



Powys County Council

Health and Safety Enforcement Service Plan 2016/17

**Environmental Health Department
Commercial Section**



Cymunedau cryf yng nghalon werdd Cymru - Strong communities in the green heart of Wales

Introduction

This Service Plan sets out the way in which health and safety enforcement will be carried out in the County of Powys by the Commercial Section of the Environmental Health Service of the Authority in 2016/17.

The Service Plan is produced on an annual basis and is effective from 1st April 2016. Copies are also available from each area office. Comments on the Plan are invited throughout the year, and these are taken into account when the following year's Plan is produced. The Plan is approved by the Authority prior to publication.

Powys County Council is an "enforcing authority" under the Health and Safety at Work etc. Act 1974 and is required by Section 18 of the Act to set out the arrangements it has in place to discharge that duty. This Service Plan is produced in response to that requirement and is designed to inform the business community of Powys and the wider audience, of the arrangements Powys has in place to regulate health and safety in the workplace. It also shows how these activities contribute to and support others in delivering Corporate and statutory objectives to the community as a whole.

The Service Plan contains two elements:

- The arrangements, supporting structures and controls that enable these interventions to be delivered.
- An Intervention Plan which details the type, method and number of interventions to be used in order to fulfil the major purpose of working with others and to contribute to the reduction in the number of fatal and major injuries and ill health in people in work and those affected by work activities.

It is therefore designed to meet both the requirements laid down by the Health and Safety Executive under the National Local Authority Enforcement Code and LAC 67(2) revision 5 and to clearly show how through the enforcement of regulation and provision of guidance, advice and support, workplace health, safety and welfare will be assured in Powys within the resources available to do this.

The plan will illustrate how by various methods and teams, the service will meet the objectives of the Health and Safety at Work etc. Act 1974, and:-

- Secure the health, safety and welfare of persons at work;
- Protect persons other than persons at work against risk to health or safety arising from work activities;

Service Aims and Objectives

1.1 Service aims and objectives

The Commercial Section within Environmental Health is committed to improving health and safety outcomes by ensuring the highest health and safety standards are maintained throughout the County of Powys in order to protect employees, the self-employed and members of the public. To demonstrate this, the Team has adopted the following aims and objectives.

The overall aim of the Service is:-

“To work with others to protect people’s health and safety by ensuring risks in the changing workplace are managed effectively.”

To achieve this, the service has adopted the following 5 key delivery priorities:-

- To target activity in accordance with national guidance, to manage the risk in high risk businesses;
- Investigate notified Accidents, Disease and Dangerous Occurrences in accordance with the Accident Investigation Policy;
- Respond to all service requests received as complaints from employees or members of the public in accordance with the Complaint Investigation Policy;
- To respond in a timely manner to requests on matters such as asbestos notifications, lift reports, licensing applications etc.; and
- Contribute to the delivery of the HSE’s National Strategic programme.

1.2 Links to Corporate Objectives

Powys County Council has three main plans that set out how the authority will deliver services. These plans document how the Council will improve services, spend budgets and save money. The key documents are:

- One Powys Plan 2014-17 plus annual update;
- Budget, Medium Term Financial Strategy and Capital Strategy 2016/19; and
- Service Improvement Plans 2016/19

The authority’s vision is a council that places working with our communities at the heart of its response;

“Strong Communities in the Green Heart of Wales”

The council's key priorities being:-

- ***Remodelling council services to respond to reduced funding;***
- ***Supporting people within the community to live fulfilled lives;***
- ***Developing the economy; and***
- ***Improving learner outcomes for all, minimising disadvantage***

To achieve this, Powys County Council will support, direct and enhance its services to and with our local communities, working closely with our partners. The Commercial Team of Environmental Health through its core business activities supports the Corporate Plans by sitting within the Council's Regulatory Services portfolio and contributing to priorities of ***supporting people within the community, developing the economy and responding to reduced funding.***

Supporting people within the community – Amongst other factors impacting on health, the service works with people to contribute to the reduction in the number of fatal and major injuries and ill health in people and those affected by work activities, including the public.

Developing the economy – The provision of timely advice and education on health and safety issues to businesses, stakeholders, and other local authorities and bodies can benefit the economic viability of businesses. The equitable enforcement of regulations helps to maintain a level playing field, allowing businesses to compete on equal terms.

Responding to reduced funding - The service constantly strives for ways to remodel the service delivery to find more efficient means of providing the service; this is a constantly evolving process and has involved service shrinkage.

Nationally the service also contributes to the **Welsh National Enforcement Priorities for Wales** for local regulatory delivery, which highlights the positive contribution that regulatory services, together with local and national partners, can make in delivering better outcomes:

- Protecting individuals from harm and promoting health improvement;
- Ensuring the safety and quality of the food chain to minimise risk to human and animal health;
- Promoting a fair and just environment for citizens and business;
- Improving the local environment to positively influence quality of life and promote sustainability

The **Chief Medical Officer for Wales** Annual Report for 2014-15, entitled '**Healthier, Happier, Fairer**' focused on evidence and opportunities, detailing the whole journey, from a healthy start in life, through to making the right choices to maintain a healthy lifestyle and ageing well in Wales.

Chapter 4 of the report '**Protecting the Public's Health**' specifically recognises the importance of protecting the public's health and the important contribution that local

government plays in this. The first section of Chapter 4 'The Role of Local Government' describes the challenges of ensuring sustainable environmental health services, and the opportunity of further linking the public health system across the NHS and Local Government to support the ambition of the Well-being of Future Generations (Wales) Act 2015.

The Chief Medical Officer notes the valuable role that Environmental Health teams across Wales play in delivering the preventative interventions that protect health and wellbeing. She furthermore calls for immediate action to preserve and to build the service, including maintaining experience and knowledge within it and recommends that action should be taken to ensure the sustainability of the service within local government.

The '**Powys Teaching Health Board (PTHB) Integrated Medium Term Plan 2015-2018**', published as part of the Local Public Health Strategic Framework provides details of how local Public Health teams work in partnership to improve and protect the health and wellbeing of the local population. The Plan sets out several priority work areas and actions necessary to achieve improvement. Priority areas include:

- **Smoking**
- Obesity
- Immunisation
- **Health at work**
- Healthy Weights
- Mental Health & **Wellbeing**
- **Health Protection**
- Alcohol & Substance Misuse
- **Healthy Schools Programme**

The Commercial Team contribute to at least the priorities highlighted above through their daily work activity.

