

Meeting of:	Shared Regulatory Services Joint Committee
Date of Meeting:	Tuesday, 10 September 2019
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Shared Regulatory Services Health and Safety Enforcement Service Plan 2019/20
Purpose of Report:	To seek approval for the Health and Safety Enforcement Service Plan for the Shared Regulatory Service for 2019/20
Report Owner:	Miles Punter - Director of Environment and Housing
Responsible Officer:	Christina Hill - Operational Manager Shared Regulatory Services
Elected Member and Officer Consultation:	No Elected Members have been consulted. The following officers have been consulted: Assistant Director, Cardiff Council, Head of Legal and Regulatory Services, Bridgend County Borough Council
Policy Framework:	This is a matter delegated to the Joint Committee
Executive Summary:	<ul style="list-style-type: none"> The report appraises the Committee of the work of the Health and Safety team and requests approval for the Health and Safety Enforcement Service Plan for the Shared Regulatory Service for 2019/20.

Recommendations

1. Approve the 2019/20 Health and Safety Enforcement Service Plan.
2. Authorise the Head of the Shared Regulatory Service to make administrative amendments to the 2019 /20 Health and Safety Enforcement Service Plan should the need arise.

Reasons for Recommendations

1 & 2

To ensure the Shared Regulatory Service has robust arrangements in place to deliver its obligations as an enforcing authority under the Health and Safety at Work Act 1974 and comply with statutory guidance.

1. Background

- 1.1 The Shared Regulatory Service, together with the Health and Safety Executive is responsible for the enforcement of Health and Safety at Work Act 1974.
- 1.2 The Councils have a duty, which is delegated to Joint Committee to enforce the Health and Safety at Work Act 1974.
- 1.3 Section 18 of the Health and Safety at Work Act requires Local Authorities to produce a Health and Safety Service Plan setting out the arrangements in place to discharge these duties. This Health and Safety Enforcement Service Plan is produced in response to that requirement and is designed to inform residents, the business community of Bridgend, Cardiff and the Vale of the arrangements the Councils have in place to regulate health and safety.
- 1.4 A Copy of the draft Health and Safety Enforcement Plan for 2019/20 has been attached to this report as Appendix 1.
- 1.5 The Service Plan details the aims and objectives of the service in respect of Health and Safety enforcement, which are determined annually. The plan details:
 - the demands on the service,
 - the risk based work programme and
 - the resources available to deliver the required work
- 1.6 The plan explains the Health and Safety Executives expectations of Local Authorities along with some achievements from 2018/19 and the challenges envisaged in the year ahead.

2. Key Issues for Consideration

- 2.1** Local authorities have a duty to produce a Health and Safety Enforcement Service Plan that is endorsed by elected members and makes clear their arrangements for contributing to current Health and Safety Commission priorities.
- 2.2** The plan seeks to take account of local needs while addressing the national priorities as set out by the Health and Safety Commission in its strategic plan. The service plan must identify both reactive and proactive work and include details of planned promotional and educational events.
- 2.3** The Health and Safety Executive require each Local Authority to complete an annual return detailing the work activities undertaken in the previous year, details of which can be found within the Health and Safety Enforcement Service Plan contained in Appendix 1.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The Well-being of Future Generations Act requires the SRS to underpin decision making by contributing to the seven well-being goals of the Act, following the five ways of working, and consequently undertaking actions that will have a positive impact on people living in the future as well as those living today. Consequently SRS seeks to work in the following ways:
 - Looking to the long term
 - Taking an integrated approach;
 - Involving a diversity of the population in the decisions affecting them;
 - Working with others in a collaborative way to find shared sustainable solutions
 - Acting to prevent problems from occurring or getting worse.

4. Resources and Legal Considerations

Financial

- 4.1** The Participants' contribution towards the Shared Regulatory Service is recharged on a quarterly basis, based upon the approved budgets for 2019/20. Accounting for the full year is reported to the Committee at the Annual General Meeting.

Employment

- 4.2** There are no immediate employment implications associated with this report.

Legal (Including Equalities)

- 4.3** The Council has a statutory duty to provide a Health and Safety Enforcement Service Plan. Under the Health and Safety at Work Act 1974 section 18(4) all local authorities have a legal duty to make adequate arrangements for the enforcement of statutory provisions and any other duties imposed upon them under the guidance of the Health and Safety Commission (HSC). The guidance issued, commonly known as "Section 18 guidance" is mandatory.

5. Background Papers

Appendix 1 - Draft Health and Safety Enforcement Service Plan

- The Shared Regulatory Services Business Plan 2019/20

Shared Regulatory Services

Health & Safety Enforcement

Service Plan 2019/20



Health and
Safety at Work



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Introduction

Shared Regulatory Services (SRS) is an innovative collaborative service formed between Bridgend, Cardiff and the Vale of Glamorgan Councils on 1st May 2015. The Service delivers a fully integrated service under a single management structure for Trading Standards, Environmental Health and Licensing functions with shared governance arrangements ensuring full elected member involvement.

The Health and Safety at Work etc. Act 1974 places a duty on Local Authorities to enforce this legislation and are required by Section 18 of the Act to set out the arrangements they have in place to discharge that duty. This Service Plan, our fifth as a shared service, is produced in response to that requirement and is designed to inform the business community and the wider audience, of the arrangements Bridgend, Cardiff and the Vale of Glamorgan 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 7 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 Bridgend, Cardiff and the Vale of Glamorgan areas within the resources available to SRS.

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.

Christina Hill
Operational Manager Commercial Services

1. Service Aims and Objectives

1.1 Service aims and objectives

Shared Regulatory Services is committed to improving health and safety outcomes by ensuring the highest health and safety standards are maintained throughout the region in order to protect employees, the self-employed and members of the public. To demonstrate this, the Service has adopted the following aims and objectives.

The overall aim of the Service is:-

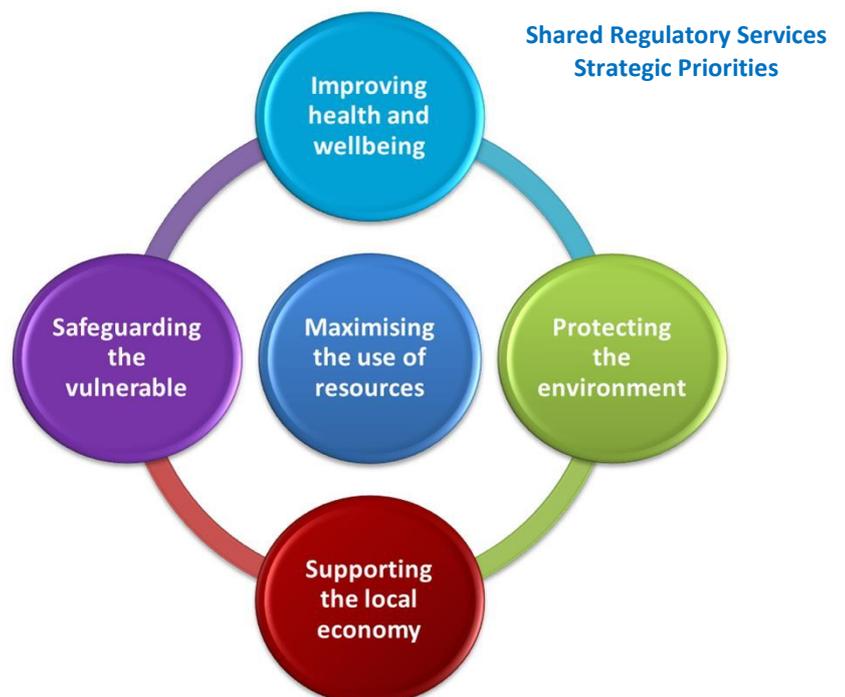
To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly.

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 or business activities.
- Contribute to the delivery of the HSE's National Strategic programme 'Helping Great Britain Work Well' through the application of proactive 'face-to-face' and 'non face-to-face' interventions based on risk and informed by evidence.
- Investigate notified work-related injuries, occupational 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 service requests on matters such as asbestos notifications, statutory notifications for lifting equipment and pressure systems, licensing applications etc.

1.2 Links to Corporate Objectives, national and local plans

As a regional organisation providing regulatory services across three local authority areas, we place the **corporate priorities** and outcomes of the three councils at the heart of all that we do (Appendix 3). In developing our own strategic priorities for Shared Regulatory Services, we have considered the priorities of all the three authorities, together with the needs and aspirations of our partners and customers so they translate into priorities that meet local needs.



Improving health and wellbeing – Amongst other factors impacting on health, the service works with others to contribute to the reduction in the number of fatal and major injuries; incidence of ill health and support the well-being of people in work, and those affected by work activities.

Supporting the local 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. The implementation of non-inspection interventions outlined in LAC 67/2 (revision 8) facilitates achievement of this objective.

Safeguarding the vulnerable – The enforcement of health and safety legislation in some occupational settings has a positive impact in protecting vulnerable sectors of our society, for example: residential care homes; nurseries and early years' settings and service sector businesses such as tattooists; semi-permanent make-up practitioners; beauty therapists and cosmetic body piercers who target young people. Using a range of proactive interventions and engaging with these industry sectors supports protection of our vulnerable citizens.

Nationally the service also contributes to the **Welsh National Enforcement Priorities for Wales** for local regulatory delivery which highlight 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.

'Helping Great Britain Work Well' – the Health and Safety Executive Strategy published in February 2016 sets out 6 themes for the whole of the Great Britain health and safety system. Local authorities, as workplace regulators, are a key part of this system and are expected to play a role in:

- Encouraging and recognising improvements, being increasingly joined up to deliver improved outcomes and minimise unnecessary burdens on businesses;
- Continuing to promote the risk-based, goal-setting regulatory regime that has served health and safety in Great Britain so well;
- Working with partners in the system to make workplaces safer and healthier, providing a level playing field for responsible employers with regulators and co-regulators, by advising, promoting, and where necessary, enforcing good standards of risk control;
- Using proportionate, risk-based regulation to support better outcomes, innovation and the safe use of new technologies;
- Developing services and products that contribute to improved management and control of risks, sharing our knowledge, and;
- Continuing the dialogue and conversation with stakeholders to make the system better, always looking to provide simple, pragmatic advice and support

The Local Public Health (medium term) Plan 2018-2021 for Cardiff and Vale Health Board, 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 well-being of the local population. The Plan sets out several priority work areas and actions necessary to achieve improvement, which include:

- **Tobacco**
- **Workplace health**
- **Falls prevention**
- **Sexual health**
- Healthy weight
- Immunisation
- **Healthy eating**
- Dementia
- Alcohol
- Physical activity
- Health inequalities
- Healthy environment

A number of themes detailed in the public health work programme dovetail with work being undertaken by the Communicable Disease, Health and Safety service as part of its proactive and reactive work (*e.g. delivering the Healthy Option Award scheme; providing appropriate infection control advice when interviewing confirmed cases of communicable disease; enforcement of current smoke-free legislation across the region*).

