



**HEALTH AND SAFETY LAW ENFORCEMENT  
PLAN 2016 - 2017**

**(inc 2015 – 2016 OUTTURN)**

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# **PART 1 – THE PLAN FOR 2016 - 2017**

## **1. Introduction**

### **Our Vision**

The annual Health and Safety Law Enforcement Plan is designed to work within the Bracknell Forest Council Plan 2015-2019<sup>1</sup> and contribute towards the Council's Strategic Themes. Collectively the 6 identified Themes form the Council's Vision of how we want the Borough to be:

- Value for money
- A strong and resilient economy
- People have the life skills and education opportunities they need to thrive
- People live active and healthy lifestyles
- A clean, green, growing and sustainable place
- Strong, safe and self-reliant communities

The health and safety work that we do primarily falls within the scope of the Themes 'strong, safe and self-reliant communities' and 'strong and resilient economy'. More specifically the key measures of success of 'low levels of crime and anti-social behaviour throughout the Borough' and 'businesses are supported and encouraged to play an active role in the community' provide the main focus of our work. The plan itself provides a golden thread for each service priority identified, to enable it to be traced directly up to our Themes.

Our Health and Safety Law Enforcement Plan aims to ensure a graduated approach based on risk to public health, including both employees and others who may be affected by the operation of a business such as customers. It reaffirms our commitment to carry out our duties in an open and fair manner, protecting employees and the wider public, and supporting business and economic development. In doing so, at its core sit five basic principles:

- Targeting – taking a risk based approach
- Proportionality – only intervening where necessary
- Accountability – able to explain and justify service levels and decisions
- Consistency – apply standards consistently to all
- Transparency – open and user-friendly

We recognise that most businesses want to comply with the law; therefore we want to support and enable businesses to meet their legal duties, providing a level playing field without unnecessary expense. However, firm action, including prosecution, will be taken where appropriate, in accordance with the national Regulators Code and our Enforcement Policy.

This Health and Safety Law Enforcement Plan sets out the actions we are taking to promote health and safety for the benefit of local residents and employees and those who operate their business within our Borough.

The Council is responsible for health and safety under The Health and Safety at Work etc. Act 1974 and associated Regulations. We advise on and enforce health and safety in

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<sup>1</sup> Bracknell Forest Council Plan 2015 – 2019. Available at: <http://www.bracknell-forest.gov.uk/council-plan-2015-to-2019.pdf>

**1549** premises including offices, shops, leisure sites, catering premises and hotels. The Health and Safety Executive (HSE) produces formal guidance under Section 18 of the Health and Safety at Work etc. Act 1974<sup>2</sup>. This guidance shapes the work of all Local Authorities (LAs) in relation to health and safety and the HSE may potentially audit LAs on their health and safety enforcement activities.

Bracknell Forest Council's Health and Safety Law Enforcement Plan contains details of:

- what we plan to do this year,
- how we intend to do it, and
- the work we have completed in the previous year

Being mindful of the above priorities, we strive to provide a health and safety enforcement function that is driven by the concept of **sensible risk management**. In practice our key priorities are to:

- provide advice and information to Bracknell Forest businesses and residents
- reduce unnecessary interactions with businesses that consistently meet requirements
- undertake appropriate contacts with business on the basis of risk, reducing the burden on compliant businesses whilst targeting those that seek to gain an advantage from non-compliance
- investigate complaints and accidents and listen and respond to concerns raised; giving priority to those involving significant injury or death in the workplace
- consult our customers upon the quality of our service and key issues
- work in partnership with others to improve our outcomes for Bracknell Forest; for example the Health & Safety Executive, Public Health England and the Royal Berkshire Fire Service

Whilst this plan specifically deals with the forthcoming financial year of 2016-17, it takes place within the context of the wider agenda and the longer term view. The plan directly links the health and safety law service areas with the identified Regulatory Service Priorities<sup>3</sup>. It is reviewed annually and additionally includes details of the previous year's performance; the 2015-16 outturn.

## **2. The National Context to this Plan**

In addition to directly linking to other internal Bracknell Forest plans, this health and safety law plan is influenced by the national agenda.

Specific issues that have, and will continue, to impact on the direction of our work include:

### **a) Health and Safety Executive Guidance**

Bracknell Forest Council is responsible for protecting the health, safety and welfare of employees and members of the public who may be harmed as a result of work activities. However, this duty is shared with the Health and Safety Executive (HSE) depending on the type of work premises and the powers of both bodies is detailed in the Health & Safety at Work etc. Act 1974 and associated Regulations.

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<sup>2</sup> The National Local Authority Enforcement Code. Available at: <http://www.hse.gov.uk/lau/la-enforcement-code.htm>

<sup>3</sup> Details of the Regulatory Service Priorities are provided on page 23

The HSE additionally produces formal guidance that all relevant authorities (both LAs and the HSE) are legally required to be mindful of, referred to as 'Section 18 guidance' as it is produced under Section 18 of the Health and Safety at Work etc. Act 1974. This guidance requires Authorities to make adequate arrangements for enforcement, including details such as service planning, the officer capacity required to enforce in the Borough, the competency of those officers, and the production of an appropriate enforcement plan.

This national guidance, referred to as the 'National Local Authority Enforcement Code', aims to simplify the requirements placed on LAs and also identify high risk sectors that should become the focus of our activities. The code influences our priorities and focuses our activity by minimising full inspections in preference to other types of activity; such as reactive investigations and advisory work. The message is clearly 'no inspection without a reason'.

This legal framework is set within the context of the HSE's new strategy 'Helping Britain work well', launched in early 2016<sup>4</sup>.

## **b) Reducing the Burden on Business**

There is a strong drive from Central Government to reduce the burden upon business and not to undertake inspection or enforcement activities without a specific reason. As an enforcing authority we fully support this view.



The Better Regulation Delivery Office (BRDO) has developed national Priority Regulatory Outcomes<sup>5</sup>, which provide a focal point for all of our regulatory work, including health and safety. This plan directly links the relevant health and safety service areas with these Priority Outcomes.