2. Overview of the Service

2.1 Profile of the Authority

Population and area

Powys is a rural area covering a quarter of the land mass of Wales.

Population:	132,705
Area (hectares):	519,700

Administration

The Authority's headquarters is located in County Hall, Llandrindod Wells. Service delivery points are located around the County.

2.2 Organisational Structure

Environmental Health is part of the Place Directorate, reporting through Professional Lead Officers to the Regulatory Services Manager; the Head of Regeneration, Property and Commissioning and to the Director of Place.

Section 13, of The Council's Constitution sets out the responsibility for functions. The Leader's Scheme of Delegation of Executive Functions sets out the responsibilities of the eight Cabinet Members and is covered in Section 13.

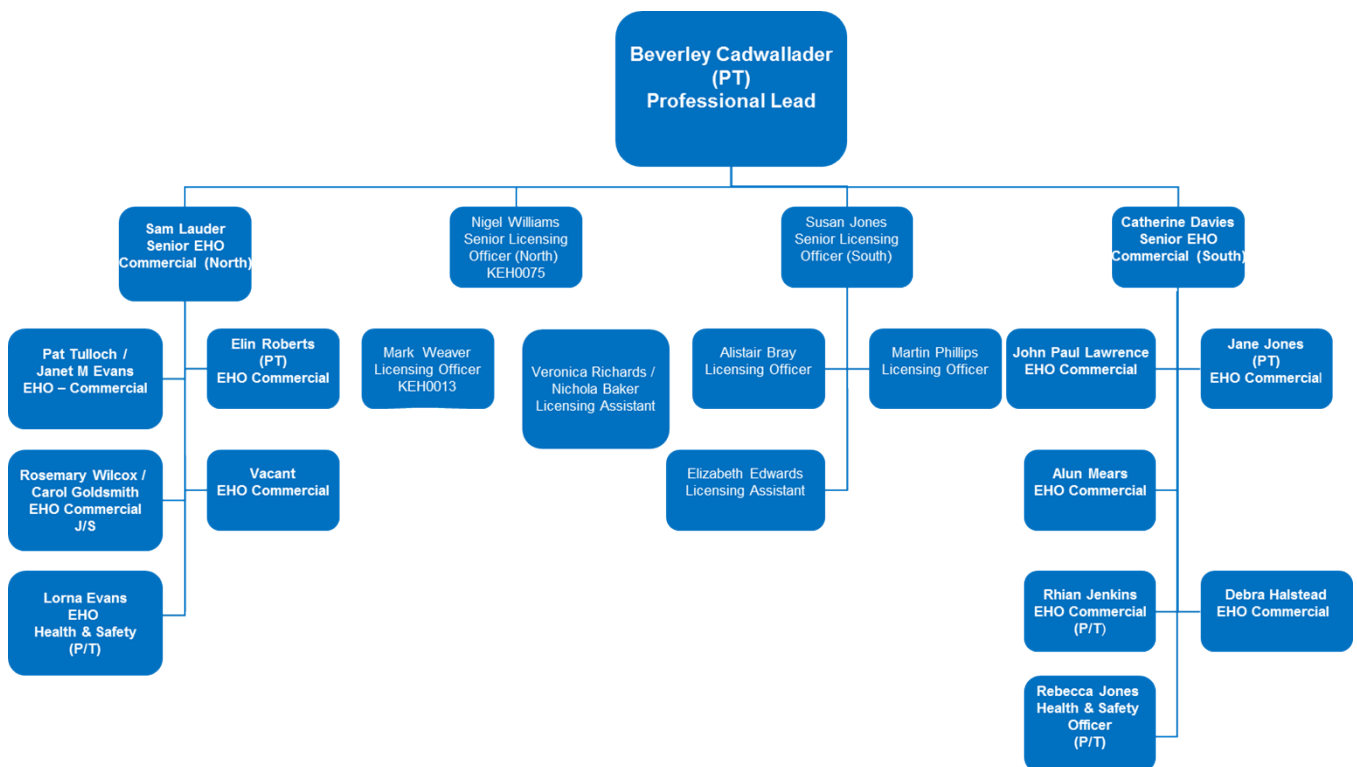
County Councillor John T Powell is responsible for Health and Safety Enforcement exercised through The Group Director Place and The Service Director Regeneration, Property and Commissioning. Cllr Powell is the Portfolio Holder for Environment and Sustainability, his full portfolio is as follows:

- County Farms Estate
- Waste Management
- Refuse Collection
- Environmental Health
- Trading Standards
- Emergency Planning
- Community Safety
- Woodland Management
- Landscape Design
- Countryside Services (Countryside Rights of Way, Maintenance, Open Access, Biodiversity, Coed Cymru, Commons Registration, National Trails).
- Sustainability
- Climate Change & Sustainable Development
- Sustainability, Green Dragon and Carbon Management
- Sustainability Strategy

- Central Wales In Collaboration
- Human Resources
- Human Resources Strategy, Advice and Policy Development
- Organisational Development (Equalities, Training, Pay and Policy)
- Occupational Health and Safety
- Powys Training
- Corporate Policy
- Equalities

The Health and Safety Service is located within the Place Directorate and is delivered by the Commercial Team within Environmental Health.

Commercial Team Structure



2.3 Scope of the Health and Safety Enforcement Service

Powys County Council is responsible for providing a comprehensive health and safety service combining education, advice and enforcement. The enforcement of Health and Safety at Work legislation is shared with the Health and Safety Executive (HSE) and division of responsibilities is laid down by Regulation. The Service is responsible for enforcement in premises such as offices, retail premises, warehouses, consumer services premises, places of entertainment, hotels and residential accommodation and catering establishments. Activities are categorised as reactive and proactive and include full health and safety

inspections, national and local evidence-based projects and interventions. The full scope of the Health and Safety Service includes:

Reactive

- Investigating reported accidents, diseases and dangerous occurrences;
- Responding to complaints and requests for service including smoking in public places;
- Registration and licensing activities including tattooists, skin piercers, asbestos activities and lift reports;
- Responding to consultations from Licensing, Planning, Building Control etc.;
- Providing advice and information to businesses;
- Securing safety standards at outdoor events covering sporting, cultural and entertainment through Event Liaison Meetings and Safety Advisory Groups (SAGs); and
- Prioritised and targeted health and safety promotional campaigns.