2. Overview of the Service

2.1 Area profile

Shared Regulatory Services covers the Council areas of Bridgend, Cardiff and the Vale of Glamorgan and serves over 600,000 residents. Extending from St Mellons in the East of Cardiff to Maesteg in the west, the area encompasses Cardiff, the capital City of Wales with its array of cultural, financial and commercial organisations and the rural areas of Bridgend and the Vale of Glamorgan with their vibrant tourist and agricultural economies.



Bridgend is situated on the south coast straddling the M4 corridor. It comprises an area of 28,500 hectares and a population of just over 140,000



residents. To the north of the M4, the area consists of mainly ex-coal mining valley communities with Maesteg as the main centre of population. To the south of the M4, the ex-market town of Bridgend is the largest town, the hub of the economy and its employment base. To the south west on the coast lies Porthcawl, a traditional seaside resort with a high proportion of elderly residents, which is subject to a major influx of tourists during the summer period.

Cardiff is the capital city of Wales and is continuing to grow faster than any other capital city in Europe. In population terms, it is the largest city in Wales with a population of 360,000.

Measures of population however, belies Cardiff's significance as a regional trading and business centre. The population swells by approximately 70,000 daily with commuters and visitors. Cardiff is the seat of government and the commercial, financial and administrative centre of Wales. Cardiff boasts one of the most vibrant city centres in the UK and on a typical weekend, Cardiff's night time economy can attract over 40,000 people and sometimes more than 100,000 when the City's Millennium Stadium hosts international events.



The Vale of Glamorgan is bounded to the north by the M4 motorway and to the south by the Severn Estuary. It covers 33,097 hectares with 53 kilometres of coastline, and a population of over 130,000 residents.

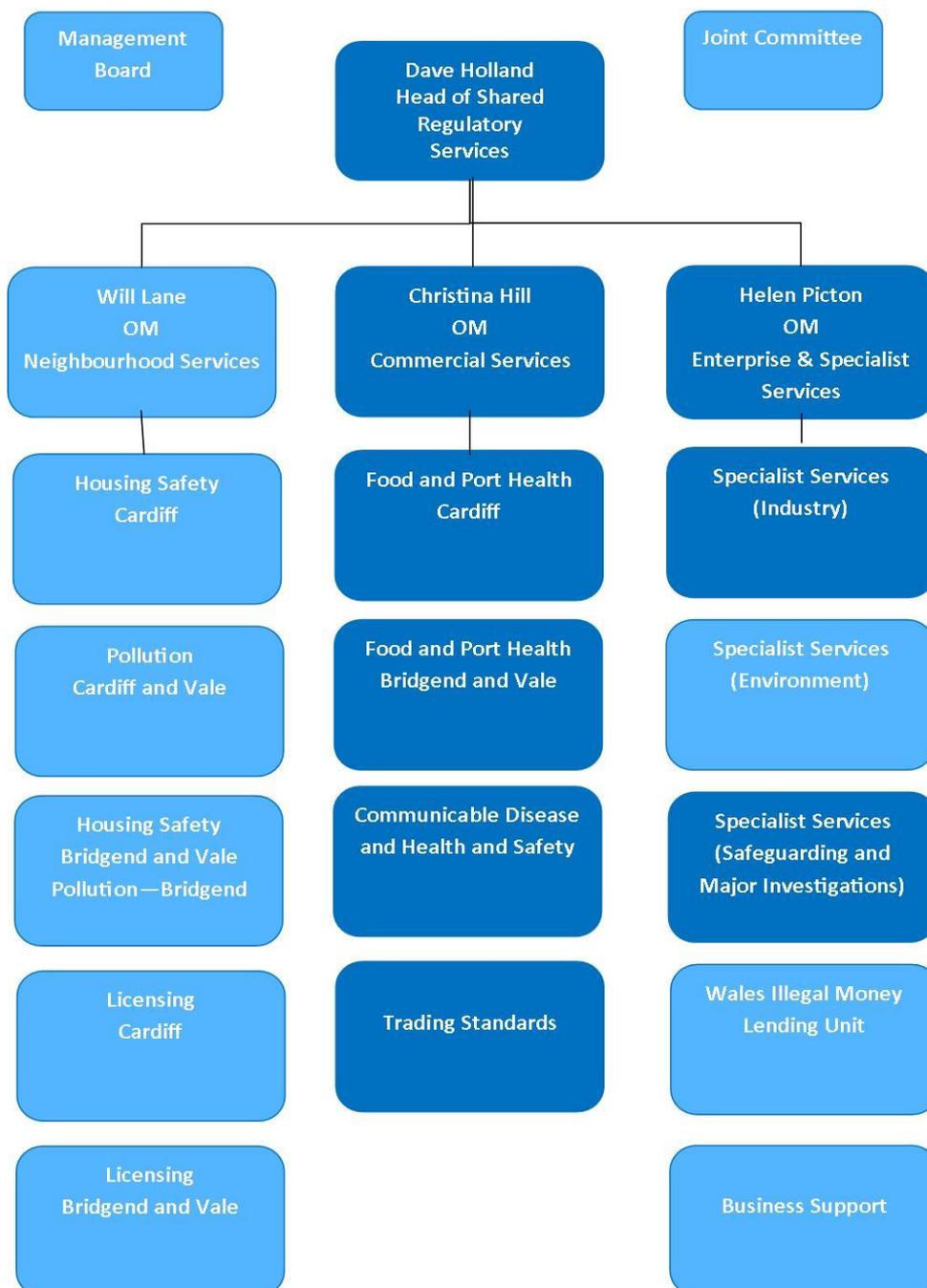


The area is predominantly rural in character, but contains several urban areas of note such as Barry, Penarth, Dinas Powys and the historic towns of Cowbridge and Llantwit Major. Barry is the largest town, a key employment area and popular seaside resort. The rural parts of the Vale provide a strong agricultural base together with a quality environment, which is a key part of the area's attraction. The area includes Barry Docks area and Cardiff International Airport.

2.2 Organisational structure

Health and safety enforcement services are mainly provided by the Commercial Services arm of Shared Regulatory Services, with some distinct pieces of work being delivered by Enterprise and Specialist Services. The teams largely comprise of Environmental Health Officers providing services across the three local authority areas. The Vale of Glamorgan Council acts as host authority for the Service, with functions associated with this Plan being delegated to the Shared Service Joint Committee. Commercial Services deal with the majority of health, safety and well-being activities within Shared Regulatory Services, whilst Enterprise and Specialist Services support this function through the provision of advisory (paid for) visits; Primary Authority Partnership work; overseeing public safety at large outdoor events and assisting with major investigations as they arise. Operational functions within the Service are illustrated in the following table with those that have responsibility for health and safety issues highlighted in darker blue.

Shared Regulatory Services Organisational Chart



2.3 Scope of the Health and Safety Enforcement Service

Shared Regulatory Services 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, wholesale/retail warehouses, consumer services used by members of the public, places of entertainment and leisure, hotels and some residential accommodation and catering establishments. Activities are categorised as reactive and proactive and include proactive health and safety inspections/interventions; based on both national priority topics and local intelligence. The full scope of the health and safety function provided by Shared Regulatory Services includes:-

Reactive

- Investigating reported accidents, occupational diseases and dangerous occurrences;
- Responding to complaints and requests for service, including smoking in public places;
- Permissioning activities including skin piercing registrations, asbestos activities and lift reports;
- Responding to consultations from Licensing, Planning, Building Control etc.
- Providing advice and information to new businesses;
- Securing safety standards at outdoor sporting, cultural and entertainment events through the Events Liaison Panel;
- Prioritised and targeted health and safety promotional campaigns.

Proactive

- Planned proactive health and safety interventions which focus on national priority topics;
- Undertaking targeted initiatives based on local intelligence and evidence of risk;
- Evidence-based education of employers, employees and contractors through guidance and information;
- Promoting proportionate and sensible health and safety through business engagement and partnership working;
- Undertaking and participating in health and safety promotion campaigns;
- Liaising with other internal and external organisations including:- Planning, Building Control, Licensing, Trading Standards, Wellbeing Team, Corporate Health and Safety Team, HSE, other Technical panels etc.
- Devising material to help businesses comply with the law and promote 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 (DPPW) Regional Liaison Group via Welsh Heads of Environmental Health Group (WHeoEG) and Expert Panels;
- Participation in the South East Wales and South West Wales Health and Safety Task Groups 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, Parks and Leisure, Corporate Health and Safety and Events Teams;
- Liaison with and commitment to Local Government Regulation (formerly LACORS);
- The Office for Product Safety & Standards (BEIS) for Primary Authority work;
- Welsh Government;
- Local Government Data Unit.

Service delivery points

Health and safety services are delivered from all 3 regional hubs which operate office hours from Monday to Friday. Weekend and out-of-business hour duties are carried out as the need arises. Shared Regulatory Services also operates an out-of-hours duty officer scheme for emergency situations.

Health and Safety Service Delivery Points		
Locations	Service Area	Office Hours
Civic Offices Angel Street Bridgend CF31 4WB	Health and Safety advice, education and enforcement.	Mon - Thurs 08:30 - 17:00 Friday 08:30 - 16:30
Level 1 County Hall Atlantic Wharf Cardiff		
Civic Offices Holton Road Barry CF63 4RU		

The Shared Regulatory Services website provides information on the services provided and the website address is www.srs.wales/en/Home.aspx

Responsibility

Responsibility for health and safety activities in SRS is broken down as follows:-

Team	Responsibility
Health and Safety Enforcement Team (Commercial Services)	Health and Safety proactive inspections and project interventions
	Investigation of complaints and service requests
	Investigation of accidents; occupational disease & dangerous occurrences
	Permissioning activities (<i>as detailed above</i>)
	Business engagement and partnership working
	Targeted promotion and education with businesses
Trading Standards Teams	Firework safety and petroleum licensing
Enterprise and Specialist Services Team (Industry)	Health and Safety at large outdoor events
	Coaching and paid for advice visits at the request of business
	Training and targeted education
Specialist Investigations and Safeguarding	Primary Authority partnership work
	Major investigations, including fatalities

2.4 Enforcement Policy

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 Shared Regulatory Service has adopted a Compliance and Enforcement Policy with Annex 3 specifically in relation to health and safety.

The Compliance and Enforcement Policy sets out the standards 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 helps to 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.

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;

Regulators should ensure that their approach to their regulatory activities is transparent

2.5 Challenges for the year ahead

Bridgend, Cardiff and the Vale of Glamorgan have approximately 9,494 premises that require a range of health and safety interventions such as inspection, survey, monitoring, advice and enforcement. Furthermore Cardiff, as the Capital City of Wales, attracts numerous outdoor events across a wide range of venues within the City. As entertainment and cultural activities are within local authority enforcement, the enforcement of health and safety requirements in the majority of these events falls to Shared Regulatory Services.

Delivering the SRS in the future - We are delivering the SRS with a reducing resource. Our current three year financial programme involves changes to working practices. We have to examine and introduce new ways of prioritising our services which may result in a reduction in service provision, or the charging for some services and difficult decisions about the level of service provision. These efforts will help reduce the impact of reduced funding, but maintaining performance in light of the latest budget cuts may affect the service ability to maintain performance at existing performance levels. We will however seek to measure activities and outcomes to ensure performance is managed effectively and in a meaningful way. Income

streams already exist within the Service however there will be a need to extend these opportunities to compensate for budget reductions. Income generation provides a means to offset some of the likely budget reductions that the service will face over the next three years and will be generated through a number of activities. This includes the development of products and services that can be sold to businesses, offering to provide services to other local authorities and could include expanding the partnership to include new partners.

