

**DERRY CITY AND STRABANE DISTRICT  
COUNCIL**

**HEALTH and SAFETY and CONSUMER  
PROTECTION SERVICE PLAN**

**2017/2018**

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**The health and safety section of this plan is produced in accordance with Article 20 Mandatory Guidance Health and Safety at Work (NI) Order 1978.**

## 1.0 Introduction

Derry City and Strabane District Council is responsible for enforcing health and safety related legislation within those work premises allocated to the Council by virtue of the Health and Safety (Enforcing Authority) Regulations (NI) 1999. DCSDC is also responsible for the enforcement of consumer protection legislation for which the Council has enforcement responsibility. Authorised and trained Environmental Health Officers working within the Environmental Health Service have responsibility for enforcing this legislation.

This includes provisions of the following legislation and sub-ordinate regulations: -

Health & Safety at Work (NI) Order 1978 (the Order) and relevant statutory provisions  
Explosives Act 1875 (on behalf of the Northern Ireland Office)

Manufacture & Storage of Explosives Regulations (NI) 2006 (on behalf of NIO)

Hairdressers (NI) Act 1939

Local Government (Miscellaneous Provisions) (NI) Order 1985

Food and Environment Protection Act 1985

Shops (Sunday Trading) NI Order 1997

Working Time Regulations (NI) 1998

Cinemas (NI) Order 1991

Offices & Shop Premises Act (NI) 1966

Gas Safety (Installation and Use) Regulations (NI) 2004

Smoking (NI) Order 2006

Safety at Sports Grounds (NI) Order 2006.

Sunbeds Act (Northern Ireland) 2011

European Communities Act 1972

Consumer Protection Act 1987

General Product Safety Regulations 2005

Construction Products Regulation 2013

In addition to the legislation above, there are over 60 specific regulations and hundreds of recognised safety standards covering product safety, for example, toys, cosmetics, construction products, e-cigarettes, etc

Currently there are 5 officers in the health and safety and consumer protection team, and the team will use other Departmental resources to assist as required. The delivery of this plan is therefore based upon the above resources being available and no other unanticipated work demands.

Officers from the Health and Safety and Consumer Protection Team will carry out routine inspections of commercial premises for which they are the enforcing authority to assess compliance with health and safety and consumer protection legislation. Officers will also investigate complaints and accidents with regards to these premises and provide advice for new and existing businesses. Through a programme of planned inspections officers will strive to ensure as far as reasonably practicable that all workplaces, for which the Council have enforcement responsibility, maintain a high standard of health and safety and that all consumer products supplied in the Council district are safe.

The inspection of premises is normally delivered during working hours however the Council is required, by legislation and service level agreements, to carry out after hour's inspections of sports grounds, fireworks displays, events and other higher risk activities. Currently there is not a recognised out of hours service available to deliver these inspections as the current arrangement is based on officer good will and availability.

## 2.0 KEY CONSIDERATIONS IN THE DEVELOPMENT OF THIS SERVICE PLAN

The following documents are of key importance in the development and ultimate delivery of the health and safety and consumer protection service plan.

- a) DCSDC Strategic Inclusive Growth Plan 2017-2032 and the Health and Community Directorate Service Delivery Plan 2017/18.
- b) The Service Aim and Objectives for health and safety and consumer protection team.
- c) The Joint Strategy between Councils and HSENI
- d) The Northern Ireland Consumer Protection Sub Group Work Plan

## 2.1 Strategic, Corporate and Service Delivery Plans

Our service delivery plan is based on the context of the Derry City and Strabane District Council (DCSDC) Strategic Inclusive Growth Plan 2017-2032. This plan sets a vision of a **“thriving, prosperous and sustainable city and district with equality of opportunity for all”**. This service delivery plan must therefore contribute to the delivery of that vision and meet the needs of the residents, businesses and visitors to our Council area.

The outcomes of the Health and Safety and Consumer Protection team will also support the delivery of the Council's Corporate Mission to: **“deliver improved social, economic and environmental outcomes for everyone** “and the fulfillment of the aligned objectives:

- Grow our business and facilitate cultural development.
- Protect our environment and deliver physical regeneration.
- Promote healthy communities
- Provide effective and facilitative cross functional support services.

The Health and Safety and Consumer Protection Team will contribute to the Council's Corporate Objectives as set out below;

- **Grow our business and facilitate cultural development** by supporting people to be safe, healthy and productive through a variety of target initiatives and by providing suitable advice via forums such as the Safety Advisory Groups and other educational campaigns.

- **Protect our environment and deliver physical regeneration**  
Improving public health and developing a healthy and safe living and working environment through awareness building, proactive enforcement and the regulation of services.
- **Promote Healthy Communities** by implementing proactive management, inspection, enforcement and investigation responses which meet regulatory and statutory targets for health and safety and consumer protection and by consulting with local communities via the community planning process to develop and improve services.
- **Provide effective and facilitative cross functional support services** by contributing to management processes for customer and resident consultation, customer standards, feedback processes and service improvement measures and to ensure compliance with all governance and regulatory requirements of Council.