## **c) Primary Authority Partnerships**

The concept of Primary Authority was formalised under the Regulatory Enforcement and Sanctions Act 2008. Under this legally recognised scheme (overseen by the BRDO), any business operating across more than one Local Authority can form a legally recognised partnership, effectively creating a focus for consistent advice. It is the gateway to simpler, more successful local regulation, and subsequent changes to the scheme has meant a significant expansion to the range of businesses that can participate, to include so-called 'Co-ordinated Partnerships', such as franchise operations, trade associations and other business groups.

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<sup>4</sup> Helping Great Britain work well; a new health and safety system strategy. Available at: <http://www.hse.gov.uk/strategy/strategy-document.htm>

<sup>5</sup> The National BRDO Priority Regulatory Outcomes are available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/262621/11-1469-pro-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/262621/11-1469-pro-report.pdf) and detailed on page 22

The impact of partnerships can be huge. A Primary Authority can issue formal advice to its partner business that applies throughout England & Wales regardless of where the outlets are based, and officers must take into account any such guidance or inspection plan. Primary Authority gives business the confidence to expand and grow; knowing that any such regulatory advice they receive is binding on other Local Authorities.

Inspection plans produced under the scheme have a strong status in law and any proposed deviations must be notified to the Primary Authority. The scheme covers a wide variety of subject areas, including health and safety, food safety, under age sales, gambling and sunbeds.

We offer Primary Authority partnerships to businesses wishing to take advantage of the scheme, and all of our health and safety work is undertaken in accordance with the scheme and mindful of any existing partnerships that businesses may have.

#### **d) The Independent Regulatory Challenge Panel**

In order to help support business, and challenge the perception that Authorities were placing unreasonable requests upon businesses, the Independent Regulatory Challenge Panel was formed to consider any cases of excessive or unreasonable requirements. Since its inception in 2011 there has been one successful challenge; with no challenges to requirements made by Bracknell Forest Council. Further details can be found at: <http://www.hse.gov.uk/contact/challenge-panel.htm>

### **3. The Local Context**

Within Bracknell Forest Council, the health and safety function is located within Regulatory Services; within the Environment and Public Protection Division of Environment, Culture and Communities. The work is carried out by the Health and Safety Team, which is made up of both Environmental Health and Trading Standards Officers from the Business and Consumer Team, and involves not only general health and safety but additionally firework and petroleum safety. The main aspects of this plan are managed by the Food & Safety Team Leader (Karen O'Connor), and the fireworks and petroleum safety aspects by the Business and Consumer Team Manager (John Nash).

Whilst much of our overall work is guided by the national context, it is refined and shaped locally as we take into account local intelligence and available information. This includes specific local knowledge of the nature and type of businesses within Bracknell Forest, and by utilising data sources such as complaints received, inspection data and reported accidents. By utilising such local sources of information, taking into account the national context, we are able to prioritise our work to ensure best effect with the resources available to us, whilst taking a sensible approach to health and safety. This includes:

- focusing attention towards the real risks, meaning valuable resources are not wasted on the trivial, whilst ensuring that workers and the public are properly protected.
- reducing burdens on those we regulate, meaning that we become a better regulator.
- building our organisation's credibility, providing credible and proportionate advice, whilst ensuring that those who create risks manage them responsibly and understand that failure to manage real risks responsibly is likely to lead to proportionally robust enforcement action.



It is also important to recognise what is not included in our approach to sensible risk management, as it is neither possible nor desirable to try and create a totally risk-free society. For example, we do not to restrict important recreational and learning activities for individuals where the risks are managed.

Sensible risk management is about practical steps to protect people from real harm and suffering – not bureaucratic back covering. At every visit or intervention with a business, we offer advice setting out the sensible and proportionate steps to be taken to deal with workplace risks properly. For example we only undertake full inspections for those premises representing the highest risk, whilst for lower risk operations we provide support and guidance via information provision and responding to requests for advice and guidance.

With the incorporation of Public Health into Bracknell Forest Council’s remit, key local risk information is incorporated within our plan where relevant via consideration of the Joint Strategic Needs Assessment (JSBNA)<sup>6</sup>. We are working with our Public Health colleagues to ensure that such synergies are explored fully with the aim of maximising our collective impact.

#### 4. The Specifics for Health and Safety within Bracknell Forest Borough

Bracknell Forest Council has health and safety responsibilities in respect of **1549** premises in the Borough including offices, shops, warehouses, builders' merchants and services such as hairdressers; as shown in the table below:

Type of Premises	Number of Premises
Retail shops	383
Wholesale shops, warehouses and fuel storage depots	48
Offices	442
Catering, restaurants and bars	270
Hotels, camp sites and other short stay accommodation	23
Residential care homes	31
Leisure and cultural services	121
Consumer services	219
Other premises	12
<b>Total</b>	<b>1549</b>

<sup>6</sup> Bracknell Forest Council Joint Strategic Needs Assessment available at: <http://jsna.bracknell-forest.gov.uk/>

In comparison with some other districts, Bracknell Forest has low numbers of wholesalers and warehouses, and higher proportions of offices, retail and leisure businesses.

There is no legal requirement for businesses to register with us for general health and safety purposes, and so we are reliant upon officers becoming aware of changes within the district and updates from our colleagues across Bracknell Forest Council, such as Business Rates. There are however some specific operations that are required to register, such as cooling towers, special treatments (e.g. tattooing) and those selling fireworks.

Food & Safety Team Officers deal with the main aspects of workplace safety related matters and undertake programmed risk based inspections, reactive inspections, investigate reports of accidents/ill-health under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) and respond to enquiries and complaints received. They also provide educational and promotional materials and information to raise the public profile of workplace health and safety, and coordination of enforcement activities within the Berkshire area. Trading Standards Officers have a role related mainly to matters regarding the safe storage and sale of fireworks and petroleum, undertaking inspections and responding to enquiries and complaints received. Whilst officers generally visit during office hours, this is very dependant upon the operating times of a business. Our flexible working arrangements mean that officers undertake visits both at evenings and over weekend periods in response to when businesses actually operate.

In addition to routine inspection visits, we also prioritise our available resources and undertake alternative enforcement activities. These generally apply to all but the highest risk operations and may be in the form of sector targeted information provision, responding via email / telephone queries raised or advisory visits to businesses where appropriate. Any significant problems or concerns identified will always be responded to in a proportionate manner, including a full inspection if appropriate. By taking such alternative approaches we are able to focus our resources towards those higher risk operations, maximising the impact that available officer time can make on protecting the public. We always strive to move the service forward and look for more efficient and effective delivery methods, including minimising the overall number of visits to business by different officers where possible.