Income generation is not an answer in itself and cannot be used to generate a profit. Consequently income generation may not be sufficient to prevent reductions in service delivery, but may allow the service to maintain a “critical mass” of staff and enable the service to deliver ancillary services to support the objectives of the statutory functions.

A reduction in budget relating to the Communicable Disease and Health and Safety team in 2018/19 resulted in a loss of 1 FTE for the service. This has given rise to officers having to deliver “more with less” which has impacted heavily on the team. The Health and Safety section now has a far leaner structure encouraging new ways of working, which may present challenges for the Service and its workforce.

This has required considerable change in culture, working methods, and staff development in addition to delivering “business as usual”. The Health and Safety Enforcement service is responsible for the entire SRS geographical area for Bridgend, Cardiff and the Vale of Glamorgan. Allocation of visits are considered by officer place of residence as well as skill and in the case of project interventions two or in some cases three will be completed on one site visit.

Events - The region hosts many outdoor events across a wide range of venues. The time spent planning, organising, monitoring events and inspecting premises during events each year should not be underestimated. These are additional commitments above the planned inspection programme, often not experienced by other Councils in Wales.

New legislation - It is anticipated that during 2020 the Public Health (Wales) Act 2017 will introduce a new all-Wales licensing regime for special procedures including tattooing, cosmetic body piercing, acupuncture and electrolysis. This licensing regime will replace the existing registration scheme with a more robust system that will require a personal licence and premises approval to be renewed at 3 yearly intervals. Each applicant will be required to complete a level 2 infection control training course, and professional interview, before a licence can be issued. SRS has committed to becoming an approved training centre for delivering the level 2 infection control training which, despite being cost recoverable, will require resource allocation for setting up and administering moving forward. The full impact of this new regulatory regime on resources has yet to be determined; however, it has been suggested that officers may need to complete ‘train the trainer’ courses in order to deliver the infection control course; will need to hold professional interviews with all practitioners who are currently registered with the 3 Authority areas, and all new applicants thereafter; and undertake unannounced inspections at all premises subject to approval at least every 3 years. Shared Regulatory Services has the largest number of registered skin piercing practitioners and premises throughout all of the Welsh Authorities so will experience the largest amount of impact from this new legislative regime.

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 8): “Setting Local Authority Priorities and Targeting Interventions”

The National Local Authority Enforcement Code, developed by 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 8) is provided under Section 18 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 either based on agreed national priority topic areas or local-level intelligence.

All interventions are evidence based and typically include:-

- **Targeted, Planned Inspections (Proactive) where:**

- a) The use of warranted powers under health and safety legislation would, if necessary, be used to gain entry or otherwise regulate part or all of a business activity, and
- b) The reason for the inspection was to specifically target occupational health and safety issues at these premises.

Proactive inspection should only be used for the activities in the sectors contained in the list of priority topic areas which accompanies the National Code and LAC 67/2 (rev 8), or where there is local intelligence of failure to manage risk. Commonly, 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. Recent workplace activities which have been subject to proactive inspections include:

- Golf courses - contractor and green keeper safety
- The duty to manage asbestos
- Beverage gas safety, and cellar safety, in the hospitality industry
- The management of Cryptosporidium in leisure pools
- Health and safety in nail salons

- **Non-inspection interventions:**

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

- 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, business forums, targeted training and advisory support visits.
- 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. raising H&S awareness by providing information packs.

Recent interventions have included:

- Producing guidance for shisha businesses in conjunction with South Wales Fire and Rescue Service.
- Hosting and facilitating the Vale Employers Engagement Project (VEEP) business forum
- Hosting and facilitating 2 half-day training sessions for private residential care homes across SRS focusing on the management of Legionella; Influenza and Norovirus.
- Level 2 health and safety training courses
- Paid for advice visits to support local businesses
- Mail shot to targeted business in Cardiff City Centre to highlight the risk to non-employees gaining access to larger commercial waste and recycling containers.

Matters of evident concern - when inspecting 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.

Since the publication of LAC 67/2 (rev 6) there is no longer a requirement for Local Authorities to report the risk rating of premises visited (this requirement has been removed). However, HSE advises that risk rating premises based on a duty holder’s health and safety performance is still useful information to assist in the determination of relative intervention priorities. Commercial services will therefore continue to adopt this approach to facilitate an intelligence-led approach to health and safety enforcement.

Accident and Incident Investigation

All accident notifications received are assessed against specified criteria in the SRS Accident Notification and Investigation Procedure, which has regard to the incident/accident selection criteria in LAC 22/13. This ensures that resources are targeted at the more serious and significant incidents which are likely to be the result of inadequate health and safety arrangements being implemented by the duty holder. 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 specified 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

SRS assists businesses wherever possible by providing health and safety advice and information in a variety of ways, including:

- Advice provided during the inspection process;
- Responding to permissioning activities;
- Responding to complaints and requests for service;
- Leaflets; posters and newsletters;
- The provision of training and business forum seminars;
- Participation in national events, such as European Health and Safety Week.
- Through the SRS website.

3.2 Intervention Plan 2019/2020

An intervention plan confirming the programme of interventions for 2019/2020 has been developed to demonstrate how, through reactive and proactive work, the service will secure improvements to health and safety standards in workplaces throughout Bridgend, Cardiff and the Vale of Glamorgan. This plan has been developed after considering the priority topic areas listed in LAC 67/2 (rev 8); local based intelligence and following discussions at the All-Wales Health and Safety Expert Panel and regional health and safety task groups.

The intervention plan has also been devised on consideration of staffing levels and resources available within the Communicable Disease, Health and Safety Enforcement Team for 2019/2020.

Intervention Plan 2019 -2020								
Reactive work activity		Activity detail						
1.	Accident investigation	Receive notifications of all reportable injuries, occupational disease and dangerous occurrences from the HSE website, or employees / 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 in line with service request and complaints policy.						
3.	Permissioning Activities	Respond to licence and registration applications for skin piercing and tattooing activities, statutory examination reports, and asbestos notifications in a timely and effective manner.						
Proactive inspections – national priority projects		Activity detail			Target No. of premises			
					B	C	V	Total no. of interventions
1	Beverage gases in the hospitality industry	Following the success of Phases 1 & 2, this project has provided sufficient evidence base to be continued for a 3 rd year. The risk of falls from a height, and exposure to oxygen depleted atmospheres will be assessed in			20	20	20	60

		nightclubs, independently managed pubs; sports and social clubs and workingmen clubs.				
2	Duty to manage asbestos	This project has had a positive impact on raising standards, and awareness, throughout businesses in SRS since the initial pilot project in 2016/17. The duty to manage asbestos will be included in the gas safety in commercial catering visits as a 'bolt on' topic, where applicable, and Phase 3 of the beverage gas safety initiative.	30	30	30	90
3.	Gas safety in commercial catering	SRS has dealt with a number of reported gas leaks in commercial catering establishments during 2018/19. It has therefore been decided to continue this national priority intervention throughout SRS in 2019/20.	25	25	25	75
Proactive inspections – local intelligence led projects		Activity detail	Target No. of premises			Total no. of interventions
			B	C	V	
1.	Preventing the risk of employee exposure to Hand Arm Vibration (HAVS) & noise at work	During 2018/19 SRS, together with another LA in SE Wales, received a number of occupational disease notifications for HAVS associated with the motor trade. The topic areas of HAVS and noise at work exposure were also a weak area of compliance in the golf course visits undertaken throughout 2016-2018. This project intervention will be done in 2 phases: <ul style="list-style-type: none"> Phase 1 will require all golf clubs to provide copies of their revised HAVS and Noise at work risk assessments following their attendance at the VEEP business forum. Phase 2 will involve officers visiting main dealerships in the motor trade, and tyre & exhaust businesses, to assess how they are managing the risk of employee exposure to HAVS and noise at work. 	6	7	11	24
			11	18	5	34
2.	Indoor trampoline parks and Ninja Warrior leisure facilities	SRS investigated a number of complaints and accidents to members of the public using indoor trampoline facilities during 2018/19. To ensure that public safety is being effectively managed in all similar businesses across SRS, the 2019/20 business plan will include enforcement visits to all indoor trampoline parks and indoor Ninja warrior-style facilities.	1	5	0	6
3.	Health and safety in nail salons	Completion of the pilot project which commenced during 2018/2019.	1	6	4	11
Non inspection led interventions - National Priorities		Activity detail	Target No. of premises			Total no. of interventions
			B	C	V	
1	Inflatable amusement devices	A new topic area on the HSE national planning priority list contained within Annex A of LAC 67/2 (rev 8) following a number of serious incidents where inflatable amusement devices have collapsed or blown	5	15	5	25

		away in windy conditions. An intelligence gathering form produced by the SW Wales H&S Task Group will be issued to event organisers attending ELP/ESAG meetings or holding events throughout SRS during 2019/2020. All returned forms will be collated and analysed to inform the targeting of resources moving forward, and fed back to HSE via the Expert Panel mechanism.				
Non inspection led interventions – Local intelligence led		Activity detail	Target No. of premises.			Total no. of interventions
			B	C	V	
1	Smoke-free compliance in shisha bars	Following on from the shisha intervention that commenced during 2018/2019, officers will visit a further 3 shisha premises during 2019/20 to secure compliance with The Health Act 2006 and Smoke-Free Premises etc. (Wales) Regulations 2007 to protect the health of both visitors and employees from exposure to tobacco smoke.	0	3	0	3

The content of the Intervention Plan is reflected in the Service's Action Plan 2019/20 in Appendix 1.

4. Resources

4.1 Financial and staffing allocation

Financial allocation

The expenditure directly involved in providing the Health and Safety Service for 2019/20 is included in the Service budget to ensure the effective delivery of the service.

Staffing allocation

The table below indicates the actual number of staff working on Health and Safety enforcement and related matters (in terms of full time equivalents FTE).

Position	Function	FTE
Operational Manager Commercial Services x 1	Public Protection including the management of health and safety.	0.2
Team Manager x 1	Communicable Disease, health & safety.	0.5
Team Manager x 1	Management of the health and safety aspects delivered by the Enterprise & Specialist Services (Industry) Team	0.1
Commercial Services Officers x 5	All aspects of health and safety enforcement (plus communicable disease work)	3.3

Commercial Services Officers x 2	Health and safety enforcement (large events), advice and training.	1.0
Commercial Services Officer x 1	Lead officer for fatality investigations/major investigations	0.1
Commercial Services Technical Officer x 3	All aspects of health and safety enforcement (plus communicable disease work)	1.8
Business Support Officer	Administrative support.	0.2

4.2 Staff Development and Competency

Operating a Shared Regulatory Service across three distinct areas presents many challenges for the Service and its workforce. We aim to use our Workforce Development Plan to ensure our officers have the right mix of experience, knowledge and skills required to fulfil our goals. Our Plan illustrates how we want to encourage and support our officers to develop new skills and work in different ways. Investing in people is a fundamental element of our maximising resources priority. The Workforce Development Plan developed early 2018 provides a framework to blend:-

- Organisational culture
- Leadership and management
- Core skills
- Recruitment, retention and progression
- Communication and employee engagement
- Employee performance management

Workforce development is supported by regular performance reviews where line managers and employees identify, and adapt, personal objectives in line with personal objectives and training needs. Officers are also expected to satisfy the continual professional development requirements of their accredited professional organisation, and are supported to enable them to achieve this.