Our Directorate Service Plan sets out the strategic performance improvement objective which will be core to the delivery of the Health and Community Wellbeing Service as: **“Promoting health safety and wellbeing, and safeguarding the environment by supporting communities and businesses through education and enforcement”**. In achieving this objective the Directorate Service Plan sets out the following key activities for the Health and Safety and Consumer Protection Team:

**H&CW General ((HC 6(1))**

- a) Carry out risk based Inspection programmes and provide services in accordance with statutory provisions and council policies.
- b) Promote and improve partnership arrangements with statutory, community, voluntary and businesses.

**Health & Safety ((HC 6(3))**

- a) Work in partnership with HSENI through the joint strategy and with other regulators and stakeholders to make best use of joint resources and to maximise impact for both local and regional priorities
- b) To work in partnership with other organisations and businesses to help improve health safety and welfare at work.
- c) Undertake a number of initiatives to help reduce accidents and ill health within specific service sectors/activities

**Consumer Safety ((HC 6(6))**

- a) Participate in market surveillance and test purchase exercises
- b) Help business meet and exceed the requirements in relation to the design of construction products and consumer goods.

## **2.2 Health and Safety and Consumer Protection service aims and objectives.**

### **Service Aims:**

- To ensure that risks to people's health and safety from work activities are properly controlled and to improve the health of our workforce by reducing accidents and ill health in the workplace thereby contributing to improvement of the overall economic and social wellbeing of our community.
- Working with businesses to ensure compliance with appropriate regulations and ensuring as far as reasonably practicable that all consumer products supplied within the district are safe so as to protect the public from faulty consumer goods.

### **Service Objectives;**

- a) To contribute towards a city and rural area that is safe for residents, workers and visitors.
- b) To implement a risk based priority inspection programme for health and safety and consumer protection premises.
- c) To raise awareness of health and safety issues in the workplace in line with the targets set out in the "Joint Strategy" and the HSLG Work Plan.
- d) To carry out visits to premises supplying specific consumer goods and relevant construction products, on the basis of risk assessment and to undertake market surveillance activities as required.
- e) To respond to all complaints and service requests regarding both health and safety and consumer protection and where possible respond to hazard warnings (EU/UK RAPEX) about unsafe consumer goods.
- f) To respond to all work related accidents and to apply suitable selection criteria to investigation such accidents.
- g) To help protect consumers from unsafe products manufactured or supplied within the district.
- h) To help businesses meet legislative requirements in relation to the supply of consumer products.
- i) To work in partnership with other enforcing authorities and with other regulators and stakeholders to make best use of joint resources and to maximise the impact on both local and regional priorities for compliance based on proportionate intervention and enforcement.

- j) To respond to product recall and to deal with voluntary surrender and voluntary withdrawal of goods as required.
- k) To undertake suitable test purchase exercises involving sales to under aged persons.
- l) To maintain and continually update a register of all premises where the Council enforces health and safety and consumer protection legislation.
- m) To address the needs of small businesses/micro enterprises to properly manage their statutory responsibilities with regards health and safety at work and consumer protection as appropriate.
- n) To improve contact with employee representatives or safety representatives and assist in highlighting the needs of vulnerable groups in the workplace.
- o) To take appropriate enforcement action according to risk in line with Council's Enforcement Policy and appropriate mandatory guidance.
- p) To ensure all staff involved in health and safety and consumer protection are properly qualified, trained and competent in accordance with relevant guidance.
- q) To ensure the Council's management system for health and safety enforcement is effective, monitored, reviewed and quality audited in accordance with Article 20 Guidance from HSENI.
- r) To attend meetings of any local and regional health and safety and consumer protection groups so as to ensure consistency of health and safety and consumer protection enforcement within the council area.
- s) Undertake health promotion activity in order to raise business and community awareness associated with specific health and safety and consumer protection issues.
- t) To improve the service website and to signpost advice services offered by relevant bodies (e.g. Invest NI and trade associations) via website links and publications.

## **2.3 Joint Strategy between HSENI and District Councils**

District Councils and the Health and Safety Executive for Northern Ireland (HSENI) work under a joint strategy for better regulation of health and safety in Northern Ireland. The strategy builds on and is supported by the Statement of Intent and the Joint Strategic Framework adopted in June 2009. The mission and goals of the joint strategy are laid out in Appendix 1 of this Document.

The joint strategy sets out a clear framework for joint planning in the future between HSENI and District Councils and ensures the current partnership moves forward in a more strategic, integrated and focused way. The new strategy has resulted in good progress which has strengthened the partnership between HSENI and Councils and the further support of a local council staff member in the HSENI's Local Authority Unit (LAU).