## **5. Resources**

Our primary resources are our staff. There are currently 1.5 full-time equivalent qualified Environmental Health Officers and 0.2 full-time equivalent Trading Standards Officers who perform aspects of health and safety law enforcement. In total 10 officer posts are involved in issues relating to aspects of health and safety enforcement as part of their day-to-day duties, consisting of:

- 1 x Team Manager
- 1 x Team Leader
- 4 x Environmental Health Officers
- 2.5 x Trading Standards Officers
- 1.5 x Trading Standards Enforcement Officers

The Food & Safety Team officers spend 40% of their time on health and safety related matters. Additionally, 5 Trading Standards Officers have been allocated to undertake fireworks safety work accounting for approximately 4% of their time.

In addition to the work detailed elsewhere in this Plan, officers within the Health and Safety Team represent Bracknell Forest on relevant regional bodies with the aim of sharing good practice, benchmarking and achieving value for money. For example, we are members of

the Trading Standards South East Limited (TSSEL) Group which seeks to identify and develop good practice procedures to help enhance the quality and consistency of service provision. We are also members of the Berkshire Health and Safety Liaison group with a key function of co-ordinating the health and safety enforcement function towards a consistent approach across the county. This group periodically also undertakes county wide inter-authority audits. Such activities aim to improve regulatory service provision whilst maximising the effective use of local authority resources.

Officers can be contacted through our Customer Service Centre on 01344 352000 which is open from **8.30am - 5.00pm Monday to Friday**. Whilst officers are based at the Time Square offices on Market Street, Bracknell, officers are not generally office based and messages may well have to be left. Alternatively they can be emailed at [environmental.health@bracknell-forest.gov.uk](mailto:environmental.health@bracknell-forest.gov.uk)



## **6. Departures from the Plan**

Departures from the Health and Safety Law Enforcement Plan, reported through Departmental Management Team, will inevitably occur due to the reactive nature of some of the areas of work. However, departures will be kept to a minimum, capable of justification and be fully considered by the Head of Regulatory Services before varying action is taken. With performance additionally monitored via key performance indicators on a monthly basis and via quarterly service reports, comments are added where performance exceeds or fails to meet targets. This information will then be fed back into the development of other service plans.

## **7. Customer Feedback and Quality Monitoring**

Procedures are in place to scrutinise all the work that is undertaken by the Health and Safety Team. Our quality monitoring includes detailed practice notes, checks on data entry and officer consistency. We monitor our performance against targets on a monthly basis, via internal Key Performance Indicators (KPIs) including numbers of inspections, visits, etc., and additionally invite customer feedback; during 2015-2016 no formal complaints were received regarding the service. Annually we also undertake an in-house competency assessment for Officers in accordance with Section 18 Guidance issued by the HSE.

We additionally have a web-based survey for all regulatory service customers, both businesses and the general public, and the results help us to ensure we are providing the best possible service to customers within the resources available. The survey is open to anyone having contact with us at:

<http://consult.bracknell-forest.gov.uk/public/eh/regservevaluation>

Paper copies are available to those unable to complete the survey online.

All such monitoring and performance information is fed back into the development of future health and safety and other service plans.

## 8. Staff Development

We aim to make full use of the skills that exist in the Health and Safety Team and to develop those skills through updates, shadowed working and internal and external training. A record of continuous development is maintained for all officers, with all health and safety officers supported to maintain relevant training during the year, in accordance with the Health and Safety Executives requirements.

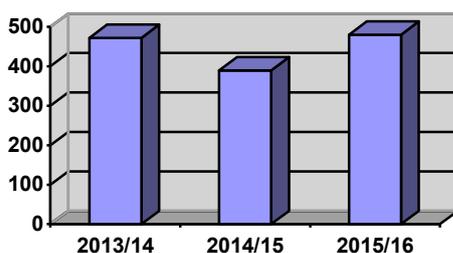
## 9. Our Performance Outturn for 2015-16

In producing our Health and Safety Law Enforcement Plan each year we reflect on the previous years activities. This process provides the opportunity to identify what went well and what went less well, and identify trends or key areas for focus moving forward. The health and safety law enforcement activity undertaken during 2015/16 is detailed on pages 11 to 17, although in summary we:

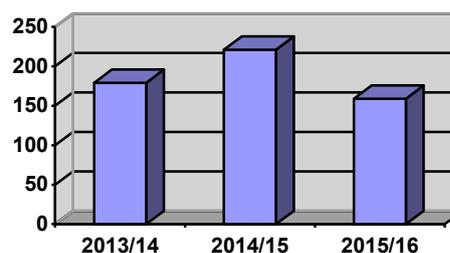
- undertook proactive interventions with **480** businesses. This included undertaking **11** full inspections of higher risk businesses, reviewing self-assessment questionnaires returned from **93** medium risk premises, sending relevant health and safety information to a further **280** low risk businesses, and undertaking initial contact visits with **2**. We additionally inspected **26** premises for fireworks safety and **3** premises in relation to petroleum. Of the remaining **65** visits, **5** were joint with another team/organisation, **25** were by associated officers' undertaking an element of H&S work, **34** were found to have ceased trading and the final **1** we were unable to access at that time.
- carried out **72** other related visits
- responded to **159** enquiries and complaints
- investigated **75** accident notifications
- issued notifications on how businesses can comply with the law to **40** businesses, of which **2** were formal Notices

This activity can be compared with previous years:

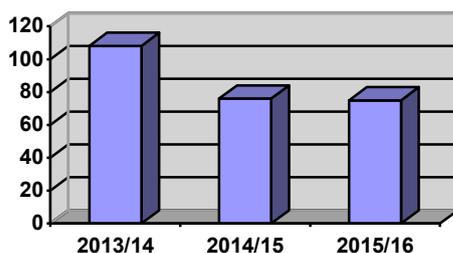
**Proactive Interventions**



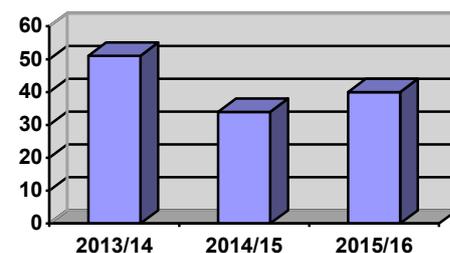
**Complaints and Enquiries**



**Accident Investigations**



**Notifications for Non-Compliance**



## 10. Our Health and Safety Law Enforcement Plan for 2016-17

We recognise that most businesses want to comply with the law; therefore we want to support and enable businesses to meet their legal duties without unnecessary expense. We have moved the emphasis from full inspections of premises purely on a cyclical basis to targeting resources towards those operations identified by either the HSE or locally as higher risk, as determined by national guidance and local intelligence.