The Service also recognises the need for full technical support to be available to all health and safety enforcement officers and this is achieved through a variety of ways, namely:-

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

The Shared Regulatory Service 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. In addition 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 of Shared Regulatory Services and all appointments are made in accordance with the procedures for recruitment and selection.

5. Review

5.1 Quality Assessment

Shared Regulatory Services recognises the need to measure the effectiveness of its health and safety enforcement duties and strongly supports the ethos of continuous improvement. The Service therefore participates in, and undertakes, a number of activities to ensure that work is of a high standard and opportunities to identify and implement improvements are taken.

Documented procedures

To ensure the quality and consistency of our activities, processes, procedures and work instructions for health and safety enforcement activities are documented and published electronically.

Documented procedures identify responsibility for the work carried out and ensure that all changes identified through audit are undertaken in accordance with improvement procedures. Activities such as inspections, administration, accident investigation and complaint administration can be accessed by all staff via Sharetree document system and the shared H&S Enforcement folder, and are audited internally for compliance.

Assessment and audits

The monitoring of the quality and delivery of our policies and procedures are assessed in a number of ways, namely:-

- All proactive health and safety projects require officer training, a shadow visit and a validation visit to ensure a consistent approach and assessment of technical knowledge.
- All officers are subject to annual (unannounced) reviews for proactive and reactive visits.
- Monthly reviews of officer targets.
- Customer consultation and feedback.
- Corporate complaints and compliments about the service.
- Peer review audits (informal and formal) by other local authorities, in accordance with the Section 18 standard may be undertaken.

Shared Regulatory Services is committed to continuous improvement using various management tools for identifying opportunities for improvement. The Service has used 'lean management' techniques to review processes and procedures which require the mapping out and examination of processes to identify more efficient and effective working practices

5.2 Review against the Service Plan

In order to ensure continuous improvement it is essential that performance is regularly monitored. Shared Regulatory Services has an effective performance management infrastructure

in place for developing, delivering, monitoring and reviewing interventions which is undertaken through the following mechanisms:-

- The Shared Services Joint Committee and the Public Protection Committee in each authority approves this Service Plan which sets out the work programme for the service and reviews performance against the programme on an annual basis.
- Performance of the service is considered:
 - At team and divisional meetings on a monthly basis.
 - Performance against Welsh Government Performance Indicator and the Service Intervention Plan are reviewed quarterly through a framework of management review meetings.
 - Section and Divisional meetings allow for the effective management of local and national projects and are also one of the routes of communication that allow individual and team involvement in the development and delivery of interventions.
 - Performance of individuals is further strengthened through the Personal Development Review Scheme
 - Procedures and work instructions are managed through SRS Share Tree and the responsibility of the Team Manager to review and improve as appropriate

Performance and activity measures

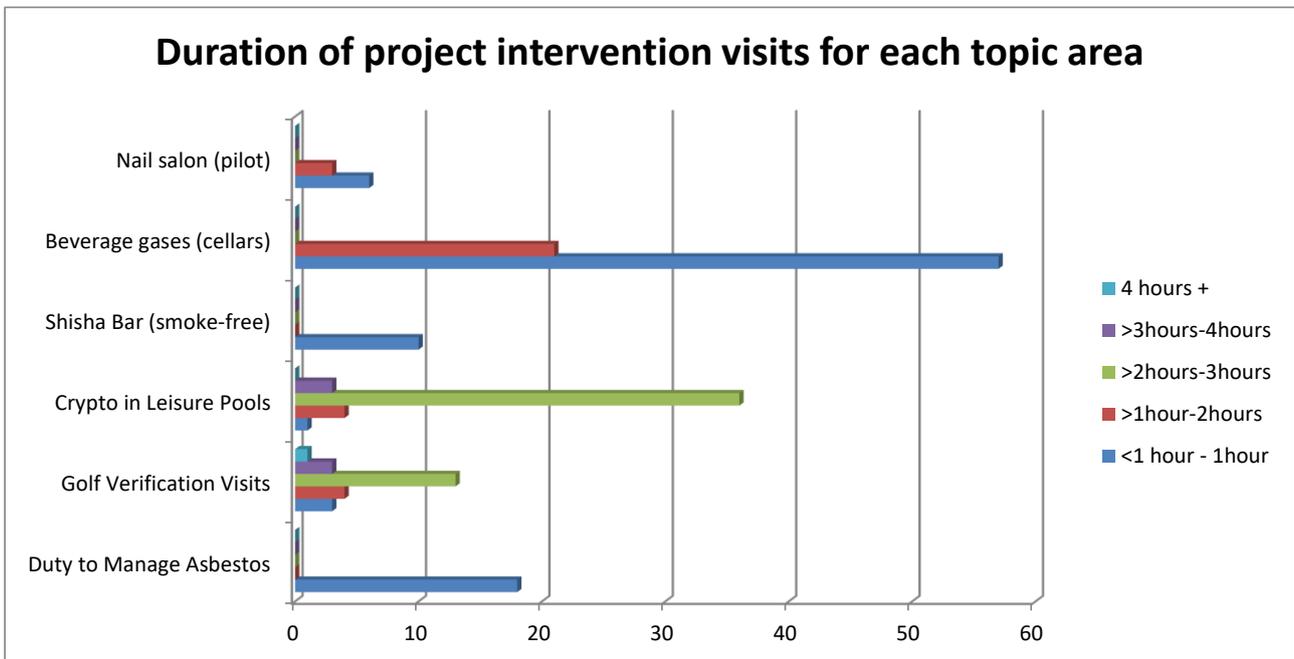
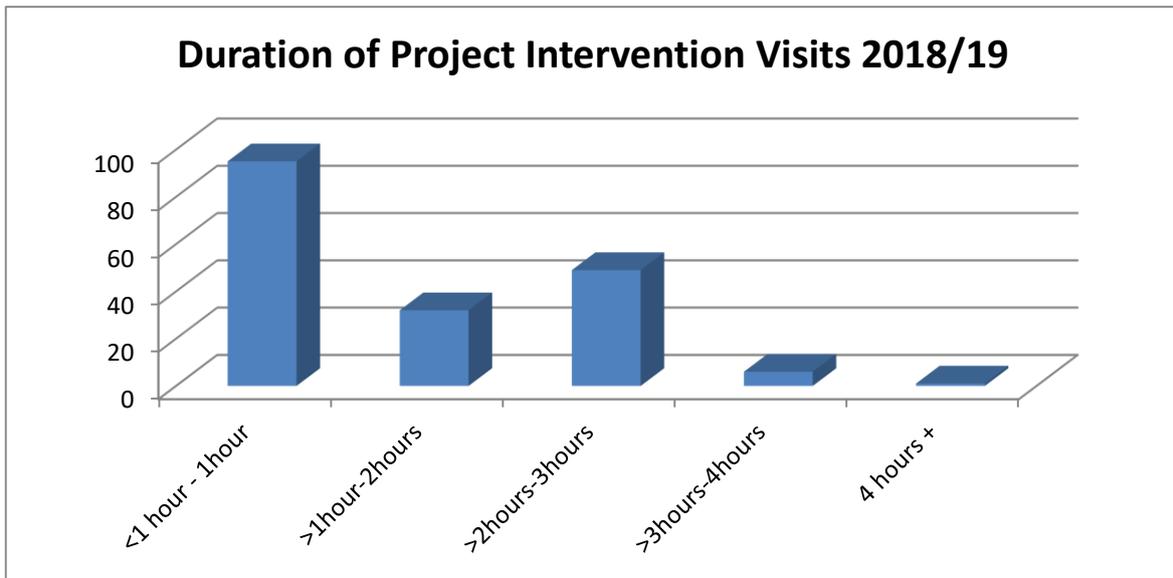
The health and safety service uses the Tascomi database to record details of premises, inspections (visits), complaints and other activities, including assessment of risk rating, which can be used to assist in targeting interventions and designing the work programme.

The Health and Safety Service has also recently developed a total electronic management system requiring the removal of all paper records used in the delivery and management of the service. All premises records, incident notification and reporting information and project management systems have been digitised. All information is now held on the Council's IT system and can be accessed directly, or through the Tascomi database. Although the aim initially was to reduce the reliance on, and accommodation issues of paper systems, the electronic storage and manipulation of data will enable a more accurate and faster response to both proactive and reactive requirements.

The performance indicators (PIs) used to measure the success of the health and safety service provided by Shared Regulatory Services during the 2019/2020 work plan will be:

- 90% completion of proactive interventions / inspections (national priority topics)
- 85% completion of proactive interventions / inspections (local intelligence led)
- 90% completion of non-inspection led interventions (national priority topics)
- 85% completion of non-inspection led interventions (local intelligence led)

Information was also collected from officers about the time spent on visits for each intervention topic area considered during 2018/2019. The following graphs summarise officer time spent on visits for the respective interventions considered during the 2018/2019 work plan.



Visit times ranged from 10 minutes to 4 hours 15 minutes. 52% (95) of visits took 1 hour or less; 17.5% (32) of visits took between 1 and 2 hours; 27% (49) of visits took between 2 and 3 hours; 3% (6) visits took between 3 and 4 hours and 0.5% (1) visit to over 4 hours.

Validation visits to the golf courses and the management of Cryptosporidium in leisure pool visits took the longest time to complete due to the number of technical complexities that had to be considered. The shorter enforcement visits were invariably in relation to smoke-free enforcement in shisha lounges; health and safety in nail salons and the duty to manage asbestos; ranging from 10 minutes to 1 hour duration.

Officer preparation time varied with the technicality of the intervention and tended to reduce as the project progressed and officers gained confidence with the topic area. Most interventions included in the 2018/2019 work plan were continuations of work commenced during the 2017/2018 work plan, which allowed officers to keep preparation time to a minimum; usually 30 minutes to an hour. The only newer intervention for 2018/2019 was the managing

Cryptosporidium in leisure pools project. This required the completion of specific officer training, shadow and validation visits before any officer could complete their allocated work load, and a significant amount of background reading. Officer preparation time for this intervention ranged from 3 – 6 hours after attending the requisite training course.

LAE1 – Local Authority Health and Safety Annual Return - Under Annex D LAC 67/2 (rev 8) all Local Authorities in England and Wales are required to produce, and submit, an annual return to HSE detailing the Authority's health and safety activity and enforcement data. This is documented in a standardised format and is the only comparable data currently available within the three local authorities that make up SRS. Information on enforcement and health and safety activity over the last three years can be found below.

