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1. **Introduction**

1.1 This report describes the health and safety at work interventions Rother District Council took in 2017-8. It identifies what we planned to do, what we did and then considers how effective the intervention was. The intention is to look at what we did well and where we can learn lessons for future service planning.

2. **Service plan objectives:**

2.1 Each year we identify what our objectives are for the coming 12 months. The work plan that follows on from the objectives lays out what we intend to do to meet the objectives.

Our objectives for the 2017 /18 were to –

- i. promote health and safety through our website and regular newsletter
- ii. provide advice to local businesses at their request, to comply with health and safety requirements
- iii. support the Primary Authority Scheme
- iv. investigate reported accidents and major incidents based on HSE selection criteria
- v. investigate complaints/infringements of legislation based on HSE Selection criteria
- vi. work in partnership with the Health and Safety Executive (HSE), Sussex Police and others to deliver this service plan

3. **2017 – 2018 work plan**

3.1 We set out to achieve these objectives through the work plan which mapped out what we were going to do for the year. The work plan for the year was as follows.

4. **Crowd control and reduction of injuries to the public at outdoor events** (HSE national priority no.12).

4.1 Traditional Sussex bonfires and firework displays are held throughout the district. Some of these events are held on Council owned land, and attract very large numbers of visitors. These events can pose crushing risks in crowds.

4.2 What we said we would do:

- i. For the highest risk events - Organise Safety Action Groups to bring together all interested parties, to discuss safety at the past event, and to plan for the next event.
- ii. For lower risk events - contact the Bonfire Society, and give advice on the safe running of the event.

4.3 What we did:

Officers chaired a Safety Advisory Group (SAG) for four bonfire events with participation from Sussex Police, East Sussex Fire and Rescue, South East Coast Ambulance and British Transport Police. Each bonfire society was dealt with in turn allowing each agency to provide advice and guidance to organisers on public health and safety. This approach was agreed to be a good use of officer time. Each of the four bonfire events received an officer visit on the day of the event to check organisers were complying with the event management plans submitted. Seven low risk bonfire events were contacted individually and appropriate safety advice was given. Officers also gave advice to two outdoor events – one for Christmas lights and the other a music festival.

4.4 Conclusion:

The single day SAG was considered by all to have been successful in that it reduced the amount of travel time faced by SAG members, provided for a more concentrated approach and was without detriment to the event organisers. The intention is to carry this approach forward into the 2018 – 2019. Each bonfire event will be risk rated following consideration of the feedback from 2017 events. The risk rating results will determine which events will be called into full SAG and which will be deemed low risk.

View of Battle High Street during Bonfire 2017



Courtesy of Rye and Battle Observer Photo by Frank Copper SUS –170511-090006001

5. **Warehouse Safety Project** (local advisory project)

5.1 What we said we would do:

- (i) Contact warehouses/industrial premises with safety advice on workplace transport, work at height and manual handling.
- (ii) Follow up with an offer to make an advisory visit
- (iii) Visit on invitation and offer advice

5.2 What we did:

We prepared and sent letters with advice for businesses and followed up with a phone call to the business. Two businesses invited us to visit and give advice. The visits were made and appropriate advice given.

5.3 Conclusion:

The project was completed on time and served to meet its intended aim. The poor level of invitation to visit is disappointing. The HSE has been informed of the poor take up.

6 **Delivery and car park safety** (local advisory project)

6.1 Following a major incident at a local independent retailer the issue of safety in retail car parks was highlighted to local businesses in 2016-7.

6.2 What we said we would do:

- i. Support local business by helping them reduce the exposure to the risk of prosecution from workplace transport incidents by offering an advisory visit to discuss car park and delivery safety.

6.3 What we did:

Four of the local businesses contacted in 2016-7 were contacted by telephone and offered an advisory visit. All were small employers unlikely to have in-house expertise on the topic and likely benefit from the provision of the advice.

Two of the businesses accepted the offer of advice. Appointments were made and an officer visited. A comprehensive self assessment checklist was given to the

business in advance so they could identify their current strengths and weaknesses. This information was used as the starting point of the visit. One business had acceptable standards the other did not.

6.4 Conclusions:

Given the poor standards found in one premises further offers of advice will be made to local businesses in 2018-9. It is frustrating that this is categorised as a local advisory project and proactive inspections cannot be made. This matter has been raised with the HSE.



Illustration from Integrated Parking Services of the safety issues when delivering goods within a retail car park <http://www.integratedparkingservices.com.au/services/safety-audits/>

7. Violence at Work. Proactive Inspection HSE National Priority 14:

The risk of violence at work must be managed the same as other risks. Those who handle cash, lone work or night work, or/and have contact with intoxicated members of the public are all at increased risk of violence.

What we said we would do:

Use Sussex Police licensing reports to indicate where risks are not being effectively managed by businesses with vulnerable working conditions and make visits.

Unfortunately, Sussex Police licensing ceased sharing of their weekly reports in 2017 and this issue could not be pursued.

Conclusions: General crime reports indicate that petrol forecourts are the scene of violence, so in 2018-9 we will target locally owned petrol retailers with written advice on violence at work.

8. **Buried LPG Pipework- HSE National Priority No 2**

8.1 What we said we would do:

Rother DC will investigate all referrals from the HSE regarding buried metal LPG pipework on commercial premises.

8.2 What we did –

We investigated three referrals from the HSE all were found to be compliant.

8.3 Conclusions – We will continue to investigate referrals made by the HSE.

9. **Provision of advice to local businesses.**

9.1 What we said we would do:

Provide advice on the Rother DC **website** for local businesses on compliance with health and safety law; issue a regular **newsletter** to businesses in the district to inform them of developments in occupational health and safety law; offer **advice** when asked by a business and to make visits only on request and to the business' convenience.