Proactive

- Planned high risk premises inspection which focuses on priority topics;
- Undertaking targeted initiatives, based on evidence of risk, including the national strategic programme of national and local projects and interventions;
- Providing advice and information to new businesses;
- Evidence based education of employers, employees and contractors through guidance and information;
- Undertaking and participating in health and safety promotion campaigns;
- Liaising with other internal and external organisations including:- Planning, Building Control, Licensing, Trading Standards, Emergency Planning, Housing Department, Corporate Health and Safety Team, HSE, other Technical panels etc.; and
- Devising material to help businesses comply with the law and good practice.

All reactive and proactive work is underpinned by local, regional and national liaison. This is an appropriate mechanism for ensuring consistency between enforcers; for sharing good practice; for sharing information and for informing other enforcers of potential difficult situations. The main liaison arrangements are as follows:

- Working in partnership with HSE Wales;
- Complying with HELA and other guidance;
- Participation in the Directors of Public Protection Wales Regional Liaison Group via Welsh Heads of Environmental Health Group and Expert Panels;
- Participation in the South West Wales Health and Safety Task Group and the All Wales Health and Safety Expert Panel;
- Liaison with and complying with any advice and guidance from the HSE;
- Working with organisations and stakeholders to promote health and safety;

- Working with other services within the respective authorities such as Licensing, Planning and Building Control, Recreation and Leisure, Corporate Health and Safety and Events Teams;
- Liaison with and commitment to Local Government Regulation (formerly LACORS);
- Ongoing work with Regulatory Delivery (formerly BRDO);
- Welsh Government; and
- Local Government Data Unit.

Service Delivery Points

Health and Safety Services are delivered from three service delivery points located across the County as detailed below. Normal office hours are 8.30am - 4.45pm Monday to Thursday and 8.30am - 4.15pm Friday and the daytime enquiry number is 0845 602 7037. Alternative methods of contact include email environmental.health@powys.gov.uk and the newly launched Twitter feed [Twitter@PowysEnvHealth](https://twitter.com/PowysEnvHealth). The Authority operates a 24-hour 'Careline' – 0845 0544874 which is a separate manned emergency service, operated out of normal office hours.

The Gwalia Ithon Road Llandrindod Wells Powys LD1 6AA	Neuadd Maldwyn Severn Road Welshpool Powys SY21 7AS	Neuadd Brycheiniog Cambrian Way Brecon Powys LD3 7HR
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In addition to the hours indicated above, officers conduct unannounced visits and investigations at other hours than those listed above.

The Powys County Council website provides information on the services and the website address is www.powys.gov.uk.

2.4 Enforcement Policy

We will encourage people to comply with the law in the interests of our wider communities. When this is undermined, and the Council has legal powers to protect our communities from harm, we will use them. The use of these legal powers is enforcement, which ranges from formal letters containing schedules; serving notices requiring people to carry out certain actions; to prosecution which could result in fines, including imprisonment.

Fair and effective enforcement is essential to protect the economic, environmental and social interests of the public and business. Decisions about enforcement action and in

particular the decision to prosecute, has serious implications for all involved and for this reason, the Service has adopted an Enforcement Policy.

The Enforcement Policy sets out the Council's approach to enforcement of its legal powers that will be applied by the Service when dealing with issues of non-compliance, and what residents, consumers and businesses can expect. Such a policy is intended to establish a uniform approach to enforcement throughout the Council, and help promote efficient and effective approaches to regulatory inspection and enforcement, and balances the need for improvement in regulatory outcomes with minimising unnecessary burdens on business.

Specifically to health and safety regulators the Enforcement Management Model (EMM) has been produced by Central Government as a basis by which regulators, i.e., HSE and LA make decisions about what is the appropriate action to take in any situation. The authorised officers within Powys also use this guidance to reach proportionate enforcement decisions, determining the risk gap; risk-based decisions and compliance issues.

Traditionally based upon the principles of the Enforcement Concordat and the Regulators Compliance Code, local authority Enforcement Policies must now reflect the Regulators Code of 2014 and the regulatory principles required under the Legislative and Regulatory Reform Act 2006.

The Regulators Code is based upon six broad principles:

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow;
- Regulators should provide straightforward ways to engage with those they regulate and hear their views;
- Regulators should base their regulatory activities on risk;
- Regulators should share information about compliance and risk;
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
- Regulators should ensure that their approach to their regulatory activities is transparent

Environmental Health enforcement officers receive ongoing training on RIPA, PACE and any other evidential enactments to support the enforcement competencies and development of officers.

3. Service Delivery

3.1 Intervention Plan

All local authorities are required to base their approach to health and safety enforcement and thus their Intervention Plan on the:

- National Local Authority Enforcement Code and
- Local Authority Circular (LAC) 67/2 (rev 5)

The National Local Authority Enforcement Code developed by Health and Safety Executive (HSE) sets out Government expectations for a risk based approach to targeting health and safety regulatory interventions. It provides a principle based framework that recognises the respective roles of business and the regulator in the management of risk. Importantly the Code is designed to ensure that local authorities take a more consistent and proportionate approach to their regulatory intervention.

Local Authority Circular 67/2 (rev 5) is provided under Section 18 of the Health and Safety at Work etc. Act 1974 and gives LAs guidance and tools for priority planning and targeting their interventions to enable them to meet the requirements of the national Enforcement Code. In March 2011, the Minister of Employment published '**Good Health and Safety, Good for Everyone**'. The focus of which was for LAs to concentrate on higher risk industries and tackle serious breaches of the rules. In May 2011 the Local Government Group (LGG) and HSE produced further guidance 'Reducing Proactive Inspections' for LAs to determine their proactive interventions. In simple terms, inspections are now limited to the highest risk premises only. In addition, a range of other proactive interventions should be applied to other premises to improve awareness and management of health and safety. Selection of an intervention type will be based upon the health and safety risk rating of the business.