Business feedback

Business feedback is sought from all businesses involved in any of the project interventions undertaken by the Health and Enforcement Team, but this information is often difficult to obtain. Where it is received, information on whether businesses felt the intervention has helped them improve their health and safety standards is particularly useful. Feedback was received in relation to the following interventions during 2018/2019:

Beverage Gas Safety in the Hospitality Industry

Despite 78 duty holders being sent feedback questionnaires following their beverage gas safety intervention visit, only 1 completed form was returned to SRS. The responding duty holder reported that the inspection had helped to improve standards at the business, and as a consequence of the visit, changes to practices and procedures had been made. The responder was very satisfied with the overall service provided by SRS; considered the officer performance to be very good and the information provided to be very clear.

Residential Care Homes Workshops

A total of 56 delegates from residential care homes across Bridgend, Cardiff and Vale of Glamorgan attended 2 half day workshops that focused on the effective management of infections in care settings. A total of 50 (89%) of delegates reported that the workshop provided either very good or excellent value to their business; 55 (98%) delegates reported learning something from attending the training event and 48 (86%) confirmed that they would be making changes within their business as a result of what they had learnt.

Vale Employers Engagement Project (VEEP) Business Forum

A total of 95 delegates attended the 'VEEP' forum which included representatives from golf courses across SRS and some neighbouring Local Authority areas; EHOs from neighbouring Authorities and external stakeholders. A total of 44 evaluation forms were completed and returned by delegates, of which 19 (43%) reported an increase in overall health and safety knowledge from attending the event. A total of 93% of responders found the business forum to be of excellent, or very good, value to their business; 88% of responding delegates found the information available on the exhibition stands to either be excellent or very good; while 95% of responding delegates reported that that standard of presentations in the workshops to be either excellent or very good.

Specific comments provided by delegates included:

"Found the course very good and learnt loads of helpful tips"

“Excellent day, professional presenters”

“Excellent run forums, very well managed with good time keeping throughout”

“Great event, good speakers with great knowledge”

A total of 94% of responding delegates reported that they would be making changes to their workplace as a result of attending the forum.

Intervention Plan - Activities 2018/2019

Shared Regulatory Services was formed in May 2015 providing Services across Bridgend, Cardiff and the Vale of Glamorgan. The 2018/2019 work plan was developed to continue to meet the needs of each of the local authority areas and to ensure a consistent approach to implementation.

In 2018/2019, **9,494** businesses within SRS were logged on the Tascomi database as falling under the Local Authority remit for health and safety enforcement.

- Bridgend **2,388** (25%)
- Cardiff **5,314** (56%)
- The Vale **1,792** (19%)

Table: Summary of Health and Safety and Enforcement Activity

Type	2015/16			2016/2017			2017/18			2018/19		
	B	C	V	B	C	V	B	C	V	B	C	V
No. of workplaces.	2348	5160	1737	2156	5134	1679	2348	5160	1737	2388	5314	1792
Total No. of proactive interventions	382	376	177	324	134	178	382	376	177	108	359	122
No. of A rated inspections *	264	240	86	7	25	18	n/a	n/a	n/a	n/a	n/a	n/a
No. of proactive intervention visits	103	104	79	185	109	73	264	240	86	63	144	74
No. of non-face to face interventions	15	32	12	132	0	87	103	104	79	0	136	0
No. of other face-to-face contacts*	n/a	n/a	n/a	n/a	n/a	n/a	15	32	12	45	79	48
Total No. of reactive visits	79	230	61	67	133	57	79	230	61	107	234	60
No. of accident and complaint visits	44	167	39	55	95	42	44	167	39	70	174	47
No. of Permissioning requests	35	63	22	12	38	15	35	63	22	37	60	13
No. of revisits	11	47	18	45	43	26	11	47	18	5	23	6
No. of formal cautions	0	1	0	0	0	0	0	1	0	0	0	0
No of improvement notices	24	55	16	12	30	19	24	55	16	14	10	0
No. of prohibition notices	0	7	0	1	9	0	0	7	0	3	6	4
No. of prosecutions	0	1	0	0	0	0	0	1	0	0	2	1

***Local Authorities no longer carry out 'A' rated inspections following changes to LAC 67/2 in 2017/2018**

* Includes provision of training/education; attendance at ESAG/ELP meetings and outdoor events; Primary Authority work; paid for advice visits; business forums

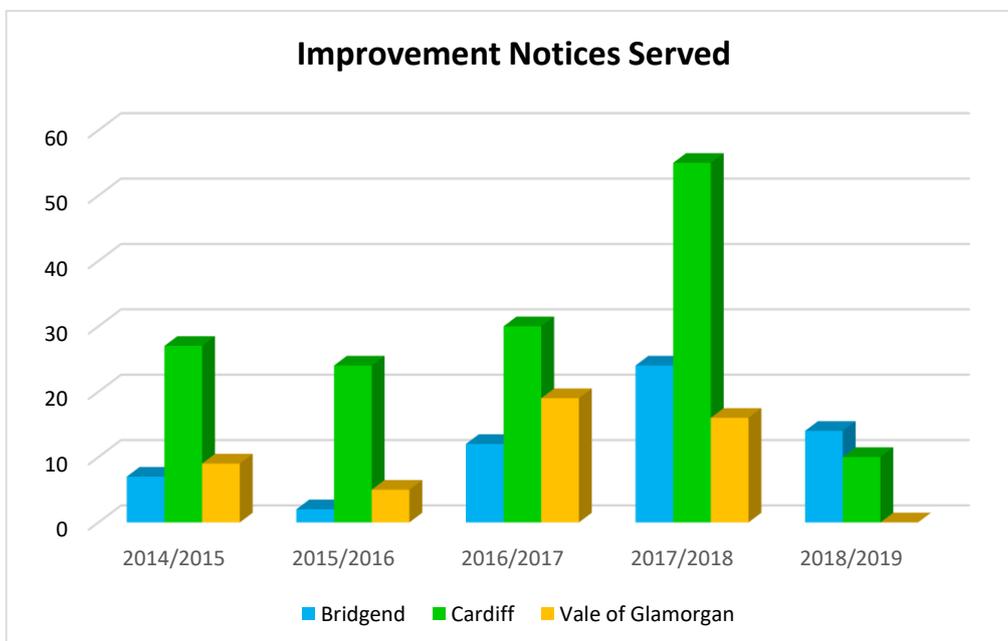
Only prosecutions in accordance with the Health and Safety at Work etc. Act 1974 have been detailed in the above table. Prosecutions taken under The Health Act 2006, for smoke-free offences, are reported separately in the Communicable Disease business plan.

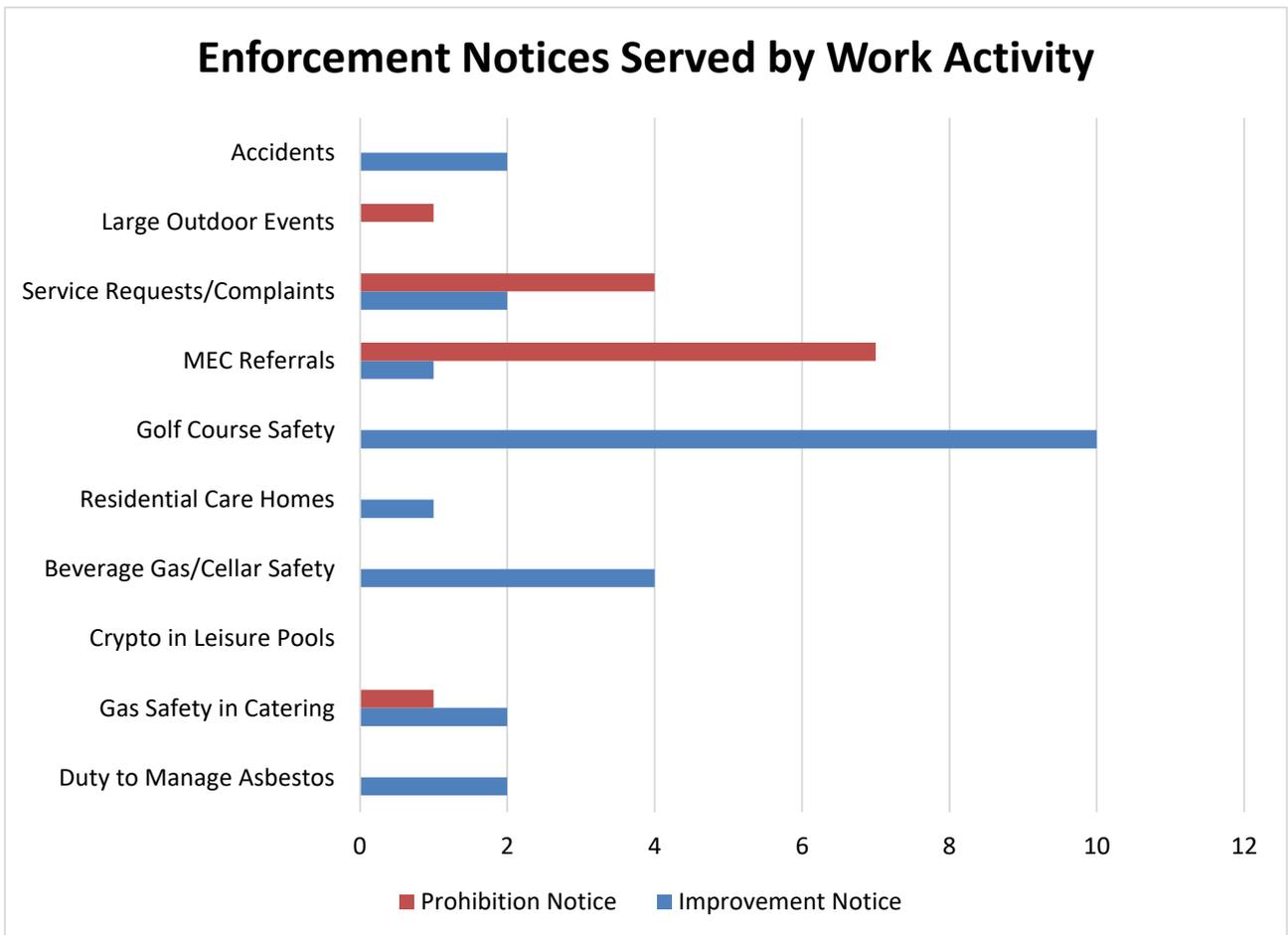
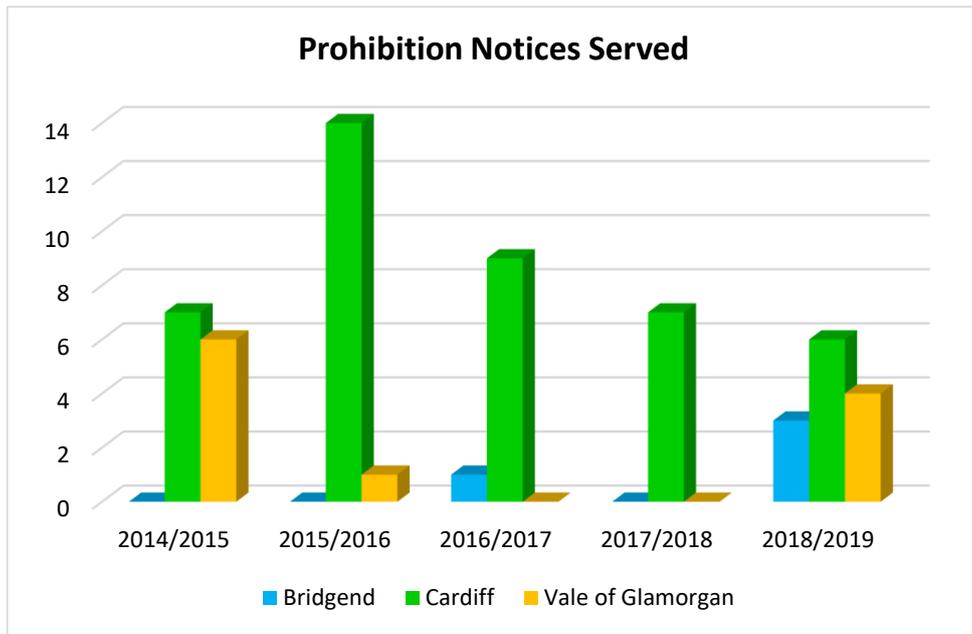
In addition to the successful prosecutions taken by SRS during 2018/2019, a total of 5 departmental warnings were issued to both employers and employees for a range of health and safety offences (*1 for obstruction of an investigation; 1 for late compliance with Improvement Notices; 1 for a breach of Section 7 of the Act; 2 for breaches of Section 2 of the Act*).

