Aggression - To continue to increase awareness and improve management of work-related violence.				Discussions on food visits due in 2011/12	
<b>016</b>	To maintain an accurate and up to date premises database	At all times	ALL	<b>Completed</b>	Newsletter distributed Closed business checks carried out	Newsletter sent out to all relevant businesses. Closed business checks will be carried out in April 2011 once all the returns have been received.
<b>017</b>	To investigate incidents reported under the RIDDOR in line with the internal procedures and where investigation are required: <ul style="list-style-type: none"> <li>• Fatal</li> <li>• Major Injuries</li> <li>• Over three day injuries</li> <li>• Members of the public</li> </ul>	March 2011	LOOH		Fatal – within 1 working day Major Injuries – Within three working days Over three day injuries – within ten working days or the next routine inspection Members of the public – within three working days	Q1 – 100% response time to all investigated accidents Q2 – 100% response time to all investigated accidents Q3 – 88% response time to all investigated accidents Q4 – 100% response to all investigated accidents
<b>018</b>	To respond to 98% of complaints where we have an enforcement role within 3 working days	March 2011	KCT		% of complaints responded to within 3 working days	Q1 – 100% Q2 – 100% Q3 – 100% Q4 - 100%
<b>019</b>	To respond to 98% of requests for advice on all health and safety issues within our	March 2011	KCT		% of advice enquiries responded to within 3 working days	Q1 – 100% Q2 – 100%

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
	statutory remit within 3 working days					Q3 – 100% Q4 – 100%
<b>020</b>	To provide all businesses within Charnwood with a health and safety newsletter	October 2010	LOOH	<b>Completed</b>	The health and safety newsletter is produced and distributed.	Newsletter sent out to health and safety to all relevant businesses.
<b>021</b>	To assess the demand for the Level Two Award Course in Health and Safety in the Workplace.	March 2011	LOOH	<b>No Action</b>	Number of Level 2 Award Courses in Health and Safety in the Workplace organised.	Limited demand in the last three years, therefore we will no longer offer this course.
<b>022</b>	To investigate all notifications of defective lifting equipment within 24 hours of receipt	March 2011	LOOH		% of defective lifting reports investigated within 24 hours	Q1 – 100% Q2 – 0 Q3 – 100% Q4 – 0
<b>023</b>	To assess all notified asbestos removal works carried out by licensed asbestos removal contractors	March 2011	LOOH		Number of notifications received Number of visits to assess notified works	Q1 – 0 Q2 – 100% Q3 – 0 Q4 – 100%
<b>024</b>	To proactively check compliance with smoke free legislation and to investigate all complaints regarding smoke free	March 2011	KCT and LOOH		% response times to service requests for smoke-free complaints Number of checks undertaken at premises for smoke-free compliance.	Q1 – 100% and 102 Checks Q2 – 0 and 149 Checks Q3 – 0 and 149 Checks Q4 – 0 and 168 Checks
<b>025</b>	To ensure that the Council's statutory responsibilities for animal welfare are met	March 2011	KCT & EHT	<b>Completed</b>	100% inspections of all licensed animal establishments.	Ongoing Q3 – 100% Completed (17)
<b>026</b>	Implement the new requirements under	March	LOOH-		Risk Assessments completed as	Ongoing

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
	the Private Water Supply Regulations 2009 and undertake a programme of water sampling to ensure water fit for purpose	2011	SA and KCT		required. Sampling Programme implemented. New fees determined and in place, as appropriate.	Q3 – Letter to all Large Supplies
<b>027</b>	98% satisfaction from the inspection feedback questionnaires	March 2011	KCT		% satisfied from the inspection feedback questionnaires As we now carry out significantly reduced 'inspections' we will investigate ways of assessing satisfaction from the health and safety campaigns that we carry out.	100% satisfied

### 6.3 Areas of Improvement

We have carried out a self assessment and peer review in accordance with Section 18 Guidance, which has been moderated by the Partnership Manager, which shows that we are generally compliant with Section 18 Guidance. An Action Plan has been developed to ensure compliance with Section 18 Guidance, and this work will be completed in 2011/12 and will be continually monitored.

This information is available in different formats. To access these please phone (01509) 634560.

এ তথ্যটি অন্যান্য মাধ্যমে পাওয়া যায়। এসব পেতে হলে দয়াকরে (01509) 634560 এ নাম্বারে টেলিফোন করুন।

這資料具不同的格式，請致電 (01509) 634560 索取。

আ মাতিতী খুঁচী পুঁচীতীআঁমী উঁখলুখু ঞু. তে মেঁগুওঁআ মাঁটে ঙুখা ঙুচী আ নংবর পৄ ঙুঁচী (01509) 634560.

यह जानकारी अलग-अलग प्रारूपों में मिल सकती है। इनको पाने के लिये कृपया यह नंबर डायल कीजिये (01509) 634560.

ਇਹ ਜਾਣਕਾਰੀ ਅਲਾਗ-ਅਲਾਗ ਫਾਰਮੈਟ ਵਿੱਚ ਮਿਲ ਸਕਦੀ ਹੈ। ਇਹ ਹਾਮਿਲ ਕਰਨ ਲਈ ਮਿਹਰਬਾਨੀ ਕਰਕੇ ਇਸ ਨੰਬਰ 'ਤੇ ਫੋਨ ਕਰੋ (01509) 634560