Typical interventions include:-

- Whole premises inspections of the highest risk business operations identified in line with the National Code and LAC 67/2 (rev 5) (sometimes referred to as 'A' rated);
- Evidence based projects developed to target:
 - key work activities such as working at height, the management of legionnaires, workplace transport and infection control risk;
 - Unitisation; inspection of key parts of the workplace e.g. the management of Cryptosporidiosis in leisure and hospitality facilities, the management of infection control in nurseries and residential care homes;
 - Targeting management of businesses e.g. new businesses identified and existing business through other departmental actions;
 - Targeting of specific workplace activities such as sunbeds, tattooing.
- Advice and information via targeted promotional campaigns

The highest risk premises (A) will be subject to full routine proactive inspection, these premises are identified on an annual basis by local historical accident and complaint trends, local and national industry and accident data and the findings of local accident investigations. HSE strategy requires that the inspection must concentrate on management, competency and worker involvement. Areas of work activity known to contribute to the cause of accidents in any given industry sector will continue to form a major part of that inspection, these activities include:-

- Falls from height;
- Workplace transport;
- Slip, Trips and Falls;
- Manual handling;
- Asbestos, duty to manage;
- Legionella and water quality management systems.

When inspecting high risk premises officers are also required to consider matters of “evident concern”. Matters of “evident concern” in the workplace could include not only a complete failure of health and safety management arrangements but a history of accidents or complaints, or a failure to identify well known and understood sector risks and repeated enforcement action on common themes. Where there is “evident concern” the scope of the inspection will widen to include whatever aspects of workplace health and safety is necessary.

In addition to programmed risk based inspections, other inspections/visits will be carried out as appropriate, for example:-

- As a result of complaints or other information;
- Accident notifications;
- New businesses;
- Outdoor events.

Local authorities are then required to make proper use of non-inspection interventions which are considered capable of achieving better overall outcomes than inspections alone, although their delivery will require similar level of resources. These include targeted non face to face interventions.

Health and safety interventions are thus planned and targeted by considering the risks to be addressed and having regard to the intervention available, the risk profile of the business/sector, national information and local knowledge and priorities.

An intervention plan showing the programme of interventions for 2016/17 has been developed demonstrating how through re-active and pro-active work and project based activity both national and local, the service will secure improvements to health in workplaces in Powys. Powys’s Intervention Plan for 2016/17 can be found on **Pages 14, 15 and 16** below.

Accident and Incident Investigation

All accident notifications received are assessed against specified criteria in the Accident Investigation Policy which has regard to the detail of the accident and refers to LAC 22/13 Incident and Accident Selection Guidance and Summary. The decision to investigate an accident is based on a formal Incident Selection Criteria document which is intended to ensure that resources for the investigation are directed at those incidents considered most likely to identify deficiencies and demand improvements in the safety management systems of the business. The most commonly reported accidents relate to: slips, trips and falls, falls from height, manual handling, or being struck by moving object. The core objectives of accident investigation are to:

- Identify the relevant duty holder(s) and witnesses;
- Establish the key facts relating to the causes of the incident;
- Identify immediate and underlying causes;
- Identify any lessons learned;
- Ensure appropriate remedial action is taken to prevent a recurrence;
- Identify the relevant law and whether there are any breaches;
- Form a view about appropriate further action using the EMM framework (Enforcement Management Model)

An investigation may range from an enquiry by a single officer about a minor incident to a notification of a fatality or major injury involving a team of officers. As a result the timeliness and thoroughness of the investigation and the quality of the evidence collected are critical to its successful outcome.

Advice to businesses

Powys County Council assists businesses wherever possible by providing health and safety advice through a variety of channels and situations, such as:-

- Advice provided as part of the inspection process, registration/licensing requests and sampling regimes;
- Responding to complaints and requests for service;
- A variety of free information leaflets are available on all aspects of workplace health and safety;
- The provision of training seminars;
- Participation in national events, such as European Health and Safety Week;
- Through Powys County Council's website.

Intervention Plan 2016/17

Intervention Plan 2016 -2017			
Reactive work activity		Activity detail	
1.	Accident investigation	Receive notifications of all reportable injuries, disease and dangerous occurrences from the HSE website or employees or members of the public and investigate in accordance with Accident Investigation Policy.	
2.	Complaint investigation	Receive and investigate all complaints (service requests) from employees, members of the public and others.	
3.	Permissioning Activities	Respond to licence and registration applications for skin piercing and tattooing activities, statutory equipment/ plant reports, and asbestos notifications in a timely and effective manner.	
4.	Outdoor events	Respond to public safety matters on outdoor events with regard to public safety matters.	
Proactive work activity		Activity detail	Performance Indicator
1.	Premises/ workplace inspections	Inspect those premises identified as 'A' rated (poor performing) on the M3 database at April 2016. Some of these businesses will require a 2 officer visit because of the complexity of the work activities involved.	Inspections at 100% of identified premises
Project based activity – National projects		Activity detail	Performance Indicator
1.	Gas Safety in catering businesses	This was originally a 2 year evidence based project focused on the maintenance of gas appliances and installation with catering businesses. This project has significantly raised the standards of gas safety in catering businesses, and as a result it will be extended for another year to target further businesses. Interventions will include visits to known higher risk businesses and advice letters where risk is unknown.	At least 20 premises selected across the LA
2.	Early Years Infection Control project (Appendix C)	The project has developed following outbreaks of infectious diseases in nurseries and child care settings across LAs in Wales. Environmental Health staff with CSSIW and Public Health Wales developed an Infection Control Audit Tool for Early Years Settings. Children can potentially spend a large amount of time in childcare settings where there are frequent opportunities for the spread of infection. Young children particularly those under the age of five years are recognised at particular risk of contracting and transmitting gastrointestinal and respiratory infections. This is the third year of the collaborative project between H&S and communicable disease.	At least 20 premises selected across the LA