Details of planned activities for 2016-17 begin on page 18; however, in summary we plan to undertake the following:

- inspecting health and safety premises on the basis of identified risk activities
  - inspect all premises where violence at work may be a significant risk, as identified by HSE in high risk sectors; a total of **25**
  - inspect all premises where blood borne infection may be a significant risk due to skin piercing activities (tattooing, body & ear piercing), as identified by the JSNA; a total of **14**
  - Provide relevant sector specific information to **382** lower risk premises
  - Undertake advisory visits or provide relevant information to all businesses previously not risk rated
- investigating complaints and concerns over health and safety, including work with other authorities within Berkshire and the South East on issues that cross Local Authority boundaries and affect Bracknell Forest businesses and residents.
- providing advice and information, including:
  - extending our Primary Authority Partnership arrangements
  - providing advice and guidance in response to requests from businesses to help them achieve compliance with legal requirements
  - ensuring the information on our website is up to date and accurate
- consulting our customers and seeking feedback on the quality of our service.

## 11. Concluding Information

This plan is reviewed every year and we welcome your comments and suggestions on how it could be improved further. If you would like further information or would like to speak to an officer for advice, please contact them via any of the following options:

Regulatory Services  
Environment, Culture & Communities Department  
Bracknell Forest Borough Council  
Time Square  
Market Street  
Bracknell, RG12 1JD  
Tel: 01344 352000  
Fax: 01344 351141  
Email: [environmental.health@bracknell-forest.gov.uk](mailto:environmental.health@bracknell-forest.gov.uk)

Or look on our website at: [www.bracknell-forest.gov.uk/healthandsafetyatworkinvestigation](http://www.bracknell-forest.gov.uk/healthandsafetyatworkinvestigation)

Additionally useful information is available at the following websites:

[www.hse.gov.uk](http://www.hse.gov.uk) -The Health and Safety Executive website, which has an enormous amount of invaluable information on health and safety. This includes specific advice and toolkits to help different types of business achieve compliance. The local HSE office is at:

Priestley House  
Priestley Road  
Basingstoke  
RG24 9NW  
Tel: 01256 404000  
Fax: 01256 404100

[www.hse.gov.uk/lau](http://www.hse.gov.uk/lau) -The Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) ensures that the health and safety legislation is enforced consistently across Authorities.

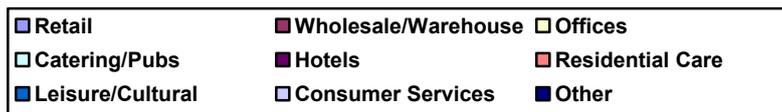
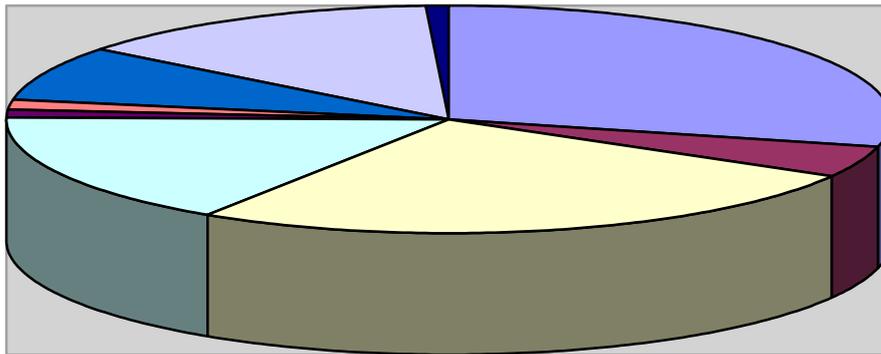
<http://www.hse.gov.uk/riddor> - for a full list of reportable specified injuries, diseases and dangerous occurrences and when and how they must be reported.

## PART 2 – HEALTH AND SAFETY ENFORCEMENT OUTTURN 2016–17

A summary of this Outturn is provided under Section 9 above (page 8), with further detail below:

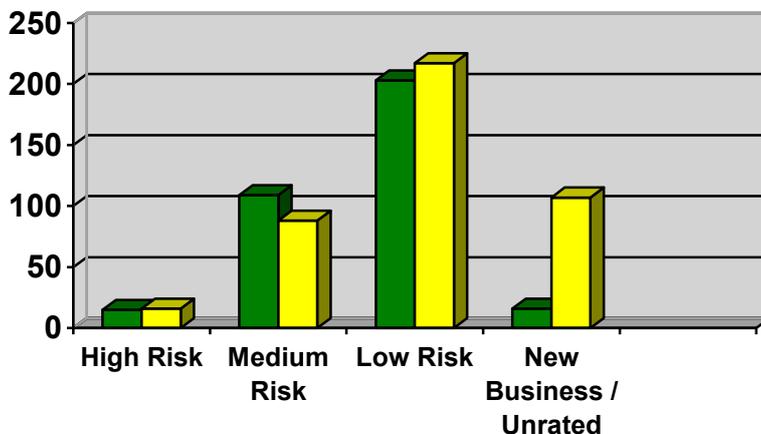
### 1. Proactive Inspections and other interventions

The chart shows the proportion and type of businesses where proactive interventions were targeted in relation to Health and Safety during 2015/16.



In 2015/16 officers completed a combined total of **480** proactive interventions overall, including both inspections and other interactions such as self-assessment questionnaires and appropriate information provision. The individual breakdown for Environmental Health and Trading Standards interventions are illustrated in the diagrams in the subsequent sections 2 and 3.