The strategy commits both District Councils and HSENI to work together to tackle the major causes of accidents and ill health in workplaces in Northern Ireland. Significantly there has been joint reporting in connection with the agreed regional targets for the initiatives which has focused collectively health and safety resource to maximise impact. Examples of completed joint enforcement initiatives with HSENI in recent years include:-

- a) Safe Maintenance Inspection Campaign (asbestos, working at height, control of contractors, cleaning operations and isolation of equipment)
- b) Workplace Transport Inspection Campaign
- c) Musculoskeletal Disorders (MSD) Campaign
- d) Buried LPG Pipework initiative
- e) New to the Job initiative
- f) Safe Skin

The Health and Safety Liaison Group (HSLG), made up of representatives of local District Councils and the HSENI, works to implement the above joint strategy by helping to ensure consistency in the delivery of such initiatives, ensuring enforcement consistency and the sharing of good practice. The HSLG produces an annual joint work plan that set out the above required actions and initiatives and this service plan takes account of those requirements.

## **2.4 The Northern Ireland Consumer Protection Sub Group Work Plan**

The Northern Ireland Consumer Protection Sub Group provides a forum of professional expertise in consumer protection, which facilitates liaison, promotes consistency of enforcement, co-ordinates promotional initiatives and encourages the provision of a quality consumer protection service across the new council structures. The Group provides an effective liaison mechanism between constituent councils and other statutory bodies e.g. the Department of Business, Energy and Industrial Strategy (BEIS), Trading Standards, Department of Health (DOH), Public Health Agency (PHA), National Consumer Agency (NCA), HM Revenue & Customs (HMRC), Drug & Alcohol Co-Ordination Teams (DACTs), the Better Regulation Delivery Office (BRDO), Northern

Ireland Environment Agency (NIEA). In addition a member of the Sub Group also provide a single point of contact with the Department for Communities (DfC) & Department of Environment, Community and Local Government (RoI) to strengthen work with construction products regulations.

The Group provides a representation from NI at the UK Product Safety Focus Group (PSFG) to ensure consistent enforcement of consumer protection legislation, including the enforcement of the construction products regulations.

The Group contributes to the development and maintenance of professional competence of environmental health officers working in consumer protection enforcement and it raises the profile of local authority consumer protection enforcement within central and local government, the business sector and the general public.

The NICP Sub Group each year produces a work plan that will help steer district councils in the production of their service plans for consumer protection

## **2.5 Service Demands and Resource**

### **Ongoing Service Demands**

- Planned premises inspections of businesses as part of Joint HSENI and Local Authority Strategy or Local Initiatives
- Planned special interventions, surveys and enforcement initiatives
- Implement the NICP Sub Group Action Plan for 2017/18.
- Seasonal and emerging consumer products.
- Proactive inspection of premises such as manufacturers, Importers, Distributors and Retailers of consumer products.
- New premises registration and review/update of premises database.
- The review and issue of Sports Ground Safety Certification for grounds and stands coupled with compliance monitoring visits and attendance at Sports Grounds Safety Advisory Group Meetings
- Attendance at Event Safety Advisory Groups Meetings, assessment of event safety plans and compliance monitoring at events.
- Test purchase exercises of premises providing the use of sunbeds and for consumer products such as butane/cigarette lighter refills etc.
- Ongoing review and updating of construction products premises databases and risk profiling.
- Work with the relevant enforcement and policy makers regarding consumer and construction products.
- To continue to identify suitable funding options to support market surveillance and sampling programs, using a risk-based approach and intelligence from UKPSFG.

- Continue working relationship with Invest NI to help local businesses obtain grant aid and other advice in relation to construction products.
- Up skill officers on the provisions of relevant health and safety and construction products regulations.
- Provision of educational and health promotion activities.
- Completion of Statistical Returns and Council Committee Reports.
- Maintenance of quality management systems and compliance with OHSAS 18001 health and safety management systems.
- Reactive Work
  - Accident Investigations
  - Complaint investigations
  - Requests for Advice/Guidance and Training
  - Inspections of Fireworks Displays and Explosive Material Storage Areas
  - Registration of Premises under Council Byelaws – Tattooing, Cosmetic Piercing, Acupuncture, Epilation, Semi-permanent Skin Colouring, Skin Piercing, Hairdressers/Barbers
  - Local Festivals and Events
  - National and local alerts, hazard warnings and seasonal issues regarding unsafe consumer products.
  - Investigate complaints received from members of the public about unsafe consumer products.
- Service promotion
  - Safety Education and Awareness Campaigns
  - Training– internal and external
  - Liaison with other Council Departments, Enforcement and business development bodies.

### **3.0 Organisational Structure**

There are five Environmental Health Officers (Full Time Equivalent) in Derry City and Strabane District Council with responsibility for Health and Safety and Consumer Protection enforcement. This service plan is based on the full availability of these resources and no other unanticipated demands, any reduction in these resources will impact on the delivery of this plan.

The Health and Safety and Consumer Protection team is led by the Head of Health and Community Wellbeing and the Principal Environmental Health Officer, supported by a Team Leader, Environmental Health Officers, and Technical Officers with additional support provided by the Business Support Team.

Regular team meetings take place to ensure high standards of service delivery are provided with a focus on performance improvement and enforcement consistency.

Officers within the team are members of the following groups: NI Health and Safety Liaison Group; Safety of Sports Grounds Working Group; Gas Safety Regulators Group; Safety Advisory Group; Joint Licensing Group; Northern Ireland Consumer Protection Group and the Sunbed Working Group.