Project based activity – National projects (cont.)		Activity detail	Performance Indicator
3.	Residential Care Homes (RCH): Lifting equipment Managing legionella Falls from height	This project combines 3 interventions and follows an initial pilot project undertaken in a number of South Wales LAs, following a successful prosecution of a RCH, as a result of the death of a resident using a passenger lift and officer observations regarding poor management of legionella and falls from height within this care sector. This cost effective approach will result in an initial campaign through mail merge, followed by unannounced visits to the premises and will cover all 3 projects.	Mail shot 100% of identified premises (Spring 2017) Visits 17/18
Project based activity – Local projects		Activity detail	Performance Indicator
1.	New Business Advice	Provide new businesses with advice and guidance relevant to their activities, utilising mail merges; advice packs and visits.	80% of new premises identified in 2016/17
2.	Beauty Sector i.e., Sun beds; Teeth Whitening; Tattooing; Piercing and body modification procedures (Appendix B)	Following the implementation of The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011, a 5 year review was undertaken in early 2016 within Powys. 10 premises were visited as a pilot and only 2 were fully compliant. The Beauty Sector is continuously changing and as a result illegal practices are continuing. Therefore, this project will be extended for another year as there is still much work to be undertaken in ensuring that standards are maintained and on-going education to local businesses is given, in order to protect public health. Intelligence led interventions through local knowledge and complaints will also continue, as required.	At least 10 premises selected across the LA and intelligence led investigations as required.
3.	E.coli Event safety Letter (Appendix F)	Organisers of shows and events that are known to take place on agricultural land have been identified as a high risk sector/activity in Annex A of the National Code. Powys continues to be the source of E.coli O157 infection in the human population following outdoor events/ activities and therefore the advice letter on infection control. I.e. E.coli/Cryptosporidium especially in children will continue to be forwarded to outdoor event organisers as identified. Targeted risk based selection of premises for a visit, as required.	All newly identified events Visits as required
4.	Spa pools (Appendix D)	Spa pools and hot tubs are considered to be high risk water systems and careful management of them is essential to ensure that Legionella bacteria are controlled. Research into the increasing trend in the installation of hot tubs in commercial premises, notably holiday homes and leisure facilities, has highlighted a need to disseminate and provide targeted guidance to assist duty holders to understand and reduce the risk of legionella infection.	Mail shot 100% of identified premises.

Project based activity – Local projects (cont.)		Activity detail	Performance Indicator
	Spa pools (cont.)	Targeted risk based selection of premises for a visit, as required including follow up visits incorporating sampling to verify that suitable controls are in place to manage the presence of Legionella bacteria.	Undertake targeted risk based selection of premises for intervention/ sampling visit.
5.	Cellar Access	Due to a historic fatal accident and recent incidents involving cellars within Powys, including a successful prosecution taken in December 2015, information will be provided through mail shots and intervention visits to aid new and existing business operators with minimising the associated risks.	All identified.

4. Resources

4.1 Financial and staffing allocation

Financial allocation

The expenditure directly involved in providing the Health and Safety Service for 2016/17 is included in the Service budget and can be found in Appendix A of this document.

Staffing allocation

The table below indicates the number of staff authorised to work on Health and Safety enforcement and related matters, within the Commercial Team.

Officer	Qualifications
Beverley Cadwallader (p/t)	EHO/EHORB Registered
Catherine Davies	EHO/EHORB Registered
Janet Evans (j/s)	EHO/EHORB Registered
Carol Goldsmith (j/s)	EHO/EHORB Registered
Debbie Halstead	EHO/EHORB Registered
Rhian Jenkins (p/t)	EHO/EHORB Registered
Jane Jones (p/t)	EHO/EHORB Registered
Rebecca Jones (p/t)	BSc (HONS) Environmental Health
Sam Lauder	EHO/EHORB Registered
John Paul Lawrence	EHO/EHORB Registered
Alun Mears	EHO/EHORB Registered
Lorna Morris (p/t)	EHO/EHORB Registered
Elin Roberts (p/t)	EHO/EHORB Registered
Pat Tulloch (j/s)	EHO/EHORB Registered
Rosemary Wilcox (j/s)	EHO/EHORB Registered

(p/t) – Part-time employee

(j/s) – Job share employee

4.1 Staff Development Plan and Competency

Powys County Council has adopted and implemented Individual Performance Reviews (IPRs) and each staff member has a formal one-to-one conversation with their line manager every 90 days. IPRs are intended to support staff, provide feedback, and give praise and also to ensure that they remain on track with personal objectives. This policy is based on the underpinning principle that managing performance is key to enabling all employees to effectively contribute to the quality of life for Powys residents.

Continuing Professional Development (CPD) will be actively encouraged and officers will be offered the opportunities to attend a wide range of training courses, seminars, meetings and briefings to help maintain competency and improve technical, legal and administrative knowledge. The Chartered Institute of Environmental Health have mechanisms in place to monitor CPD.

The Service also recognises the need for full technical support to be available to all Health and Safety Officers and this is achieved through a variety of ways, namely:-

- Internet subscription and library;
- HSE liaison;
- External Specialist services.

Powys County Council operates systems to appoint, authorise, train, monitor and maintain a competent inspectorate. Part of this approach uses the framework developed jointly by HSE, CIEH and LG Regulation which focuses on generic inspection skills as well as specific technical knowledge needed in health and safety enforcement. The Regulators Development Needs Analysis (RDNA) tool assists in identifying training and developmental needs of Inspectors. The Service ensures that competency is secured by appointing appropriately qualified and experienced personnel to health and safety enforcement duties. There are specific job descriptions and person specifications for all employees and all appointments are made in accordance with the Council's procedures for recruitment and selection.

5. Performance

In managing its performance and activity, the Health and Safety Service uses the M3 premises database to record, collate and share data and activity. The database is used to record details of premises, inspections, complaints and other activities including assessment of risk rating and is used to assist in targeting interventions and designing the work programme.

5.1 Performance Measures

Previously the Welsh Government had only one performance indicator pertinent to the delivery of the Council's Health and Safety service which no longer exists. However results are still monitored internally and the PIs for this financial year include:

- 100% completion of A rated high risk inspections
- 80% of new premises identified given appropriate advice

LAE1 – Local Authority Health and Safety Annual Return - Under Annex G LAC 67/2 Revision 5 all local authorities in England and Wales are required on an annual basis to record health and safety activity and enforcement data and submit to the HSE. This is

documented in a standardised format which outlines the work activities undertaken in the previous year 2015/16 (see Table One below).