In most cases, duty holders are required to submit time-tabled action plans, with supporting evidence, to illustrate compliance with contraventions identified during proactive intervention visits. The same approach is similarly adopted during the investigation of reactive work. This explains the low number of actual revisits undertaken by officers to businesses. Revisits in person are time consuming, and an inefficient way of operating the service, so are only undertaken when the need arises.

Examples of reactive work during 2018/2019 requiring the service of prohibition notices

- A registered tattooist started to offer a range of cosmetic body piercings (in addition to tattooing) but failed to have adequate arrangements in place to sterilise re-usable equipment between clients. The risk of exposure to biological hazards was not being effectively controlled so the activity of cosmetic body piercing was stopped immediately by a prohibition notice.
- A warehouse was found storing goods at a height on an unguarded mezzanine area, presenting a risk of both goods and people falling from a height. The use of the mezzanine area for storage purposes was stopped immediately by issuing a prohibition notice.
- Two takeaways were found using commercial gas appliance that had been categorised as ‘immediately dangerous’ on warning notices issued by Gas Safe Registered engineers. On both occasions the use of the gas of the appliances was immediately stopped by issuing prohibition notices on the duty holders.





MEC referral is in reference to a matter of evident concern

More detailed information about the beverage gas safety intervention; duty to manage asbestos intervention; management of Cryptosporidium in leisure pools intervention and golf course verification visits is included in the forthcoming section examining proactive work undertaken by Officers during the 2018/2019 work plan.

The Intervention Plan table illustrated over the next few pages of this report provides more detail on how the team performed against targeted planned work in Bridgend, Cardiff and Vale of Glamorgan for 2018/2019. During the 2018/2019 fiscal year the Communicable Disease, Health and Safety Team lost 3 Technical Officers and 1 Commercial Services Officer. Another Commercial Services Officer was also covering the Team Manager role whilst the substantive manager was on secondment with Welsh Government. This did place an unanticipated strain on the team for the last 6 months of the 2018/2019 year and did impact on the team's ability to fully deliver the proactive work detailed in the business plan. That being said, the remaining team members still managed to deliver a significant amount of both reactive and proactive work.

Intervention Plan 2018 -2019								
Reactive work activity		Activity detail						
1.	Accident investigation	Receive notifications of all reportable injuries, occupational disease and dangerous occurrences from the HSE HELEX website; employees or members of the public and investigate in accordance with the SRS Accident Investigation Policy. A total of 21 notifications were investigated during 2018/2019 in accordance with the accident investigation procedure: Bridgend (3); Cardiff (14); Vale (4). A total of 228 RIDDOR notifications were received between 01/04/18 and 31/03/19 – Bridgend (42); Cardiff (194) and Vale (52).						
2.	Complaint investigation	Receive and investigate all complaints and service requests from employees, members of the public; referrals from other enforcement bodies and others. A total of 270 complaints/service requests/referrals were investigated during 2018/2019: Bridgend (67); Cardiff (160); Vale (43) Complaints and service requests also include smoke-free complaints; requests for advice; FOI requests; matters of evident concern referrals.						
3.	Permissioning Activities	Respond to licence applications, statutory equipment/plant reports, and asbestos notifications in a timely and effective manner. A total of 110 permissioning requests were dealt with by Officers during 2018/2019. 72 (65%) of these applications were skin piercing registration requests which require at least 1 Officer visit: Bridgend (28); Cardiff (34); Vale (10).						
4.	Outdoor events	The Enterprise & Specialist Services Team are lead officers for specified outdoor events and lead the Council's response to public safety matters at outdoor events via the Events Liaison Panel (ELP) and ESAG mechanisms. During 2018/2019, a total of 22 ESAG/ELP meetings were attended by Officers; 25 actual events were visited and monitored; and approximately 74 desk top exercises for other events were conducted. The latter involved scrutiny of event management plans and risk assessments, and the provision of feedback and advice to event organisers.						
Proactive work activity		Activity Detail	No. of premises T = Target A = Actual					
			Bridgend		Cardiff		Vale	
			T	A	T	A	T	A
1.	Petroleum Storage premises.	Inspect all premises that store petroleum or have stored petroleum.	-	5	-	9	-	3
2.	All applicable explosive storage premises.	Inspect all applicable premises that store explosives including fireworks.	-	20	-	45	-	17
Project based activity – National projects		Activity Detail	No. of premises					
			Bridgend		Cardiff		Vale	
			T	A	T	A	T	A
1.	Beverage gases in the hospitality industry	Following the success of Phase 1, this project will now be extended to tenanted pubs; nightclubs;	25	25	47	44	32	29

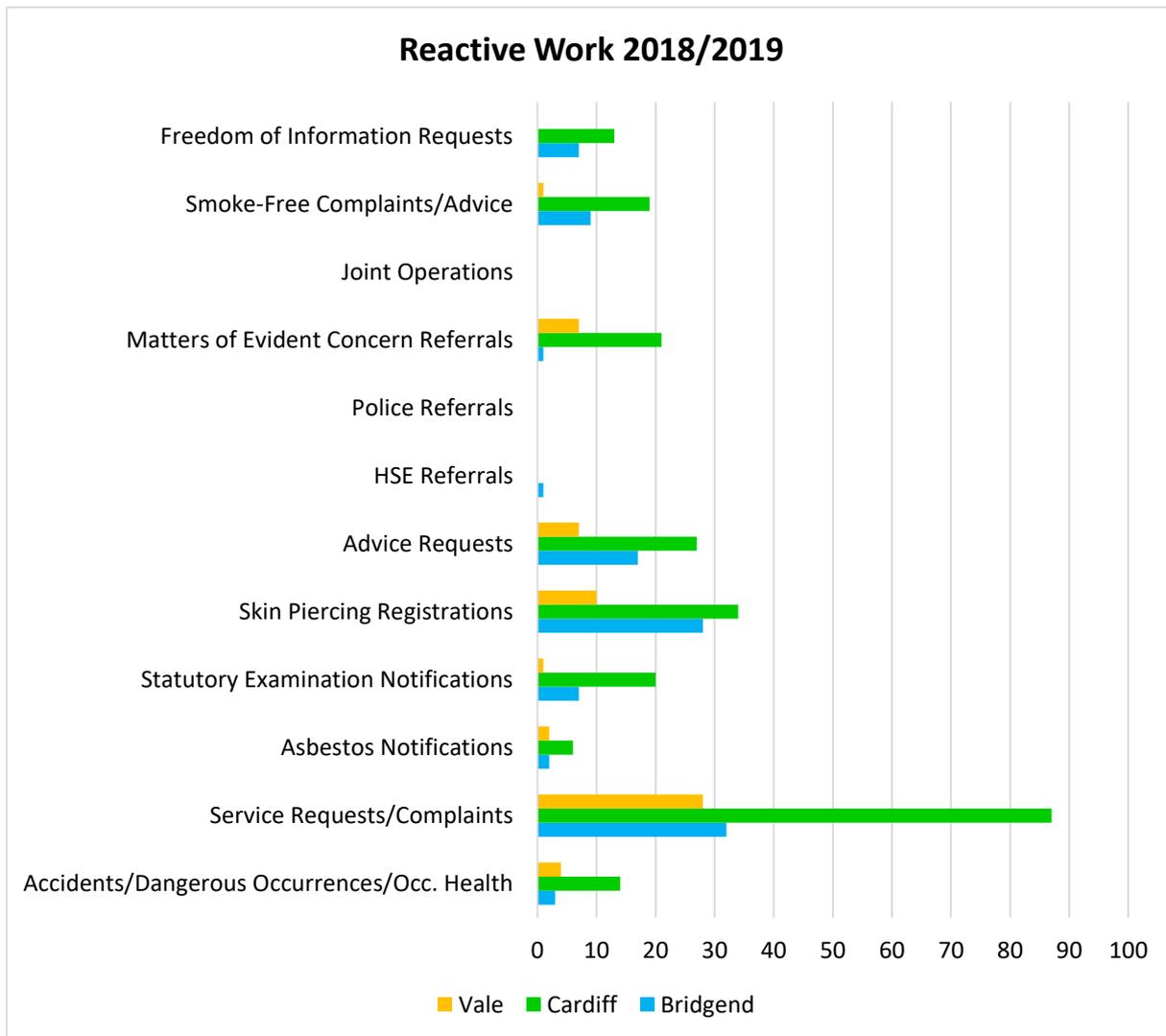
		<p>sports and social clubs and workingmen clubs. The risk of falls from a height and exposure to oxygen depleted atmospheres associated with the storage, use and handling of beverage gas cylinders will be considered.</p> <p>This topic area will also be included as a 'bolt on' intervention in the golf club visits for 2018/2019.</p> <p>1 cellar in Bridgend was not done in the time-frame.</p> <p>2 golf clubs in Cardiff did not have cellars, 1 was not visited in the time-frame and 2 had ceased trading.</p> <p>2 golf clubs in Vale did not have cellars and 1 business had ceased trading.</p>							
2.	Duty to Manage Asbestos	<p>Both Phases 1 and 2 identified a widespread lack of asbestos management plans in businesses containing asbestos materials, and poor communication of survey information to contractors and local level management. A pilot study of the Bute Street area of Cardiff confirmed the presence of asbestos in shared office accommodation and identified a lack of surveys/management plans. The Bute Street Initiative will be extended during 2018/2019. The duty to manage asbestos will also be a 'bolt on' topic in the beverage gas/cellar safety project.</p>	25	19	67	57	32	20	
Project based activity – Local projects		Activity detail	No. of premises.						
			Bridgend		Cardiff		Vale		
			T	A	T	A	T	A	
1.	The management of cryptosporidium in leisure pools	<p>Analysis of data collated by the Communicable Disease Team has indicated an increasing trend in Cryptosporidium cases being reported since 2016; with leisure pools in SRS being implicated venues in a large proportion of cases. Local evidence confirms that the under 5's are most likely to be affected by this protozoan parasite which causes watery diarrhoea. All privately operated leisure pools throughout SRS will be visited on an unannounced basis during 2018/2019 to identify how businesses are managing the risk of Cryptosporidium in vulnerable populations and promoting good hygiene practices by pool users.</p>	9	9	22	22	13	13	
2.	Golf course and green keeper safety	<p>Phase 3 of the local intelligence project on contractor and employee safety will take place during 2018/2019. The aim of these unannounced verification visits is to identify if duty holders have improved and sustained health & safety compliance following Phase 1 & 2 interventions, and identify challenges that have resulted in any reduction in standards. The project will culminate in a business forum (see VEEP below).</p> <p>All golf clubs were visited; however, 1 club had been categorised as being in the Vale when it was actually just over the border in Bridgend</p>	5	6	7	7	12	11	