Through membership of the above groups arrangements are in place to ensure that the delivery of the team's enforcement service within Derry City and Strabane District Council area is consistent with other Environmental Health Departments and enforcement bodies within Northern Ireland.

#### **4.0 Partnerships**

Partnerships with other enforcement agencies, businesses and voluntary organisations will continue to be developed as a priority. The Health and Safety and Consumer Protection team will continue to work in partnership across the council, with other agencies and stakeholders in order to make best use of resources, co-ordinate enforcement activities and obtain compliance with statutory provisions.

In the past number of year this has involved HSENI, PSNI, NIFRS, NIAS, Executive Office, Transport NI, IFA, Sport NI, BIES, HMRC, National Trading Standards Board (NTSB), SPoC UK, PSFG, DCLG (UK), DCEHLG (ROI), EU Commission (ADCO), Invest NI, North West Regional College and Council services such as Licensing, Building Control and Leisure Services. Officer from the Council are also involved in other professional and working groups as identified earlier in section 3.

#### **5.0 Emerging Issues/Legislation**

The health and safety and consumer protection service will identify future priority areas and will respond as necessary to any emerging issues.

Brexit and in particular any future trade deals may have an impact on future service delivery, particularly in relation to construction products Market Surveillance from EU/UK.

In order to maintain consistency of enforcement officers of the health and safety and consumer protection service are members of various regional specialist health and safety groups (see list in section 3 above), membership of these groups also help to develop officer expertise in specialist areas that are linked to inspection priorities.

Following specialist sports ground training delivered by Sports NI in late 2016, officers will work with Sports NI in developing guidance documents to ensure a consistent and approach to sports ground safety. The development of guidance will also assist in the inspection of Regulated Stands under the provisions of Part 3 of the Safety of Sports Grounds (NI) Order 2006. Following consultation with relevant statutory bodies via the Sports Ground Safety Advisory Group, Councils will be required to produce and issue a suitable safety certificates for such Regulated Stands.

Any new pieces of legislation and/or standards relating to consumer protection will have an impact on work plans, for example E-cigarettes, Novel Psychoactive Substances Bill and new harmonized standards emerging with respect to Construction Products Regulations.

Sampling of consumer protection goods will be required to allow for the effective implementation of this work plan.

With the development of DCSDC draft Strategic Inclusive Growth Plan 2017-2032, it is anticipated that the outcomes of this plan and other civic work will have an impact on the services delivered by the Health and Community Wellbeing Service but at this stage it is difficult to estimate the full effect this will have.

## **6.0 Effective Service Delivery**

### **Auditing**

The Principal/Lead Officers will carry out monitoring of files and competency assessments in accordance to Article 20 mandatory guidance.

### **Statistical Returns**

The Local Authority Health and Safety Statistical Returns will be collated and forwarded to HSENI at year end. An annual return is submitted to the Department of Health for volatile substance abuse (VSA). Enforcement data on market surveillance for non-food consumer products are produced on an annual basis to the Department of Business, Energy and Industrial Strategy (BIES).

### **Staff Development**

All officers involved in health and safety and consumer protection work should maintain continual professional development by attending training courses that will deliver the competencies required to deliver the requirements of this service plan. Training may be provided in-house or through attendance at external courses, see training details at section 7 below.

## **7.0 Training**

Training will be provided on request to businesses within the exigencies of the Department. Current arrangements exist with the North West Regional College to input into various courses and the team is currently developing working relationships with other training and support organisations. In addition the team will continue to work with ethnic minority and voluntary groups in delivering training depending upon available resources. Officers will continue to work alongside colleagues to provide student training to UUJ to develop training for students and newly qualified/less experienced EHO's. Following the recent creation of the Health and Safety and Consumer Protection team there will be up skilling requirements for officers to familiarize them with the increased responsibilities within the new team. The team is currently recruiting an officer to undertake the consumer protection role and it is anticipated that this officer will also require additional training to upskill the officer to a suitable level of knowledge commensurate with this post.

The following training has been identified as necessary for Officers in the year 2017/2018.

- Manufacture and Storage of Explosives (Fireworks)
- Sports grounds safety training on updated Sports NI guidance.
- Safety of gas storage arrangements
- Temporary demountable structures
- E cigarettes training
- Construction Products training
- Consumer protection and health and safety training to upskill officers.
- Corporate health and safety training needs as identified via training matrix.

All training received will be documented as a means of assessing officer competence.

## **8.0 Enforcement Policy**

Derry City and Strabane District Council have an enforcement policy and the health and safety and consumer safety service adheres to this policy and relevant current mandatory guidance and good practice. All enforcement decisions are made following consultation with the policy document.

A copy of the enforcement policy is available from the Environmental Health Service or from the Council upon request.

## 9.0 Service Delivery

### 9.1 Risk Based Priority Inspection Programmes.

The inspections of health and safety and consumer protection premises are based upon risk based priority inspection programmes where those premises that pose the greatest risk to health and safety and/or consumer protection are inspected.