Table One - Summary of local authority health and safety activity			
1 April 2015 – 31 March 2016			
<p><i>Only include information where health and safety was targeted as a priority for intervention</i> <i>For guidance on targeting interventions see:</i></p> <ul style="list-style-type: none"> • National LA Enforcement Code • List of higher risk activities in specific sectors suitable for proactive inspection • Supplementary Guidance • LAC 67/2 (rev4) (Annex G) 			
Intervention		Number of visits/ Inspections/ contact	Guidance
Proactive inspections	Risk category A	3	Record proactive inspection activity only where the premises were targeted for HSWA intervention. Record activity against the rating category prior to the inspection. Do not record issues encountered that were incidental to other regulatory work e.g. matters of evident concern noticed and dealt with during a visit for another purpose.
	Risk category B1	0	
	Risk category B2 and C	0	
Non-inspection interventions	Other visits/face to face contacts	265	Any visit/face to face contact to educate, advise or engage duty holders, employees or other bodies such as trade associations e.g. awareness days and advisory support visits.
	Other contact/interventions	257	Any other targeted contact (not face to face) to educate, advise or engage duty holders, employees or other bodies such as trade associations e.g. to raise h&s awareness through provision of information packs. Do not include non-targeted general newsletters, service magazines or the number of website hits.
Reactive visits	Visit to investigate health & safety related incidents	11	Record the number of actual visits made under the relevant category. HSE has developed a risk-based approach to complaint handling and incident selection criteria (LAC 22/13) which LAs should adopt to help target interventions and make best use of resources.
	Visits to investigate health & safety complaints	12	
	Visits following requests for H&S service from businesses	18	
Revisits following earlier intervention		25	Visits following an earlier intervention to confirm action previously required has been completed e.g. to check compliance with notices.

Appendix A – Health and Safety Budget 2016/17

HEALTH & SAFETY	200,650
OTHER APT & C - PAY	120,880
OTHER APT & C - NI	11,020
OTHER APT & C - SUP	28,050
PROFESSIONAL SUBSCRIPTIONS	400
TRAVEL EXPENSES - STAFF	5,140
GENERAL EQUIPMENT	600
TELEPHONE LINE CALL CHARGES	1,000
OTHER HIRED & CONTRACT SERVICE	500
TELEPHONE RECHARGE (IT)	220
OFFICE ACCOMMODATION RECHARGES	7,650
FINANCE DEPT RECHARGE	410
IT RECHARGE	14,050
PERSONNEL RECHARGE	5,860
CENTRAL PURCHASING RECHARGES	60
PUBLIC RELATIONS UNIT	630
BPU	2,930
EMPLOYEE INSURANCE	610
LEASED CAR INSURANCE	640

Appendix B

CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

REPORT BY	Professional Lead - Environmental Health - Commercial
SUBJECT	Beauty Sector i.e., Sun beds; Teeth Whitening; Tattooing; Piercing and body modification procedures

1. The Commercial Section of Environmental Health is involved through its work streams and statutory duties in the health and safety of sunbeds and the enforcement of the The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011.
2. The health case for legislation in the area of artificial tanning devices is clear. Skin cancer incidence is increasing. The main cause of skin cancer is over-exposure to ultra-violet (UV) rays. This may be from natural sunlight or artificial rays from the use of sunbeds and sunlamps. Skin cancer typically takes decades to develop, so may not become apparent until years after the damaging exposure.
3. Growing concerns about the association between skin cancer and sunbeds became evident in 2003 when the World Health Organization (WHO) issued Artificial Tanning Sunbeds: Risks and Guidance to assist governments in developing public health policy on sunbeds. This highlighted that increasing evidence showed that cumulative exposure to UV radiation increases the risk of skin cancers, so sunbed exposure added to natural sun exposure would increase the skin cancer risk. The guide also recognised the particular vulnerability of young skins and recommended that young people under 18 should not use sunbeds.
4. The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011 came into force in 31 October 2011. The regulations require the following from businesses:
 - require the supervision of sunbed use;
 - extend to businesses that operate from domestic premises the requirement that sunbeds are not used, or offered for use, to under 18s on those premises;
 - prohibit the sale or hire of sunbeds to under 18s;
 - require the provision of prescribed health information to users;
 - prohibit the provision or display of any material relating to the health effects of sunbed use, other than material containing health information that has been prescribed; and
 - mandate the availability and use of protective eyewear by customers.
5. Initial visits were conducted after the regulations came into force in 2011 and appropriate information was given out to local businesses. This year (2016) will be 5 years since the regulations came into force and as a result The Powys Environmental Health team have been involved in checking compliance with these requirements.

6. Visits were conducted from December 2015 onwards. Issues were noted in the majority of premises, with only 2 out of 10 being fully compliant with current regulations. Common areas of concern included:

- Failing to provide health information to users
- Failing to prohibit the provision or display of any material relation to the health effects of sunbed use

7. The visits conducted also highlighted a growing issue with illegal teeth whitening. Only registered dentists, dental therapists, dental hygienists and clinical dental technicians, working to the prescription of a dentist, can perform tooth whitening. Treatment methods are likely to amount to the practice of dentistry include examples such as:

- Painting on a gel to the surface of the surface of the tooth and activating the gel with an LED lights;
- Providing a patient with trays that are pre-filled with bleach and activating the agent with an LED light.

One tanning salon offered treatments such as this **whilst using** the sunbed.

8. This has been a worthwhile project which Powys County Council will continue with. The Beauty Sector is continuously changing and as a result illegal practices are continuing. There is still much work to do in ensuring that standards are maintained and on-going education to local businesses is given, in order to protect public health.

Contact Officer Name	Tel:	Fax:	Email:
Beverley Cadwallader	01938 551222	01938 551248	bevcad@powys.gov.uk

Appendix C

CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

REPORT BY	Professional Lead - Environmental Health - Commercial
SUBJECT	All Wales Project - Infectious disease control in Early years settings