3.	Health and safety in nail salons	Local intelligence has identified a growing trend in concerns about nail salons throughout SRS; particularly with regard to: exposure to chemical fumes; exposure to dusts; management of biological hazards and sub-standard quality of work. This sector of the beauty industry is also linked to immigration and labour abuse concerns. A pilot study will be conducted by SRS during 2018/2019 to establish if poor practices and concerns are a wider issue.	5	4	10	4	5	1
Non Inspection led interventions – National Priorities		Activity detail	No. of premises.					
			Bridgend		Cardiff		Vale	
			T	A	T	A	T	A
1.	Preventing injury to members of the public from large commercial waste and recycling bins	A new topic area on the HSE priority list for this year following the deaths of 11 members of the public who had unknowingly accessed commercial sized waste containers. This non-face-to-face intervention will be a targeted intervention to businesses operating in Cardiff City Centre; a location with a high proportion of rough sleepers who may access large bins for shelter or whilst searching for food.	0	0	100	135	0	0
Non Inspection led interventions – Local Intelligence Led		Activity detail	No. of premises.					
			Bridgend		Cardiff		Vale	
			T	A	T	A	T	A
1	VEEP Business Forum	The Vale Employers Engagement Project business forum will take place during November 2018 and aims to support golf course managers/green keepers throughout SRS. The forum will be arranged by SRS and will be supported, by HSE; Public Health Wales; a range of external stakeholders and representatives from this sector of the leisure industry. The topic areas to be included in the forum will be influenced by the outcome of the Phase 3 verification visits.	5	6	7	4	12	8
2.	Smoke-free compliance in shisha bars	Local intelligence confirms that shisha bars in Cardiff continue to have a poor level of compliance with the requirements of The Health Act 2006 and Smoke-free Premises etc (Wales) Regulations 2007. SRS has already prosecuted one shisha café owner and is in the process of instigating legal proceedings against another 2 businesses. A further 6 shisha businesses will be visited and monitored during 2018/2019 to secure compliance with smoke-free requirements, and protect the health of both visitors and employees from exposure to tobacco smoke.	0	0	6	10	0	0
3.	Residential care home workshops – Legionella management & infection control	The unannounced verification visits to care homes during the 2017/2018 work plan identified that the management of Legionella continued to be the weakest area of compliance; mainly as a result of high staff turnover and inadequate staff training. To further support local care home owners/managers, 2 half day	12	11	19	18	9	7

	work shops will be held during 2018/2019 which will focus on: Legionella control measures; business resilience and Influenza; and enhanced infection control arrangements for Norovirus outbreaks. The work shops will be supported by Public Health Wales and a Bridgend-based industry expert on water hygiene.						
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Reactive Interventions

Reactive interventions include responses to, and investigations of: reportable accidents; dangerous occurrences; occupational diseases; complaints; service requests; permissioning activities and requests for advice from businesses.



Accidents, Complaints and Service requests

Officers in the Communicable Disease, Health and Safety Team investigated a wide range of complaints/service requests during 2018/2019, with the most frequently reported concerns relating to:

- Leisure pool hygiene and water quality

- Gas leaks in food businesses and allegations of bogus/out-of-scope engineers carrying out work
- Electrical safety
- The condition and cleanliness of toilet facilities
- Smoking in public places (*including non-compliant shisha areas*)
- Slips, trips and falls to both employees and non-employees
- Finger entrapments in doors and windows
- Poor management arrangements in place at leisure facilities such as indoor trampoline parks, skate parks and soft play facilities
- The carrying out of tongue piercings without adequate measures to sterilise re-usable equipment
- Infections from nail salon treatments
- Unsafe storage arrangements on mezzanine areas in warehouse storage facilities

One reported case of a medically diagnosed occupational illness (Hand Arm Vibration - HAVS) was reported to SRS during 2018/2019 which has now informed the HAVS project intervention for 2019/2020 (*alongside the occupational health notification received during 2017/2018*).

An occupational disease notification was also made to employee exposure to Cyanobacteria at Roath Park Lake following a blue-green algae problem.

Dangerous occurrences reported to SRS via the RIDDOR notification system during 2018/2019 included:

- A ride-on mower overturned into a collapsed bunker on a Cardiff golf course
- An employee disturbed asbestos containing materials at a funeral directors, causing an uncontrolled release of asbestos fibres.

All of these were fully investigated by Officers, with appropriate enforcement action being taken.

Examples of significant accidents investigated by Officers during 2018/2019 are outlined below:

Significant accident investigations during 2018/2019
<ul style="list-style-type: none"> • A visitor to a country park was fatally injured after a tree fell across the river and struck them. This was referred to SRS by the Police and HSE for full investigation. • A child sustained multiple leg fractures after jumping into a foam pit at an indoor trampoline park. Contributory factors included inadequate equipment padding and poor supervision. • A security guard was reversed into at a Cardiff based car boot sale due to inadequate traffic management arrangements. • An employee sustained serious injury after a car park cleaning machine fell off a warehouse platform lift, striking the individual. • A member of the public sustained fatal injuries after falling into Penarth Marina. • Several reports were made of physical assaults against care staff by service users with additional needs. • An employee sustained serious, widespread burns after falling into an open fire.

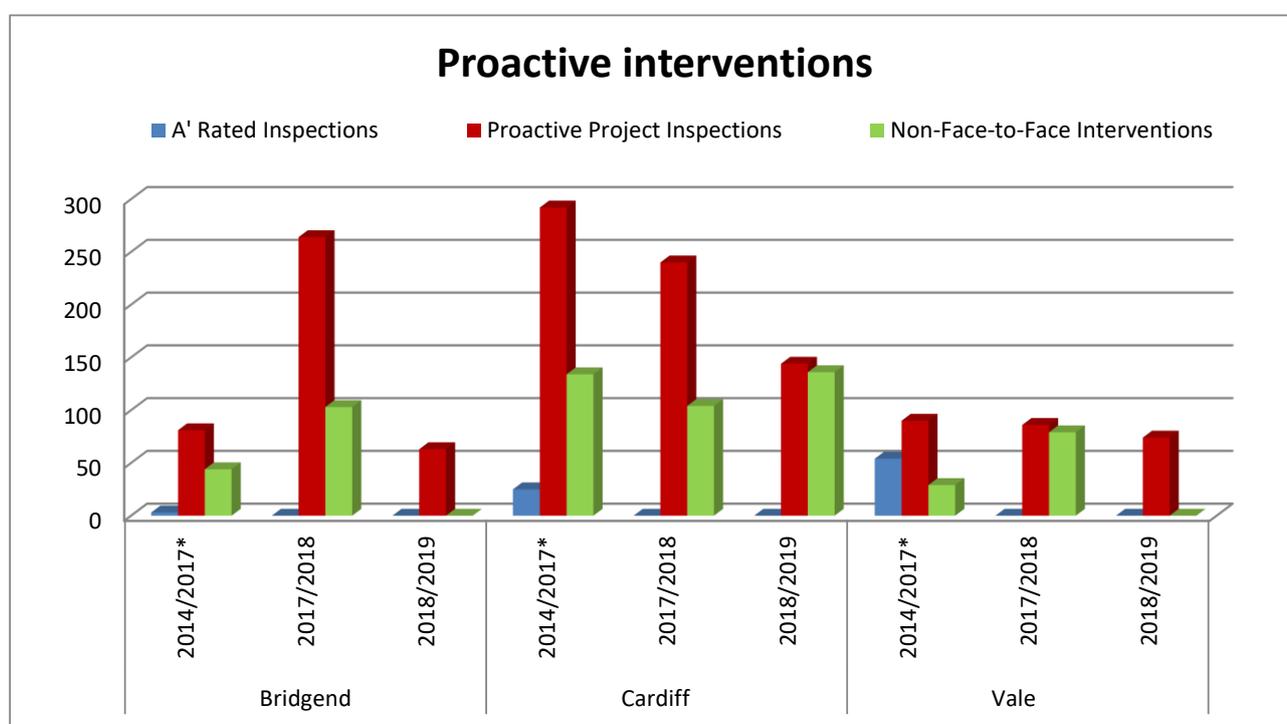
Permissioning requests relate to high-risk work activities that demand a form of approval from the Health and Safety Enforcement Service before the activity can proceed. These include registration applications for tattooists and skin piercers; notifications from contractors wishing to

carry out specific work on asbestos (*ASB5 submissions; Notifiable Non-Licensed Work submissions*) and statutory examination reports (*lifting equipment, pressure systems*) which identify technical defects which could cause a danger to users. All permissioning requests require Officer intervention, which includes both desk-top assessments and visits.

Proactive Interventions

Proactive Interventions include **proactive project inspections**, which are either local intelligence led or based on national priority topic areas, and **non inspection led interventions** which include targeted mail shots, educational/business engagement workshops and more formal business forums.

The graph below compares the number of proactive interventions in Bridgend, Cardiff and Vale of Glamorgan for 2018/2019 against the average number of proactive interventions for the previous 4 financial years.



Proactive 'A' rated inspections of high risk activities

As referenced earlier in this report, the requirement to undertake annual inspections of all businesses risk rated as an 'A' (*i.e. categorised to be in the highest risk banding*) was removed in LAC 67(2) rev 6 which explains why there are no 'A' rated premises inspections for 2018/2019. Moving forward, such high risk businesses/activities could now be included as a proactive project inspection/visit to ensure that health and safety standards do not deteriorate.

Proactive Project Inspections/Visits

281 businesses (Bridgend: 63; Cardiff: 144; Vale: 74) received proactive health and safety interventions in the following topic areas during 2018/2019:

- Managing the risk of Cryptosporidium in leisure pools
- Duty to manage asbestos
- Contractor and employee safety on golf courses (verification visits)
- Beverage gas safety/cellar safety in the hospitality sector (Phase 2)
- Health and safety in nail salons (pilot study)
- Smoke-free compliance in shisha bars

These projects were targeted initiatives based on evidence of risk and considered the strategic programme of national and regional projects as well as initiatives based on local intelligence. Details of the outcome of some of these projects follow:

Beverage Gas Safety in the Hospitality Sector – improving health and well being

The aim of phase 2 of Cellar Safety / Beverage Gas Safety Project was to identify if independent pubs; nightclubs; sports and social clubs and private member clubs throughout SRS were effectively managing the risks of falls from a height and asphyxiation to both employees and non-employees (*e.g. contractors, members of the public*) who could potentially access cellar areas; either intentionally or by accident.

