

**TITLE: APPROVAL OF THE DRAFT HEALTH AND SAFETY ENFORCEMENT POLICY**

Committee: Operational Services Committee

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**1.0 ISSUE**

1.1. The Council needs to update its Enforcement Policy in respect of Health and Safety.

**2.0 RECOMMENDATION**

2.1. Note the consultation feedback and amendments to the policy as a result of the feedback

2.2. To approve the final Health and Safety Enforcement Policy in appendix 2

**3.0 BACKGROUND/OPTIONS**

3.1. Officers authorised by East Cambridgeshire District Council carry out statutory functions according to health and safety legislation.

3.2. Under the National Local Authority Enforcement Code, the Health and Safety Executive requires East Cambridgeshire District Council to have an enforcement policy.

3.3. In March this committee approved a draft policy to go out for a 12-week public consultation exercise. The results of that exercise are included in Appendix 1.

3.4. The policy was supported by a majority of those who responded to the public consultation. No significant comments were made on the Policy as a result of the public consultation process. Officers however, commented that there was no section on how the council handles complaints, and no detail on the type of enforcement sanctions that exist. Both of these appear in the Food Safety Enforcement Policy.

Therefore Section 8 (Complaints) and Section 9 (Enforcement Action) have been added, as well as numerous alterations aimed at making the policy easier to read.

#### **4.0 ARGUMENTS/CONCLUSION(S)**

- 4.1. The draft enforcement policy allows the Council to satisfy the requirements of both the Health and Safety Executive to have enforcement policies that satisfy the Regulators Code.

#### **5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

- 5.1. There are no financial implications arising from this report.
- 5.2. Equality Impact Assessment (EIA) is not required.
- 5.3. Carbon Impact Assessment (CIA) is not required.

#### **6.0 APPENDICES**

Appendix 1 – Results of Consultation

Appendix 2 – Health and Safety Enforcement Policy Statement (March 2023)

#### **Background Documents:**

Health and Safety at Work Etc. Act 1974

Regulators Code 2014

Health and Safety Executive's National Local Authority (LA) Enforcement Code

## **Appendix 1      Results of Consultation Exercise**

In order to recognise the updates to the principal guiding documents from both the Food Standards Agency, and the Health and Safety Executive, the relevant enforcement policies have been revised and updated. Therefore, the draft policies were brought to the Operational Services Committee on 27<sup>th</sup> March 2023 with the Committee's decision to push the policies out for a 12-week consultation period. That period ended on 16<sup>th</sup> July.

### **Methodology**

It was decided that the consultation period should be on line only, to save on the expense of posting copies of the policies out and then collating any responses. Responses were handled through a Survey Monkey form that asked a series of questions and provided free text fields for people to comment.

825 emails were sent out to business whose contact details on the property database included an email address. This represents a majority of the business that we have regular dealings with. In addition, the Council have a number of panels made up of people who are happy to be consulted on such matters. 47 emails were dispatched to members of that group. To increase the circulation wider the Cambridgeshire Chambers of Commerce and the Federation of Small Businesses were approached and, together with our own web team, some open promotion took place.

### **Results**

The council's web team have indicated that the relevant web page was visited 41 times over the 12-week period. In total 19 responses were submitted through the Survey Money form. 2 of these responses have been discounted as 1 gave no answer to any of the questions, and 1 indicated that the response was not completed correctly.

A full list of the questions and the responses is attached at the end of this appendix.

In total 19 responses were submitted through the Survey Money form. 2 of these responses have been discounted as 1 gave no answer to any of the questions, and 1 indicated that the response was not completed correctly. Of the seventeen remaining response 47% (8) stated that they had contact with Environmental Services in the past year <sup>(Q1)</sup> with 29% (5) stating they had had engagement through Food Safety <sup>(Q2)</sup> and 12% (3) stating they been involved through Health and Safety <sup>(Q8)</sup>. The Survey Monkey Questions did allow for no answer to be submitted, this occurred on 41%

Of the seventeen responses there were no expressed options in the free text boxes <sup>(Q13)</sup>.

### **The Questions**

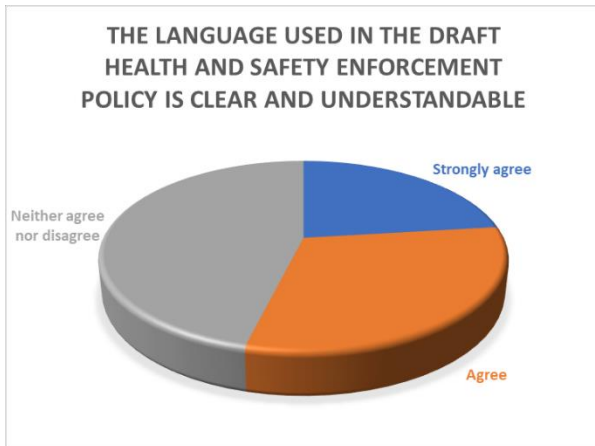
Of the 17 responses received

Q9: The Health and Safety Enforcement service take actions that are proportionate to the risk

Q10: The Health and Safety Enforcement service have clear and accessible policies

only garnered 2 responses each. Both received 1 response stating that the respondent agreed with the statement and one that they Strongly agreed.