1. The Commercial Section of Environmental Health is involved through its work streams and statutory duties in overseeing both the health and safety aspect of Nurseries and day care facilities and infection control and investigation of outbreaks.
2. Infection control is a vital issue in childcare settings. Children can potentially spend a large amount of time in childcare settings where there are frequent opportunities for the spread of infection. Young children particularly those under the age of five years are recognised as at particular risk of contracting and transmitting gastrointestinal and respiratory infections.
3. An All Wales Guidance document for Infection Prevention and Control for Childcare Settings has been produced by Environmental Health Professionals in conjunction with Public Health colleagues in response to numerous large scale and serious outbreaks that have occurred within these types of settings. These guidelines, it is hoped will help to improve the knowledge and understanding of infection prevention and control for staff in childcare settings.
4. In conjunction with this guidance an Infection Control Audit Tool has also been developed. The Audit Tool allows for a review of the premises, policies and procedures in relation to infection control, and to help ensure current best practice standards are being met. As well as the Audit Tool being utilised by the nurseries as part of their annual review, it has been utilised by officers from the local authority and Care and Social Services Inspectorate Wales (CSSIW) as part of their inspection regime.
5. The Powys Environmental Health team have been involved in an All Wales Project with the aim of the project being:
 - To raise awareness of infectious disease control within early year's day care settings including guidance available and best practice.
 - Provide a self-assessment audit tool for child care provider's to assess their own standards.
 - Reduce the number of outbreaks of infectious disease within early year's day care settings.
 - To ensure a consistent approach across Wales.
6. The following are some of the areas that have been considered during the interventions:
 - General management & staff health
 - Suitability of hand washing facilities.

- Current policies and procedures - are they implemented and up to date for the control of infectious disease?
- Nappy changing facilities & the use of potties
- General cleaning & play equipment

7. To date, over 50 early years settings have been inspected and these have been selected from across Powys, with the largest nurseries taking priority.
8. The standards noted across the range have been variable and whilst some have been found to be excellent there have been some areas of concern and common themes and these and the actions taken as a result are detailed within the attached appendix.
9. This has been a very worthwhile project and has hopefully provided some solid foundations in promoting and preventing the spread of infectious diseases. As mentioned it has hopefully not only been confined to protecting the children who attend these settings but will also prevent and minimise the impact to others including household contacts, members of staff and where nurseries are situated within schools to the other children attending those. There is still much work to do in ensuring that standards are maintained and on-going education is needed to the children and parents about the importance of good hygiene practice and exclusion periods, as well as improving cleaning practices. Officers will continue to promote the values of this project.

Contact Officer Name	Tel:	Fax:	Email:
Beverley Cadwallader	01938 551222	01938 551248	bevcad@powys.gov.uk

Appendix D

CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

REPORT BY	Professional Lead - Environmental Health - Commercial
SUBJECT	Legionella Intervention: Hot Tubs

4. Spa pools and hot tubs can be found in a variety of settings and using them has increased in popularity. Holiday lettings that advertise the use of a hot tub as part of the package are now much more common and some holiday complexes may have multiple hot tubs on site. Spa pools and hot tubs are considered to be high risk water systems and careful management of them is essential to ensure that Legionella bacteria are controlled.
5. As part of the Environmental Health role when a notification of Legionnaires disease is received officers are required to investigate and attempt to pinpoint the likely source. Many confirmed cases of Legionnaires Disease across the UK have been associated with exposure to hot tubs /spa pools and deaths have been caused by such exposures.
6. Research into the increasing trend in the installation of hot tubs in commercial premises, notably holiday homes and leisure facilities, has highlighted a need to disseminate and provide targeted guidance to assist duty holders to understand and reduce the risk of legionella infection.
7. Commercial premises offering hot tub facilities have been identified across the county, and the **attached information letter** will be sent out to advise duty holders on their legal requirements, and also to signpost sources of information and specialist advice.
8. The information letter is likely to be sent later on in 2015.
9. Businesses who receive a copy of the letter are likely to be contacted later on in the year to establish what measures they have put in place to control the risk of legionella infection in their hot tubs.
10. Public Health England have developed a regional study to examine the risk of contracting Legionnaires Disease from spa pools and hot tubs. Any follow up visits to businesses in Powys may also incorporate sampling to verify that suitable controls are in place to management the presence of Legionella bacteria. This information will be fed into the Public Health England study through the PHE laboratory facilities we work with.

Contact Officer Name	Tel:	Fax:	Email:
Elin Roberts	01938 51340	01938 51248	elin.coleman@powys.gov.uk

Appendix E CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

REPORT BY	Professional Lead - Environmental Health - Commercial
SUBJECT	Smoke-free private vehicles carrying children under 18

1. The Environmental Health Commercial Service is responsible for administering and enforcing the existing smoking ban legislation across Powys.
2. Legislation to ban smoking in enclosed public places was introduced in 2007 to protect the public from second-hand smoke. The smoking ban has been a public health success. Research commissioned by the Welsh Government shows air quality has improved significantly since the smoking ban was introduced and many people are now smoking less. Results from the Welsh Health Survey suggest that the number of adults being exposed to second-hand smoke has also reduced.
3. From the 1 October 2015 it was made an offence to smoke in a private vehicle when a person under the age of 18 is present. It is also be an offence to fail to prevent someone from smoking in a private vehicle when a person under the age of 18 is present.
4. Research shows children are particularly at risk from exposure to second-hand smoke, in the confined spaces of a vehicle where they cannot escape the harmful chemicals in tobacco smoke.
5. Vehicles used by the public such as buses, trains, and work vehicles are already required to be smoke-free under the existing smoke-free legislation.

The changes to the law on 1 October 2015 require a private vehicle to be smoke-free when:

- it is enclosed
- there is more than one person present and
- a person under the age of 18 is present.

The only exemption will be when a 17 year old driver is smoking and is the only person in the car.

6. Enforcement of the new law is the responsibility of the Local Authority and also police officers in conjunction with their wider functions on road safety. A fixed penalty amount of £50 will apply to people caught committing the offences.
7. A number of officers from Environmental Health have recently attended training in relation to the new legislation which is hoped will not be a major enforcement burden. The legislation is seen as 'nudge' legislation meaning it is hoped that:
 1. Some people will comply with it out of a sense of social responsibility as they believe in what the legislation seeks to achieve (ie protection of children)

- II. Some will comply even though they do not necessarily agree with the legislation, because they do not want to commit an offence
 - III. Some will comply because of social pressure to do so.
8. More information including a frequently asked questions page can be accessed via the following link: <http://freshstartwales.co.uk/>

Contact Officer Name	Tel:	Fax:	Email:
Beverley Cadwallader	01938 551222	01938 551248	bevcad@powys.gov.uk

Appendix F CYNGOR SIR POWYS COUNTY COUNCIL.
MEMBERS' INFORMATION BULLETIN.