The tables below set out the number of premises within the Council area including those that will form part of the planned priority inspection programme. Following the introduction of a new computer software package and an extensive review of the health and safety and consumer protection database there are currently 2413 health and safety premises, 219 general consumer protection premises and 245 construction product premises registered.

The inspection of health and safety and consumer protection premises is driven by mandatory guidance and the work programmes developed by both the NI Health and Safety Liaison Group and the NI Consumer Protection Sub Group.

Officers will use the Local Authority Circular LAC67/2 (rev 2) as a priority risk based system for planning the inspections of higher risk health and safety premises with a strong focus given to the priority areas as identified by the Health and Safety Liaison Group work plan. The content of the Liaison Group work plan is driven by the Joint Strategy for Better Regulation of Health and Safety in Northern Ireland as developed by HSENI and District Councils. Joint review and performance mechanisms are in place to measure the success of the joint work programs between HSENI and the District Councils and the partnership arrangements. The Health and Community Service Plan also sets out key activities for the Health and Safety and Consumer Protection Team:

#### 9.1.1. Premises Profile in DCSDC

##### **Health and Safety Premises Profile in DCSDC.**

<b>Types of Premises</b>	<b>Numbers for H&amp;S</b>
Retail Shops	817
Wholesalers/warehouses	85
Offices	383
Catering/Bars	417
Hotels/Campsites/short stay accommodation	64
Residential care/child care	19
Leisure/Cultural Services	338
Consumer Services	283
Other	7
<b>Total</b>	<b>2413</b>

**Risk Profile of Health and Safety Premises in DCSDC (based on LAC 67/1 rev3)**

Risk Category	Number of Premises	Inspection Period
A	69	1 year
B1	424 (280)	18 months
B2*	1190 (297)	48 months:- inspection or other intervention programmes depending upon priorities/initiatives
C **	702	Small sample of premises may be inspected to ensure consistency of scoring.
New and unrated premises	Unknown numbers	New and unregistered premises to be inspected as part of planned work schedule

\*Premises categorised as lower risk i.e. B2 may be targeted by other means other interventions other than actual inspection, i.e. by the use of mail shots, newsletters, or education initiatives.

\*\* Low risk category C premises will not normally form part of this work programme, however a small sample of premises may be inspected to ensure consistency of scoring.

**Consumer Protection Premises Profile in DCSDC, General Consumer Protection**

Risk Category	No. of Premises	No. of Inspections
High	54	54
Medium	109	72
Total	163	*

\* Numbers of inspections of low risk will be determined by resources and/or current issues

**Consumer Protection Premises Profile in DCSDC, Construction Products**

Premises Type	No. of Premises	No. of inspections
Manufacturers/importers	64	52
Installers/distributors	72	21
Total	136	73

**9.2 Reactive Inspection Resource Demand**

<b>Health and Safety Activities</b>	<b>Anticipated Activities (based on previous years attained figures)</b>
Accidents Reported	54
Complaints/Requests for service	250
Registration/Byelaws	7
Firework Displays	11
Firework Storage Inspections (MSER)	1
Sports Grounds with relevant certificates requiring monitoring visits*	3
Regulated Stands	2
Sunbed Inspections	20
Events	18
Safety Advisory Group Meetings	24
*The certification and monitoring of terms and conditions in safety certificates for designated sports grounds and the establishment of a multi-agency safety advisory group is a significant area of work for this Service. In addition, where the designated venues have been used for non-specified activities i.e. other than the playing of football etc., then the Council must issue a Special Safety Certificate with terms and conditions.	

<b>Consumer Protection Activity</b>	<b>Anticipated Planned Activities (based on previous years attained figures) (Annual Total)</b>
Consumer Complaints	17
Hazard Warnings (NI only)	5
Test Purchases(e.g. butane)/Sampling as required	10
Officer up skilling, Training days for officers	2
Consumer Protection Meetings regional/subgroups etc.	6
Service requests for advice etc.	112
Inspections of High and Medium Risk Premises.	126
Joint Initiatives e.g. collaborations with other functions	2

### **9.3 Key Activities identified in the Health and Community Service Plan 2017/18 and the Health and Safety Liaison Group Work Plan 2017/18**

From the Health and Community Service Plan 2017/18 the following key activities were identified for health and safety:

- a) Work in partnership with HSENI through the joint strategy and with other regulators and stakeholders to make best use of joint resources and to maximise impact for both local and regional priorities.
- b) To work in partnership with other organisations and businesses to help improve health safety and welfare at work.
- c) Undertake a number of initiatives to help reduce accidents and ill health within specific service sectors/activities

The health and safety and consumer protection team will achieve these key activities by implementing the below targets as agreed between District Councils and HSENI as identified in the Health and Safety Liaison Work Plan 2017/18

### **Slips Trips and Falls from Height**

The 11 District Councils in Northern Ireland and the HSENI have partnered to deliver a health and safety awareness raising initiative, commencing in April 2017, focusing on slips, trips and falls from height. The health and safety and consumer protection team will also work with organisations and other training providers to help promote this initiative.