### 2. Environmental Health – Health and Safety Interventions for 2015/16

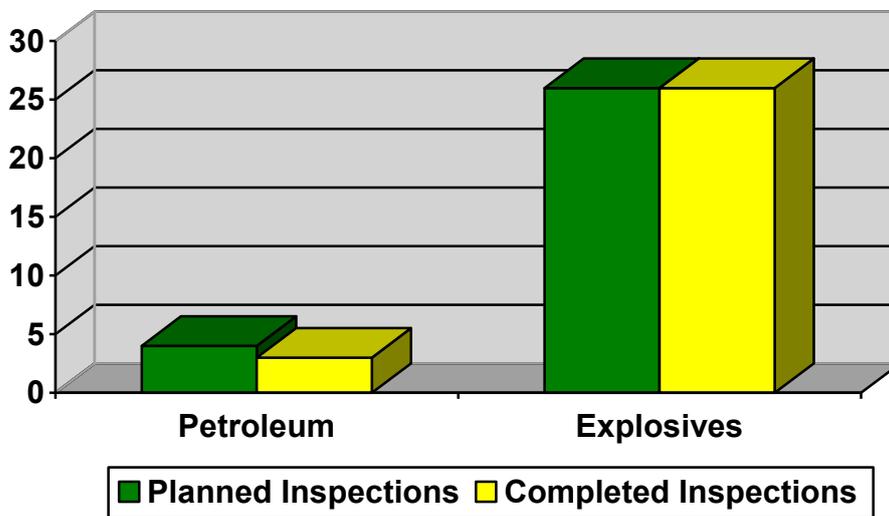


A total of **451** proactive interventions were undertaken during 2015/16. At the beginning of the year there were **15** high risk premises (rated as 'A' or high risk activities) scheduled for proactive intervention with **16** were completed (the additional premises inspected due to a complaint received). Interventions included full inspections, but also detailed complaint or accident investigation visits which included an assessment of overall systems in place. Medium rated premises (B1 and B2) were scheduled to be assessed via returned self-assessment questionnaires and low risk premises scheduled to be provided with relevant information and advice. Slightly fewer than planned interventions occurred with the medium risk premises due to some premises closing and some non-return of questionnaires (being followed up in 2016/17). An overall higher number of premises were either inspected or provided with advice and guidance than initially programmed, largely due to the Team becoming aware of new premises, or due to complaints / accidents which prompted further intervention.

In addition, **94** reactive visits were undertaken during 2015/16 in response to notifications, enquiries or complaints. These didn't involve a full inspection but instead focussed on specific issues. These comprised of:

- **43** advisory visits
- **17** revisits to follow up on issues of non-compliance
- **4** visits in relation to accidents
- **18** visits in response to complaints or enquiries from business or the public, and
- **12** visits in relation to special treatments (e.g. tattooing) or smoke free legislation

### 3. Trading Standards – Fireworks Safety & Petroleum Interventions for 2015/16



Explosive work is traditionally focussed around the bonfire night celebrations. This is because the majority of licensed premises in the Bracknell area can only sell fireworks at specific times of year (Bonfire, New Year, Diwali, Chinese New Year) with November being the peak season.

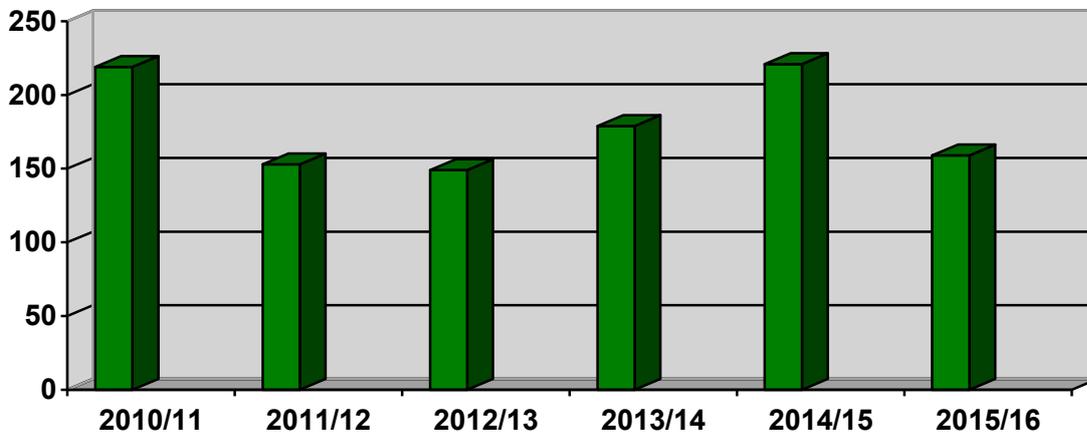
Petroleum licensing is now primarily focussed on petrol stations, there are 16 premises across the district, these are risk rated and visited accordingly. In practice this means that every petrol site is visited at least once every two years.

#### 4. Enquiries and Complaint Investigations



During 2015/16 we received **159** enquiries and complaints as shown below, regarding working conditions and practices. We aim to respond to all such enquiries within 5 working days, but if it is judged that the situation is serious then we try to respond the same day. Some examples of the enquiries we have dealt with are:

- Requests for information about how a business may comply
- Concerns over working practices
- Trip/slip hazards
- Poor working conditions including lighting, heating, temperature



Health and Safety Enquiries and Complaints

#### 5. Accident Investigations

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 place a legal duty on employers, the self-employed and those in control of premises to notify and report some more serious work-related accidents, diseases and dangerous occurrences. Most notifications are reported via the HSE's website at <http://www.hse.gov.uk/riddor/>. Notifications are then passed on to the relevant enforcement authority.



We review all accident notifications and investigate as appropriate, according to severity and significance of the incident and relevant HSE guidance. Our aims in undertaking independent investigations of accident notifications are:

- to prevent a recurrence of the accident by securing improvements in health and safety standards, including practices and procedures, and the assessment of the effectiveness of existing controls.
- the identification of potential hazards and associated risks.
- provision of advice and information.
- appropriate enforcement action (proportionate to risk) to secure compliance with health and safety legislation where necessary.



During 2015/16 officers received **73** notified accidents and dangerous occurrences.