REPORT BY	Professional Lead - Environmental Health - Commercial
SUBJECT	Show / Event Guidance

1. Organisers of shows and events that are known to take place on agricultural land have been sent a letter to advise on national guidelines on controlling ill health, and in particular on controlling E. coli O157 infection.
2. The advice provided is taken from the Industry Code of Practice on Preventing or Controlling Ill Health from Animal Contact at Visitor Attractions. This code of practice applies to a number of situations and specifically mentions agricultural shows or country fairs where livestock are present.
3. The guidance lists specific precautions to take if fields that have been used for grazing or keeping stock are used for recreational activities, e.g., picnicking, camping or play areas. These precautions include keeping farm animals off the fields for at least 3 weeks prior to use, the removal of animal droppings and ensuring that the grass is cut. Where agricultural land is used for recreational purposes like country fairs and shows which are likely to attract families with children and the elderly, it is prudent that steps are taken by organisers to reduce the associated risks.
4. E. coli O157 is a bacteria commonly carried by animals and in particular ruminant animals such as cows, sheep and goats. Even healthy looking animals may be carrying E. coli O157, which can be spread through their faecal excretions. E. coli O157 is spread to humans when humans ingest material contaminated with the E. coli O157 bacteria. If hands, food or other items become contaminated with animal faeces, and either the food is eaten or there is hand to mouth contact, the E. coli O157 bacteria can enter the body and cause illness. E. coli O157 infection in humans is thankfully relatively uncommon, but because the illness it causes can be severe or even fatal, it remains a serious public health issue.
5. The advice sent to the show and event organisers contains a summary of the code of practice, and is intended as a means of raising awareness of the risks associated with the use of land used by agricultural animals, whilst also providing some sensible, proactive and proportionate guidance on preventing or controlling ill health.
6. Our intention is purely to bring this topic to the attention of the organisers of those shows and events that take place on land used for grazing and keeping stock. It is not our intention to follow this up with visits etc. We would only follow up on this if we were to receive complaints or any notifications of infectious disease linked to attendance at an event or show.
7. Any representative of the shows/events who may have concerns about managing the risks, or overcoming particular obstacles should contact the department so that Officers can discuss the specifics of a particular event. We want to be in a position where we encourage community activities across the County and hope that the

guidance that is provided along with the practical support of our officers can help organisers to maintain safe environments in which to attract visitors.

Contact Officer Name	Tel:	Fax:	Email:
Beverley Cadwallader	01938 551222	01938 551248	bevcad@powys.gov.uk

Appendix G

CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

REPORT BY	Professional Lead - Environmental Health - Commercial
SUBJECT	All Wales Project Managing <i>Cryptosporidium</i> in Swimming Pools

1. The Commercial Section of Environmental Health is involved through its work streams and statutory duties for overseeing both the health and safety aspect of privately owned public swimming pools and also infection control and investigation of outbreaks of organisms such as *Cryptosporidium*.
2. *Cryptosporidium* are protozoan parasites that cause acute gastroenteritis. The symptoms range from mild to severe and include watery diarrhoea, abdominal pain, low grade fever, nausea and/or vomiting and generally last up to 2 weeks.
3. Swimming pools are the most common setting for *Cryptosporidium* waterborne outbreaks in England and Wales. Unlike most other pathogens the oocysts of *Cryptosporidium* are resistant to normal chlorine levels used for pool disinfection. This therefore presents an important challenge to swimming pool management.
4. Between May 2013 and February 2014 officers were involved in an All Wales study. The project evolved from a large outbreak of swimming pool associated *Cryptosporidium* which occurred in South East Wales in 2009. The main aim of the study was to assess the management of *Cryptosporidium* in swimming pools in Wales. All 22 local authorities participated in the study, 426 pools were visited between May 2013 and February 2014, in Powys a total of 37 premises were visited. Holiday parks, leisure centres and hotels were the most common settings for swimming pools.
5. The aim of the study was:
 - To raise awareness with pool operators of the engineering, management, and procedural controls required to minimise risks of *Cryptosporidium*.
 - To assess management of cryptosporidiosis in swimming pools across Wales.
 - To gather information about swimming facilities that could be utilised in the event of an outbreak of infectious disease.
6. Where matters of concern were noted these were raised and followed up with the pool owners to ensure standards are maintained. Additional follow up work will also be carried out where identified as necessary.

Contact Officer Name	Tel:	Fax:	Email:
Beverley Cadwallader	01938 551222	01938 551248	bevcad@powys.gov.uk

Appendix H

CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

REPORT BY	Professional Lead - Environmental Health - Commercial
SUBJECT	Carbon monoxide safety awareness campaign

1. The Commercial section of Environmental Health is responsible amongst many other things for health and safety in certain sectors of businesses which includes the event industry and the holiday business trade such as camping and caravan sites across the County.
2. There have in recent years been several tragic fatalities caused by people being overcome by lethal carbon monoxide fumes emitted from barbeques that have been brought into tents and awnings. A large majority of these deaths have been of children, leaving parents and families devastated after what should have been an enjoyable camping trip.
3. There is a general awareness of carbon monoxide associated with gas appliances in the home, but there is little known about barbeques and the dangers that can be present, particularly when a lit barbeque is brought into a tent, awning, caravan or motorhome. Even a warm smouldering barbeque can give off poisonous carbon monoxide hours after use. Carbon Monoxide is often referred to as the silent killer being colourless, odourless and tasteless.
4. Following on from our own campaign last year Public Health Wales is this year leading a carbon monoxide-related 'Summer Safety Campaign' in conjunction with a number of organisations, including the gas and solid fuel industries, Welsh Government, Local Authorities, Health Boards, RoSPA and the Emergency Services. The aim of the campaign is to promote important carbon monoxide safety messages amongst those involved in:
 - Camping and caravanning
 - Boating
 - Attending festivals
5. As part of this campaign we are working with Public Health Wales and have provided them with a list of all known event organisers to enable them to distribute the campaign material they have produced. Furthermore our officers will be spreading the message and sharing the campaign material with event organisers, campsite managers etc. as they go about their routine work. We are also working with our PR team to ensure the message is communicated widely.
6. It is hoped that by getting the message out there any further tragic incidents may be avoided.

Contact Officer Name	Tel:	Fax:	Email:
Beverley Cadwallader	01938 551222	01938 551248	bevcad@powys.gov.uk