Slips, trips and falls from height continue to cause accidents, injuries and fatalities in many types of workplace in Northern Ireland. Between 2011 to 2016 falls were the biggest single cause of workplace fatalities in Northern Ireland. Twenty six people died as a result of work related falls during this period; this represents one third of the total fatalities.

The majority of work-related slip, trip and fall accidents are preventable by businesses adopting simple steps to manage risks in their workplaces. Businesses will be expected to begin with a risk assessment to consider what risks in their workplace may lead to slip or trip or fall injuries. They should then decide what suitable and effective control measures will prevent these types of accidents and put these control measures into practice. This may include:

#### **For slips and trips**

- Stop floors becoming contaminated
- Use the right cleaning methods
- Get the right footwear
- Think about people and organisational factors – for example Consider how work is organised and managed, e.g. to avoid rushing, overcrowding, trailing cables.

#### **For work at height**

- Avoid working from height in the first place by carrying out the job at ground level
- Prevent a fall from occurring with edge protection and safe use of ladders
- Minimise the consequences of a fall with safety nets and other safety equipment

Various information leaflets have been developed for the initiative which provide advice on managing risks of slips, trips and falls from height.

#### **Target:-**

- Deliver joint initiative by raising issues in at least 50% of planned premises visits

### **Sports Ground Safety**

The health and safety and consumer protection team are committed to ensuring the effective regulation of sports grounds under the provisions of the Safety of Sports Grounds (NI) Order 2006 for the following reasons:-

- The regulation of the legislation by district councils is being closely monitored by the Department of Culture Arts and Leisure

- A regional approach will ensure consistency of outcome and will support the professional profile of district councils
- Directing sustained resource at the early stage of implementation of the legislation will build a culture of self-regulation at sports grounds requiring significantly less resource input by district councils in future years.
- It is high profile work with significant financial and political implications

Inspectors will undertake a robust monitoring programme of all designated sports grounds to ensure compliance with the terms and conditions contained in the general safety certificates. The programme will include the following elements:

- Visits to the designated grounds when games are being played
- The production of detailed monitoring reports following every visit
- An audit of the match day safety records / documentation held at each designated ground

Inspectors will carry out an annual review of the general safety certificates working in partnership with member organisations of the Sports Ground Safety Advisory Group and will reassess the 'P' and 'S' factors at each ground and amend certificates as necessary.

Following the provision of agreed guidance from Sport NI, Inspectors will assess the Council area for Regulated Stands under the provision of Part 3 of the Safety of Sports Grounds (NI) Order 2006 and will issue a general safety certificate for regulated stands as required.

Target:-

- Undertake a robust monitoring programme of all designated sports grounds with a minimum of at least two during performance visits to each designated or regulated grounds.
- To ensure that all general safety certificates are reviewed annually.

### **Fireworks and Explosives**

The Council has a service level agreement with the Department of Justice to undertake assessments of premises applying for registration to store and sell explosives, in addition to assessing firework displays license applications (excluding Category 1).

Target:-

- Ensure that 100% of display license applications are processed.
- Ensure that 75% displays to which special conditions have been applied are monitored.
- Ensure that 100% of new premises registration assessment requests result in an inspection.
- Ensure that 100% of assessments are recorded and reported to the Department of Justice on the correct forms.

## **Sunbeds**

Skin cancer rates in Northern Ireland have trebled in the last 25 years, it is now the most common form of cancer in Northern Ireland. There is convincing evidence that exposure to ultraviolet radiation can cause skin cancer especially through the exposure to UV radiation by the use of sunbeds. Young people are more at risk and evidence shows that the exposure to uv radiation before the age of 25 greatly increases the risk of developing skin cancer and that sunburn in children can greatly increase this risk as well. The Sunbeds Act (NI) 2011 makes it an offence for someone operating a sunbed business to permit a person under 18 to use or hire a sunbed. This Department will continue with the work undertaken last year on the safe skin initiative advising on precautions on sun protection and will undertake at least one test purchase exercise on the hire of sunbeds to persons under the age of 18 yrs.

### Actions and Targets

- The Council will continue to contribute to the objectives of the Sunbeds (Melanoma) Working Group and represent Derry City and Strabane District Council on the group.
- Undertake at least one test purchase exercise in accordance with procedures.
- Ensure the maintenance of an up to date premises database for sun beds and provide statistical returns yearly.

## **Legionella (including cooling towers/evaporative condensers)**

### Actions and Targets

- A lead officer will attend the Legionella Sub Group meetings and work in partnership with HSENI on any identified initiatives.
- To review the Derry City and Strabane District Council Cooling Tower Register to ensuring all details are accurate including out of hours contacts.

## **Motor Vehicle Repairs**

Officers will undertake an initiative within the motor vehicle repair sector to help reduce accidents and ill health within this service sector. Officers will focus on the current initiative regards slips and trips and will also focus on the safe skin initiative started in 2016/17. Officers will provide sector specific information on both the above area during visits to at least 50% of premises within this sector.