- **0** fatalities
- **9** specified injuries
- **29** accidents resulted in a member of the public being taken to hospital.
- **34** accidents resulted in injuries to an employee requiring an absence from work of more than 7 days
- **1** specified disease
- **0** dangerous occurrences

In order to allow a comparison with our Berkshire neighbours the data for the whole of Berkshire for 2015/16 is detailed below. This is broken down into Council area, and shows both the total number and rates per 100,000 population of the main injury types to enable direct comparison.

	Fatalities (rate per 100,000 population <sup>7</sup> )	Specified Injuries (rate per 100,000 population <sup>7</sup> )	Over 7 day injuries (rate per 100,000 population <sup>7</sup> )	Members of Public taken to Hospital (rate per 100,000 population <sup>7</sup> )	Not specified (rate per 100,000 population <sup>7</sup> )	Total (rate per 100,000 population <sup>7</sup> )
<b>Bracknell</b>	<b>0 (0)</b>	<b>9 (8.0)</b>	<b>29 (25.6)</b>	<b>34 (30.0)</b>	<b>1 (0.9)</b>	<b>73 (64.5)</b>
Reading	1 (0.6)	21 (13.5)	57 (36.6)	39 (25.0)	6 (3.9)	124 (79.6)
Slough	3 (2.4)	14 (10.0)	52 (37.0)	66 (47.1)	7 (5.0)	142 (101.3)
West Berks	0 (0)	14 (9.1)	55 (35.8)	39 (25.6)	3 (2.0)	111 (72.2)
RBWM	2 (1.4)	21 (14.5)	37 (25.6)	56 (38.7)	3 (2.1)	117 (80.1)
Wokingham	0 (0)	11 (7.1)	28 (18.1)	36 (23.3)	3 (1.9)	78 (50.5)
<b>Total</b>	<b>6 (0.7)</b>	<b>90 (10.4)</b>	<b>258 (30.0)</b>	<b>270 (31.3)</b>	<b>21 (2.4)</b>	<b>645 (74.8)</b>

<sup>7</sup> using 2011 census data at <http://www.bracknell-forest.gov.uk/ks101ew-usual-resident-population.pdf>

Further detail on the causes of many of the accidents is available, and for example of the **645** accidents within Berkshire some of the main causes were:

	Slip, trip or fall on the same level (rate per 100,000 population <sup>7</sup> )	Lifting and handling injuries (rate per 100,000 population <sup>7</sup> )	Fall from height (rate per 100,000 population <sup>7</sup> )	Struck by an object (rate per 100,000 population <sup>7</sup> )	Other cause or cause not completed (rate per 100,000 population <sup>7</sup> )
<b>Bracknell</b>	<b>30 (26.5)</b>	<b>8 (7.1)</b>	<b>9 (8.0)</b>	<b>7 (6.2)</b>	<b>10 (8.8)</b>
Reading	45 (28.9)	22 (14.1)	11 (7.1)	8 (5.1)	21 (13.5)
Slough	78 (54.9)	13 (9.3)	7 (5.0)	14 (10.0)	14 (10.0)
West Berks	43 (28.0)	16 (10.4)	9 (5.9)	8 (5.2)	22 (14.3)
RBWM	48 (33.2)	11 (7.6)	16 (11.1)	3 (2.1)	21 (14.5)
Wokingham	26 (16.8)	4 (2.6)	13 (8.4)	4 (2.6)	15 (9.7)
<b>Total</b>	<b>270 (31.3)</b>	<b>74 (8.6)</b>	<b>65 (7.5)</b>	<b>44 (5.1)</b>	<b>103 (12.0)</b>

Whilst this data is useful to help identify the main causes, several accidents do not detail the actual cause, and the detailed information for accidents occurring in other Local Authorities is not readily available. That said, there are some suggestions that reports for Bracknell Forest appear marginally lower than some of our Berkshire neighbours, with only 'falls from height' and 'struck by an object' appearing higher than the County average. Such figures must however be used with caution, as there may be many reasons for the levels seen, including the reporting of incidents that don't need to be reported.

## 6. Enforcement Action

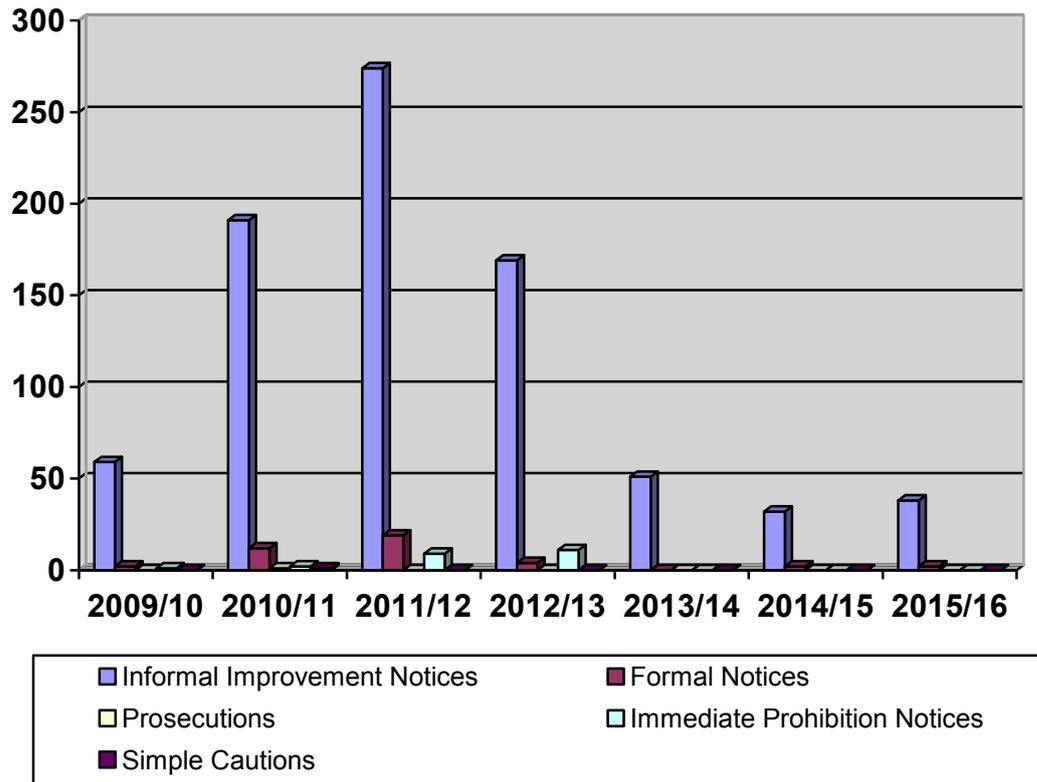


We have adopted a broad and comprehensive set of measures to protect consumers and promote health and safety, and we actively work with local business to achieve a balanced approach. We use the full range of enforcement options available to us, but wherever possible we use informal measures to achieve any necessary improvements. Any enforcement action taken by officers is proportionate and in accordance with the Council's Enforcement Policy. A full copy of the policy can be found on our website:

<http://www.bracknell-forest.gov.uk/enforcement-policy.pdf>

The enforcement action taken in relation to health and safety for recent years is shown below:

<b>ENFORCEMENT ACTION</b>	<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Informal improvement notices	59	191	274	169	51	32	38
Formal notices	2	12	19	4	0	2	2
Prosecutions	0	1	0	0	0	0	0
Immediate Prohibition Notices	1	2	9	11	0	0	0
Simple Cautions	0	1	0	0	0	0	0
<b>TOTAL</b>	<b>62</b>	<b>207</b>	<b>302</b>	<b>184</b>	<b>51</b>	<b>34</b>	<b>40</b>



In 2011/12 a peak in enforcement work was seen. This was largely due to database updating work undertaken that identified a number of extra premises. As many of these businesses had received no contact previously, the visits revealed a larger number of issues that resulted in informal notices being sent. Since this peak, this figure has been seen to reduce as we have made contact with many such businesses already. In addition the emphasis and direction from the HSE has shifted to information provision and purely advice in the first instance, reducing the emphasis on further action.

## 7. Project Working

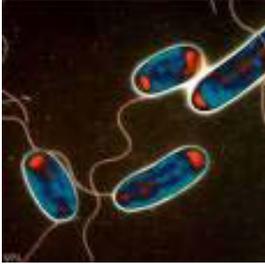
We ensure that our priority is responding to service requests and the programmed health and safety work that we are required to complete. Thus, due to some staff shortages during the year and a significant focus on food safety work, only limited project work was undertaken in 2015/16.

### Cooling Towers



Cooling towers, if not properly managed, may present significant risks to those in the area due to Legionella bacteria breeding in them and escaping to the surrounding area. These bacteria may cause a lung disease called legionellosis, which has very high fatality levels. Due to these risks, nationally authorities were asked by the HSE to inspect relevant cooling towers in their area. We previously inspected the premises requested, and continued to undertake further work with business to improve standards and thus reduce the risks. No formal action was necessary to ensure the necessary progress.

## Water Features



In addition to cooling towers, Legionella bacteria are also able to grow in other types of water systems, including fountains. Due to the national focus on legionella, we continued to focus on responding to relevant enquiries or complaints that had potential legionella implications.

## Smokefree Bracknell Forest

Officers continued to monitor and advise business on compliance with smokefree legislation at all visits as appropriate.



A total of **5** complaints and enquiries were received relating to smoking during 2015/16 and all of these were resolved informally without the need for enforcement action. There is advice and information about the smokefree requirements on the Council's website at: <http://www.bracknell-forest.gov.uk/smokingbanenforcement>

## Formal Asbestos Notifications

More people die from asbestos-related disease per year than are killed on the roads. Asbestos is raised as a matter of concern at every relevant inspection and advice is regularly provided to relevant businesses. Employers are assessed on how they are complying with their duty of managing asbestos in buildings and advice is given on how to achieve compliance. One formal notification for work involving areas known to contain asbestos was received, and appropriately investigated.

## 8. Staff Development 2015-16

A record of continuous development is maintained for all Officers and training is provided to ensure that officers are up to date and able to tackle specific risks within Bracknell Forest. The following courses were attended during 2015/16:

- Legionella in Hot and Cold Water Systems
- Asbestos
- Cosmetic Laser Treatments

Division: Environment and Public Protection  
 Section: Regulatory Services  
 Team: Health and Safety

National Priority	BFC Theme	BFC Key Measure	Regulatory Services Priority	Service Priority	Service Action	Outcome measure	Priority
<b>Protecting Consumers, Supporting Business</b>							
4	6	3	4	To maintain a comprehensive Health and Safety Law Enforcement Plan.	To adopt annual Health and Safety Law Enforcement Plan.	Adoption of plan by Committee.	Medium
1	2 4 6	6 5 3	1 & 4	To work in partnership to reduce the number of accidents and incidents of ill health that occur within Bracknell Forest.	Adapting existing project plans that have been developed by the HSE for campaigns to: <ul style="list-style-type: none"> <li>• Free up officer time from developing campaigns and allow more contact time with businesses</li> <li>• Low cost publicity and support material by use of nationally produced resources and publicity</li> <li>• Impact on the health of the community and the strength of the local economy by targeting areas of identified significant risk</li> </ul>	Incorporated into specific items detailed below.	Medium
4	2 6	6 3	4	To investigate accidents reported via RIDDOR or reported direct.	To ensure a common, proportionate, transparent and targeted approach for the selection and investigation of accidents and incidents. BFC's selection criteria is based on the HSE's guidance LAC 22/13.	100% incidents assessed within 5 working days. 100% fatalities responded to within 24 hours.	High

Division: Environment and Public Protection  
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 Team: Health and Safety

National Priority	BFC Theme	BFC Key Measure	Regulatory Services Priority	Service Priority	Service Action	Outcome measure	Priority
1	6	3	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Ensure the full range of information and guidance on priority areas is available to local businesses.	Respond to 100% requests for information and advice within 5 working days. Maintain up-to-date health/safety pages on the Council's website.	Medium  Low
1	2 6 4	6 3 3/5	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Inspection of all high risk premises where violence at work may be a significant risk. Inspection of all relevant local risk premises, where skin piercing operations may create a significant risk (as identified in the JSNA). Offer support and advice to new businesses and 20% of all relevant C risk rated businesses in Bracknell Forest.	Full inspection of 25 high risk premises.  Full inspection of 14 relevant local risk premises undertaking high risk skin piercing operations (tattooing & body piercing) Provide information to 382 low risk businesses.	High  Medium  Low
1	2	6	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Respond to requests from businesses and the public to help improve health and safety compliance. Where significant risks are identified, to take prompt action to improve conditions and reduce likelihood of injury or ill-health occurring.	Respond to 100% requests from businesses and the public within 5 working days.	High
1	6	3	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Inspection of 50% of all medium risk Petroleum licensed premises. Inspection of 100% of all explosive licensed premises. Offer support and advice to new businesses.	Inspection of 15 petrol sites  Inspection of 100% of premises (currently 26). Respond to 100% requests from businesses and the public within 5 working days.	Medium