9.2 What we did:

In addition to maintaining a website that signposts detailed sources of information as well as providing useful information of its own the service sent three newsletters via email to businesses in the district. Officers provided direct advice to six businesses at the owner's request.

9.3 Conclusions:

Providing general advice and guidance to businesses is an important way for us to contribute to the growth agenda in the district by providing businesses with advice they can trust and helping to avoid incidents and legal action at a later date. The desire to offer general advice needs to be carefully balanced against businesses desire for us to act as consultants for them and provide a type of indemnity against further action. We can only offer general advice and never offer consultancy or assured advice. To act in this way may be a conflict of interest.

10. **Service requests**

10.1 What we said we would do –

Requests or complaints made by the public regarding working conditions will be subject to the HSE Incidents Selection Criteria. Where a service request is accepted, the service will provide a first response within 5 days and complete the matter in 90 days.

10.2 What we did:

82 complaints or requests for service on health and safety matters are recorded for 2017-8. One particular business is responsible for 40 complaints alone. This business was identified previously and a particular procedure is in place for dealing with these complaints. All complaints received in 2017-8 were investigated and resolved, ranging from – blocked staff toilets in a workplace, accident during organised holiday activity, broken lift in care home, defective fork lift truck in wholesale depot. One request revealed the presence of damaged asbestos tiles in a retail outlet – an Environmental Health Practitioner visited and served a Prohibition Notice forbidding the use of the shop until the asbestos tiles were treated or removed. The necessary action was taken quickly and the shop allowed to re open.

8.3 Conclusions:

Direct contact from members of the public, employees or other agencies about conditions at work places represents a very important source of intelligence for the service that enables us to better understand how businesses in the district control the risks from their undertaking. These complaints often lead to direct action by officers to either assist the duty holder better understand their obligations or by taking formal action, such as prosecution.

11. Investigation of work related accidents

11.1 What we said we would do:

Notifications of accidents at work are received on-line via the Incident Contact Centres, in accordance with LAC 22/13, Incident Selection Criteria. The Service will provide a first response in 5 days and will complete the matter in 90 days.

11.2 What we did:

The RIDDOR website was checked twice a week by a Senior Environmental Health Officer and the new reports subjected to Incident Selection Criteria. Each report that met the criteria was sent to the officers in that area to carry out an investigation. Where the report did not satisfy the criteria the report was recorded on the M3 database on the relevant premises record to allow further analysis of risk management at the business to be undertaken at a later date.

In total 43 RIDDOR reports were received and investigated. One concerned a very serious injury to a guest who fell out of a hotel window – a prompt visit revealed that standards were acceptable and no further action was taken. Two fatalities were reported in 2017-8. Both were investigated – the cause of one was found to be cardiac arrest and was unrelated to the business where it happened. The second fatality concerned an elderly person who fell and died subsequently. An investigation did not find any fault with the business.

11.3 Conclusions:

RIDDOR reports and their analysis form an essential part of the intelligence gathering process for the service and assist in the targeted use of resource. Anecdotally it is believed that there is a high degree of under-reporting by duty holders resulting in many incidents going unreported. Again, anecdotally, it is believed there is a lack of awareness of the legal obligations under RIDDOR which may account for the lack of reporting. Because of the importance of this type of reporting it is our intention to work in partnership with other members of the Sussex Health and Safety Liaison group to create awareness amongst duty holders of their responsibilities in an effort to drive up reporting.

12. **Matters of evident concern**

Where an Environmental Health Practitioner is on an inspection for other matters (food hygiene, .licensing, pollution) or is on an advisory visit for health and safety, if they identify a risk of serious injury or ill health, this is a matter of evident concern. When such a concern is identified the officer must address it utilising the most appropriate method of intervention.

12.1 What we said we would do

To deal with each case as presented and to use any information gathered as intelligence to inform future work plans.

12.2 What we did;

Three matters of evident concern were discovered in Rother 2017-8. One was discovered whilst an officer was on a joint visit with Sussex Police to a guest house, targeting modern day slavery issues. The Council officer noticed defective electrical wiring and lack of safety arrangements for those lone working at night responsible for collection and storage of cash. The guest house owner was given verbal advice at the time of the visit which was followed up in writing.

The second matter of evident concern arose when an officer was conducting a routine food hygiene inspection in a pub kitchen. When standing at the gas cooker the officer noticed that the flexible hose supplying the gas was routed through the window, see photograph below.



An LPG cylinder was found in the yard connected to the cooker via the orange flexible hose. This is not a secure or safe arrangement for a gas supply. The business owner could not produce a Gas Safe Certificate, so a Prohibition Notice was served requiring the cessation of use of the cooker until a Gas Safe Certificate was produced. The gas cooker and piping was subsequently condemned and removed. An electric cooker was installed in its place.

The third matter of evident concern also occurred in a food business. On this occasion the officer noticed missing parts (gaskets) to the ventilation ducting system. A certificate from a suitably qualified electrician was requested to certify the system was safe. After the completion of some work the certificate was issued.

12.3 Conclusion

Matters of evident concern are important to identify serious matters which without intervention could cause serious injury. Rother DC will continue this work in 2018 – 9.

12.4 Overall Conclusion

It was a busy year for health and safety with much good work done by the service to contribute to the protection of employees, members of the public and businesses associated with occupational health and safety hazards. Where planned work was not completed (violence at work) this was because of the action of a separate agency.

Our intention is to continue to build up the good work of 2017-8 as we move forward with the 2018-9 service plan.