### Actions and Targets

- Deliver initiative by raising issues in at least 50% of planned premises visits

#### **9.4 Key Activities identified in the Health and Community Service Plan 2017/18 and the NI Consumer Protection Sub Group Work Plan 2017/18**

From the Health and Community Service Plan 2017/18 the following key activities were identified for consumer protection:

- a) Participate in market surveillance and test purchase exercises
- b) Help business meet and exceed the requirements in relation to the design of construction products and consumer goods.

##### **Market surveillance**

Participate in market surveillance and sampling programmes, identified and initiated by NI Consumer Protection Sub-Group, using a risk-based approach and intelligence from UK Product Safety Focus Group (UKPSFG). Where possible, identify and avail of suitable funding options to support market surveillance.

##### **Sunbeds**

Improve the awareness of providers of sunbeds to the home hire market through the provision of information and guidance. Working with colleagues in H&S and other relevant bodies to promote safety including safe skin and to undertake a suitable test purchase exercise.

##### **Production of Guidance Document**

Produce at least one guidance document to be used by businesses and/or consumers with an emphasis on supporting minority communities.

##### **Construction Products**

Provide information to businesses involved in the provision of Construction products in relation to their duties and compliance with CPR. Undertake at least one training initiative for construction products/consumer products.

##### **Officer Development**

Upskill staff as required on the enforcement of consumer protection regulations/best practice in line with the introduction of new legislation and/or standards regulations.

##### **Volatile Substance Abuse (VSA)**

To improve awareness of VSA and related issues through advice to retailers and as necessary undertake a test purchasing exercise.

##### **Hire of Consumer goods**

Raise awareness within hire premises in relation to their duties to provide safe products.

## 10.0 Key Performance Indicators for Health and Safety and Consumer Protection

Officers will use incident inspection pro forma and quality management procedures to ensure a consistent approach to the investigation of accidents and complaints. Officers will react in an appropriate manner to reported accidents, complaints, etc., within the target times as set out below.

Type	Response Times	Target
RIDDOR Report-Fatality	Immediate	100%
RIDDOR Report - Major Injury	Within 5 days	85%
RIDDOR Report - Over 3 day Injury	Within 10 days	85%
RIDDOR Report - Injury to Member of Public	Within 10 days	85%
Urgent complaints regarding workplace health and safety and consumer protection complaints	Within 1 day	100%
Non urgent complaints regarding workplace health and safety and consumer protection complaints	Within 3 working days	85%
Request for Advice and/or Information	Within 3 working days	85%
Annual returns completed	By dates requested by BIS, PSFG, DCLG (UK), Regional Subgroup, HSENI, etc.	100%

## 11.0 Review of Health and Safety and Consumer Protection Service Plan

The Principal Officer and the Lead Officer for Health and Safety and Consumer Protection will conduct an in-year and annual review of the health and safety service against the service plan. Quarterly performance reviews of key performance targets will be carried out. Any imminent or new issues will be included in the in-year review. Any areas of improvement identified as a result of the review will be included in the service plan for the following year.

## 11.1 Performance review for 2016/17

### Key Performance Indicators for 2016/17

Type	Response Times	Target	Target Achieved
RIDDOR Report-Fatality	Immediate	100%	Yes
RIDDOR Report - Major Injury	Within 5 days	85%	Yes
RIDDOR Report - Over 3 day Injury	Within 10 days	85%	Yes
RIDDOR Report - Injury to Member of Public	Within 10 days	85%	Yes
Urgent complaints regarding workplace health and safety and consumer protection complaints	Within 1 day	100%	Yes (100%)
Non urgent complaints regarding workplace health and safety and consumer protection complaints	Within 5 days	85%	Yes (97%) H&S Yes (100%) CP
Request for Advice and/or Information	Within 5 days	85%	Yes (92%) H&S Yes (96%) CP
Annual returns completed	By dates requested by BIS, PSFG, DCLG (UK), Regional Subgroup, HSENI, etc.	100%	Yes (100%)

### Health and Safety Inspections

A total of 538 planned inspections were scheduled for 2016/17, of these 470 planned inspections were carried out representing 87% achievement with this target. In addition 170 advisory visits which included follow up visits, accident and complaint investigations, competent person's reports, and visits to provide advice and assistance were also carried out during this period giving an overall total of 640 visits during 2016/17.

### Accident investigations and complaints

A total of 54 accident investigations and 34 workplace complaints were received for 2016/17. Accident notifications were actioned within the target times as set out in the quality management procedures. An additional 250 requests for service were also received by the team during this period.

### Inspection Priorities based upon the HSLG Plan

Safe skin: this initiative was undertaken and the target of raising the initiative in at least 50% planned premises visits was achieved. Information was also provided through the Safety Advisory Group to organiser of large outdoor event. Officers also worked with the NWRC to deliver a safe skin initiative with the School of Hairdressing, Beauty Therapy and Early Years

Sports Ground Safety; during performance inspection targets and review of safety certificate targets were met.

Fireworks and Explosives; 11 fireworks applications were received and all applications and monitoring inspections met the Department of Justice targets.