Division: Environment and Public Protection  
 Section: Regulatory Services  
 Team: Health and Safety

National Priority	BFC Theme	BFC Key Measure	Regulatory Services Priority	Service Priority	Service Action	Outcome measure	Priority
1	2	6	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Attend SAG meetings and provide support and information to Event Organisers.	Attend monthly meetings and attend events where specific uncontrolled risks identified.	Medium
<b>Project Working – Focussing Resources</b>							
4	6	3	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Asbestos. Ensure compliance in commercial premises that may contain asbestos materials to ensure risk to employees and visitors is minimised by: incorporating asbestos control into full health and safety inspections. Providing appropriate advice and guidance for all formal asbestos removal notifications.	Include asbestos management within 100% of full inspections (39).  Respond to 100% of formal notifications and attend removal works as appropriate.	High  Medium
4	4	5	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Legionella risks – local intel from previous project suggests some local businesses not aware of adequate legionella controls. To target businesses providing residential care for legionella controls.	Assessment of 5 residential care homes for adequate legionella controls. Provision of advice and assistance to ensure adequate control of legionella.	Medium
4	4	5	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Reduce risks of carbon monoxide poisoning from solid fuel cooking. To be assessed as part of food hygiene inspections in order to minimise multiple regulatory visits to businesses.	Assess 100% of inspected food premises for risks from solid fuel burners (estimated 130), providing appropriate advice to businesses with solid fuel burners.	Medium

Division: Environment and Public Protection  
 Section: Regulatory Services  
 Team: Health and Safety

National Priority	BFC Theme	BFC Key Measure	Regulatory Services Priority	Service Priority	Service Action	Outcome measure	Priority
1	4	5	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Examine local trends of complaint, enquiry and accident notifications and use as service planning intelligence; targeting higher risk activities or work areas for the subsequent financial year.	Evaluate 2016/17 data to ensure local intelligence is used to focus the 2017/18 work plan.	High
1	4	5	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Examine local trends of RIDDOR accident notification accuracy and reduce over-reporting of non-reportable accidents by targeting businesses with higher reporting rates.	Identify the 5 highest RIDDOR reporters; provide advice and guidance to ensure appropriate reporting and any on-going risks resolved.	Medium
1	6	3	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	2015/16 RIDDOR and complaint data suggest increased levels of accidents within warehouses. Investigate the extent of current warehouse operations and high risk activities (e.g. fork lift truck, other workplace transport and racking systems).	Primary industrial unit areas surveyed for warehousing and relevant advice provided.	Medium
1	2	6	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities.	Work with Primary Authority Partners to improve consistency across Local Authority areas within England and Wales by providing advice and guidance in relation to health and safety matters.	Respond to 100% of requests for assistance and provide appropriate advice and guidance on health and safety matters.	Medium
<b>Performance Management</b>							
1	1	1	4	To maintain a quality service in accordance with Section 18 HASWA.	Annual review and implementation of work plan to demonstrate compliance with S18 requirements, ensuring consistency of approach and maximised	Monthly and quarterly monitoring of targets via KPIs and quarterly monitoring systems. Quarterly consistency monitoring	High

Division: Environment and Public Protection  
 Section: Regulatory Services  
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National Priority	BFC Theme	BFC Key Measure	Regulatory Services Priority	Service Priority	Service Action	Outcome measure	Priority
					resources, including up to date procedures and competency systems. Identify staff training needs during appraisals, including: Regulators Development Needs Analysis tool (RDNA) and Guidance for Regulators Information Point (GRIP), and provide relevant staff training/experiential learning, ensuring continued competence in relevant skills.	of officers. Any identified shortfalls addressed. Annual assessment of officer training needs via RDNA analysis Provision of relevant training required.	
1	1	1	4	Continue to improve our service by managing our performance and comparing ourselves against others.	Apply best practice, enabling the service to continually improve and identify areas suitable for collaborative working. Work with local partners, including Berkshire LAs and the HSE to share knowledge, and minimise duplication of effort.	Attendance and participation in Berkshire health and safety liaison group.	Medium

**BDRO Priority Regulatory Outcomes:**

1. Support economic growth, especially on small business, by ensuring a fair, responsible and competitive trading environment.
2. Protect the environment for future generations including tackling the threats and impacts of climate change.
3. Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods.
4. Help people to live healthier lives by preventing ill health and harm and promoting public health.
5. Ensure a safe, healthy and sustainable food chain for the benefits of the consumer and the rural economy

**Division:** Environment and Public Protection  
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**BFC Strategic Themes & Key Measures**

1. Value for money
  - 1 Spending is within budget
2. A strong and resilient economy
  - 6 Businesses are supported and encouraged to play an active role in the community
- 3 People have the life skills and education opportunities they need to thrive
- 4 People live active and healthy lifestyles
  - 3 Comprehensive public health programmes aimed at adults and young people, including smoking cessation, weight management and sexual health are in place
  - 5 Preventative activities such as falls prevention are increased
- 5 A clean, green, growing and sustainable place
- 6 Strong, safe and self-reliant communities
  - 3 There are low levels of crime and anti-social behaviour throughout the borough

**Regulatory Services Priorities:**

1. To protect and support residents and legitimate business through the promotion of a fair, safe, responsible and competitive trading environment.
2. To work with local business to deliver a safe and quality food chain.
3. To work with partners on improvements to the local environment which positively influence the quality of life and promote sustainability.
4. To target enforcement action against those who demonstrate a disregard for the law and the consequences of their actions.
5. To promote public health and healthy living.
6. To constantly keep under review existing working procedures to ensure improvements in service delivery, effectiveness and efficiency.