Q11 The language used in the draft Health and Safety Enforcement policy is clear and understandable.

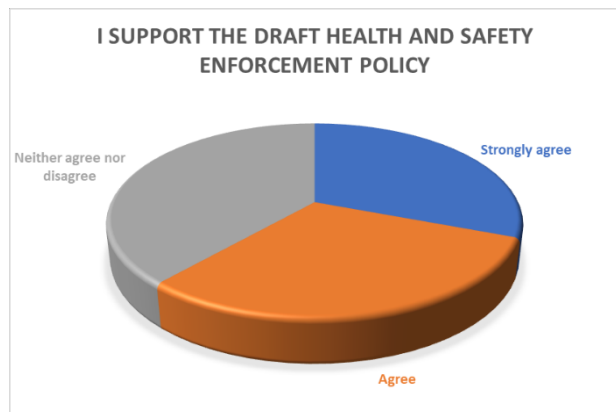


Out of the 15 respondents to answered this question the overall view was that the policy was clear and understandable.

The opportunity is being taken to review both documents.

Q12 I support the draft Health and Safety Enforcement policy

There was a good agreement with the statement that respondents supported the Policy document.



## **The Questions Asked**

- Q1 Have you had contact with our Environmental Health service in the last 12 months?
- Q2 Have you had contact through Food Safety?
- Q3 The Food Safety Enforcement service take actions that are proportionate to the risk to food safety
- Q4 The Food Safety Enforcement service have clear and accessible policies
- Q5 The language used in the draft Food Safety Enforcement policy is clear and understandable.
- Q6 I support the draft Food Safety Enforcement policy
- Q7 If you did not support elements of this policy or have any further comments on the draft Food Safety Enforcement policy then please comment below
- Q8 Have you had contact through Health and Safety?
- Q9 The Health and Safety Enforcement service take actions that are proportionate to the risk
- Q10 The Health and Safety Enforcement service have clear and accessible policies
- Q11 The language used in the draft Health and Safety Enforcement policy is clear and understandable.
- Q12 I support the draft Health and Safety Enforcement policy
- Q13 If you did not support elements of this policy or have any further comments on the draft Health and Safety Enforcement policy then please comment below

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13
#1	YES	YES	STRONGLY AGREE	STRONGLY AGREE	STRONGLY AGREE	STRONGLY AGREE	RSQ	NO	RSQ	RSQ	STRONGLY AGREE	STRONGLY AGREE	RSQ
#2	YES	YES	STRONGLY AGREE	AGREE	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ
#3	YES	RSQ	AGREE	AGREE	AGREE	NEITHER	RSQ	NO	RSQ	RSQ	AGREE	NEITHER	RSQ
#4	YES	YES	AGREE	AGREE	NEITHER	AGREE	RSQ	YES	AGREE	AGREE	NEITHER	AGREE	RSQ
#5	NO	RSQ	RSQ	RSQ	AGREE	AGREE	RSQ	NO	RSQ	RSQ	AGREE	AGREE	RSQ
#6	YES	NO	RSQ	RSQ	STRONGLY AGREE	AGREE	RSQ	NO	RSQ	RSQ	NEITHER	NEITHER	RSQ
#7	YES	YES	AGREE	STRONGLY AGREE	STRONGLY AGREE	STRONGLY AGREE	RSQ	YES	STRONGLY AGREE	STRONGLY AGREE	STRONGLY AGREE	STRONGLY AGREE	RSQ
#8	YES	YES	NEITHER	DISAGREE	AGREE	NEITHER	RSQ	NO	RSQ	RSQ	NEITHER	NEITHER	RSQ
#9	YES	NO	RSQ	RSQ	NEITHER	AGREE	RSQ	NO	RSQ	RSQ	NEITHER	AGREE	RSQ
#10	NO	RSQ	RSQ	RSQ	AGREE	STRONGLY AGREE	RSQ	NO	RSQ	RSQ	AGREE	STRONGLY AGREE	RSQ
#12	NO	RSQ	RSQ	RSQ	AGREE	DISAGREE		NO	RSQ	RSQ	AGREE	AGREE	RSQ
#13	NO	RSQ	RSQ	RSQ	NEITHER	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ
#14	NO	RSQ	RSQ	RSQ	NEITHER	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ	RSQ
#15	NO	RSQ	RSQ	RSQ	NEITHER	AGREE	RSQ	NO	RSQ	RSQ	RSQ	RSQ	RSQ
#17	NO	RSQ	RSQ	RSQ	NEITHER	AGREE	RSQ	NO	RSQ	RSQ	NEITHER	NEITHER	RSQ
#18	NO	RSQ	RSQ	RSQ	STRONGLY AGREE	STRONGLY AGREE	RSQ	NO	RSQ	RSQ	STRONGLY AGREE	STRONGLY AGREE	RSQ
#19	NO	RSQ	RSQ	RSQ	DISAGREE	NEITHER		NO	RSQ	RSQ	NEITHER	NEITHER	RSQ

rsq - respondent skipped this question