Sunbed Safety; officers continued to raise awareness of the requirements of the Sunbeds Act 2011 during routine inspections. A test purchase exercise was carried out using children under the age of 18 years, 14 sunbed premises were visited and 2 premises sold sessions to the children, fixed penalty notices of £250 were issued to these premises.

Tattooing and Skin Piercing: CIEH Tattooing and Body Piercing Toolkit was launched and all premises within this sector were contacted by letter informing them of the toolkit.

Legionella: An officer from the health and safety and consumer protection team will attend the NI Legionella Sub Group meetings. The Cooling Tower register for DCSDC has been reviewed.

Blind Cord Safety: Officers continue to raise awareness of the risks associated with blind cord during routine visits to relevant premises.

Unregistered Premises; approximately 200 new premises registrations were carried out and work on the update of the data base is continuing.

Liaison with other agencies; officers attend both Sports Ground SAG and Events SAG allowing liaison with other agencies and providing useful information and guidance to event organisers.

### Consumer Protection

265 consumer protection visits, 112 service requests, 17 consumer complaints, 5 hazard warnings, 14 Rapex surveillance requests, 64 SPOCNI requests and 39 businesses referred to Invest NI/Trading Standards;

Participation in YES schools programme, and lecturing to UUJ students and CP officers  
Blind cord video produced and launched on social media, over 2 million hits worldwide;

Business advice project undertaken to advise second hand traders/charity shops on the sale and supply of "safe" second hand gas and electrical products. Premises provided with advisory packs and electrical plug checkers;

Participated in Electrical Safety Week on fire risks associated with portable electrical heaters;

Seizure of non-compliant consumer safety goods from Halloween market stalls;

Single Point of Contact for NI (SPOCNI) dealt with complaints/queries regarding steel stairs, garage doors, stoves, oil tanks, concrete blocks, muscovite mica, pyrite, and cattle slats;

SPOCNI and Invest NI - training exercise on market surveillance for consumer protection;

Market surveillance exercise carried out involving multi fuel stoves and fire doors to check compliance with relevant construction standards;

Funding (£5445) obtained from Department of Business Skills and Innovation (DETI) to allow market surveillance exercise within NI to be undertaken on horse riding hats-ongoing;

Butane test purchase exercise undertaken with one premises requiring a written warning.

### **Consumer protection inspections 2016/17**

<b>Risk Category</b>	<b>Actual No. of Inspections</b>
High	45
Medium	127
Low	37
Un-rated	9
Mailshots- i.e. VSA/butane, blind cords, teeth whitening, etc.	78
<b>TOTAL</b>	<b>296</b>

Consumer protection –Activities review	2016/17 Activities
Consumer Complaints	17
Hazard Warnings (NI only)	5
Test Purchases/(e.g. butane/pw tyres) Sampling generally i.e. not market surveillance projects	10
Officer up skilling/Lecturing/Training days for officer	2
CP general Meetings- regional/subgroups/Construction products meetings etc.	10
Service requests for advice etc.	112
Inspections of Home authority premises/ manufactures/ importers/market stalls etc.	63(see figures above total risk rating)
Rapex surveillance- relevant to NI only	14
Schools YES programmes/Lecturing Activities/UJJ training /new to CP officers training/Construction training for officers annual event	3
Service requests specifically- SPOC NI construction products meetings/ teleconference calls with EU member states/ROI complaint sharing/supporting officers/border control assistance etc./	64

## **Appendix 1**

### **The Joint Strategy between HSENI and 26 District Councils**

#### ***Mission***

To significantly reduce the number of work-related fatalities, injuries and cases of ill health in Northern Ireland by:

- Ensuring that Northern Ireland's health and safety at work regulatory system operates as effectively as possible, supporting businesses and reducing regulatory burdens;
- Focusing on the core aspects of workplace health and safety in Northern Ireland, thereby promoting sensible and proportionate risk management by all;
- Targeting District Council and HSENI's resources when appropriate in a manner that maximises each organisation's ability to prevent harm and secure justice.

#### ***Goals***

1. Work together to maximise resources to best effect, via joint strategic planning and a collaborative approach to implementation.
2. Promote an approach to workplace health & safety management that informs risk makers and managers about the core principles and real health and safety issues.
3. Focus on key health issues in the workplace that will bring about a reduction in the number of cases of work-related ill health.
4. Build capacity for businesses, and in particular SMEs, to effectively manage workplace health and safety.
5. Assist in highlighting the needs of vulnerable groups to ensure that their needs are recognised and managed within the workplace.
6. Target resources for compliance based on proportionate intervention and enforcement.
7. Work with other health and safety regulators in the Republic of Ireland, Great Britain, Europe and other parts of the world, to ensure an effective network for learning and sharing good practice on key aspects of workplace health and safety.
8. Have a wider perspective on the other issues and policies that impact on health and safety in the workplace to influence and maximise the benefit from potential synergies.
9. Provide leadership for the regulation of health and safety at work.
10. Clarify and promote the role of others and their responsibility for managing health and safety and achieving excellence.