A total of 83 businesses were initially identified across Bridgend, Cardiff and Vale of Glamorgan as being suitable for inclusion in phase 2 of the cellar safety / beverage gas safety project, which included a combination of independently operated pubs, restaurants, nightclubs, sports and social clubs and private members clubs. It was also considered appropriate to include the cellar safety / beverage gas intervention as a ‘bolt-on’ topic whilst undertaking golf club verification visits during quarter 2 of the 2018-2019 business plan.

The breakdown of cellar visits initially planned across SRS was:

	Cellars	Golf Club Cellars	Total
Bridgend	20	6	26
Cardiff	42	7	49
Vale of Glamorgan	21	11	32
TOTAL	83	24	107

Phase 2 Results

Of the 107 businesses initially targeted for cellar safety / beverage gas safety intervention visits, a total of 98 inspections actually took place. In Bridgend 1 business could not be accessed by 31st March 2019; in Cardiff 1 business could not be accessed by 31st March 2019, 2 businesses had ceased trading and 2 golf courses did not have cellars; in the Vale of Glamorgan 1 business had ceased trading and 2 golf courses did not have cellars.

	Cellars	Golf Club Cellars	Total
Bridgend	19	6	25
Cardiff	39	5	44
Vale of Glamorgan	20	9	29
TOTAL	78	20	98

The results for phase 2 of this project reflected the outcomes of phase 1; the management of beverage gas safety in confined spaces, and failure to implement suitable and sufficient control measures, being the weakest areas of compliance. These non-compliances were consistently observed across Bridgend, Cardiff and Vale of Glamorgan which, again, replicated the findings of phase 1. The majority of businesses visited had a profound lack of understanding concerning the severity of the risk associated with working in a confined space with beverage gases present. Consequently duty holders failed to appreciate the necessity for critical control measures such as Carbon Dioxide or Oxygen depletion monitors.

The key findings identified from the phase 2 project visits are detailed below:

Falls from Heights

A number of businesses visited had internal cellar access doors located in public areas which were being routinely left unlocked during trading hours; providing unrestricted access to the cellar by customers and unauthorised personnel. The practice significantly increased the risk of a non-employees accessing a confined space and falling a height down cellar steps or hatches.

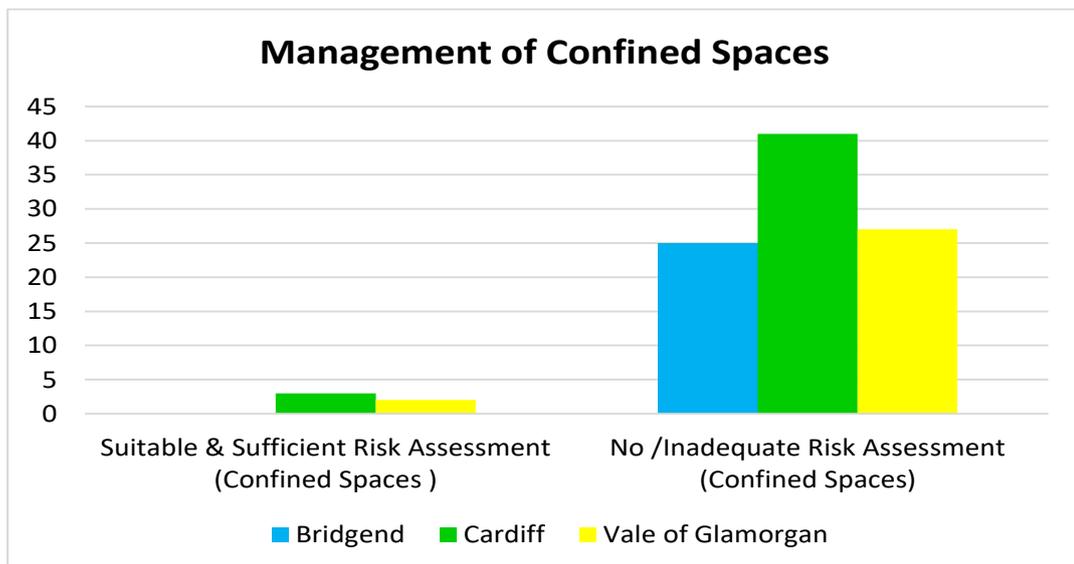
It was also common practice for staff to leave doors with Yale locks unsecured whilst accessing the cellar for retrieving stock; changing barrels or carrying out line cleaning. As above, this practice would enable non-employees to access a confined space and be at an increased risk of falling from a height.

Many of the premises visited had cellar hatches accessible in public areas; most of which were outside the premises on public pavements and in car parks. One Cardiff based club was required to undertake urgent repairs to the cellar flaps on a pedestrian highway after the Officer noted significant corrosion and deflection to the metal work on the metal flaps and supporting frame.

Older buildings were found to be more likely to have steeper staircases, with restricted headroom, as a means of access into subterranean cellars. Of the 98 premises visited, 35 had subterranean cellars with additional hazards such as loose handrails; poor lighting on staircases; and damaged stair treads which all increased the potential risk of falling from a height.

Duty holders were instructed to implement improved systems of work to ensure that risks to both staff and non-employees were adequately addressed with regards to reducing falls from height. Suggested controls included keeping cellar doors locked during trading hours and access restricted, use of supervision and/or physical barriers around cellar hatches when in use, and minimising the use of cellars at times when the business is open.

Confined Spaces - Risk Assessment and Controls

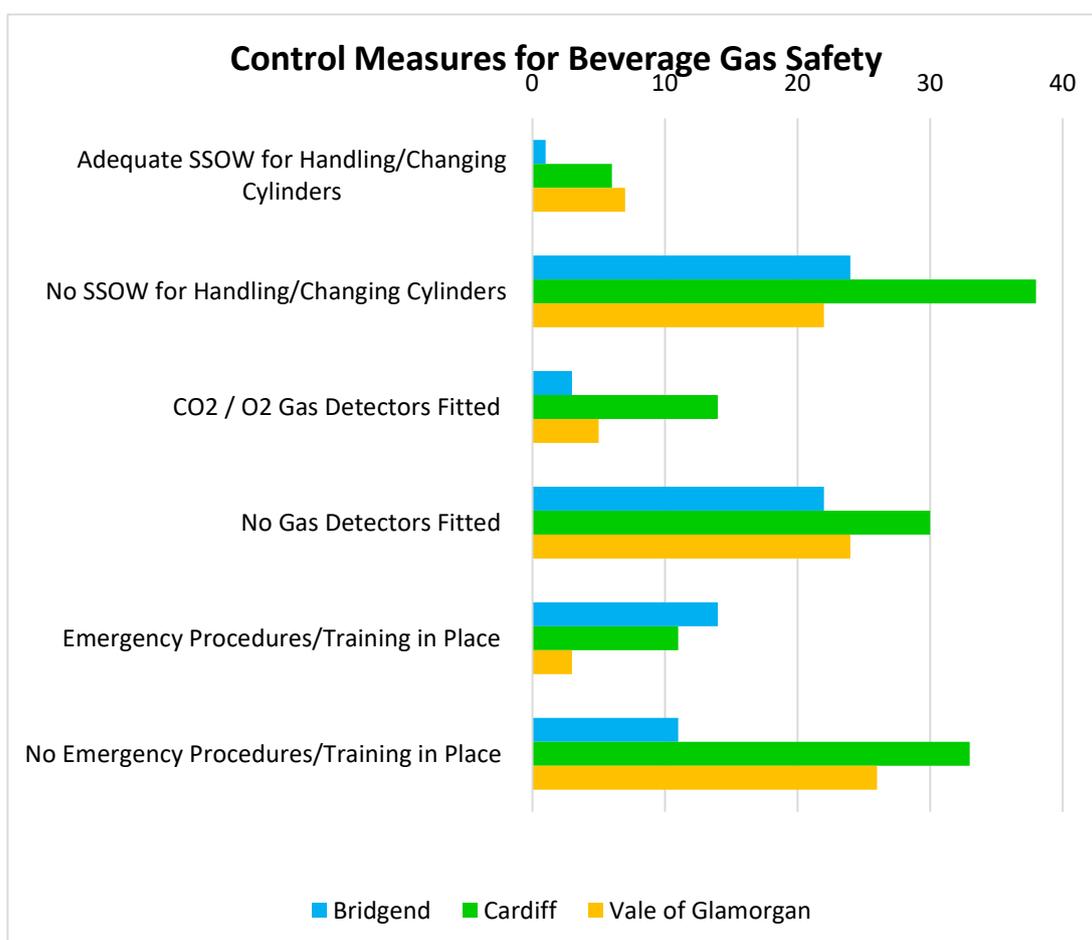


Of the 98 businesses visited, 93 (95%) duty holders had failed to carry out a suitable and sufficient risk assessment to identify if their cellar was a confined space or not, and whether the provisions of the Confined Spaces Regulations 1997 would apply (*see graph on previous page*).

95% of the duty holders questioned were unaware of the confined spaces legislation; were not aware how to calculate if the cellar was high, medium or low risk, and did not understand what additional control measure were required where the cellar was found to qualify as a confined space.

Beverage Gases – Safe Systems of Work and Control Measures

The key findings relating to the safe use of beverage gases in the SRS businesses visited as part of phase 2 of the project intervention are illustrated below.



Of the 98 businesses visited only 14 (14%) businesses had adequate safe systems of work (SSoW) in place for the handling and changing of beverage gas cylinders. The remaining 84 (86%) businesses were deemed to have inadequate SSoW; the practice of changing keg couplers without turning the beverage gas supply off first was not uncommon. In most instances only in-house, basic, verbal instructions, and a brief demonstration, had been provided to most staff during initial cellar training.

Of the 98 businesses visited, 76 (78%) did not have any type of gas detection system in place to identify potential beverage gas leaks in the cellar before entering the room. The remaining 22

(22%) businesses that did have Carbon Dioxide monitors fitted, employees were often unaware of the requirement to check the repeater alarm before entering the cellar and were unclear of the difference between a stage 1 and stage 2 alarm (*no-one should enter a confined space during a stage 2 alarm due to unsafe levels of carbon dioxide*). One of those 22 businesses had unplugged the Carbon Dioxide detector within the cellar so it was no longer operational.

One business was found using a personal Carbon Dioxide detector hanging up inside the cellar as a way to detect high levels of gas in the atmosphere; however, it was positioned too high on the wall to effectively detect any leaked gas. Carbon dioxide is heavier than air and sensors should be installed at a height of approximately 1 metre or less above floor level. It was further noted that the personal detector should have been serviced by 31/12/2015 so it was unclear if the device was operating correctly or not.

Similar problems were observed in businesses with Oxygen depletion monitors installed where Nitrogen tanks were installed within the cellar. Employees were often unaware of the risks associated with Nitrogen gas leaking into a confined space (*increasing depletion of Oxygen in the atmosphere that would result in asphyxiation and death*) so would invariably fail to check detection systems prior to entering the cellar areas.

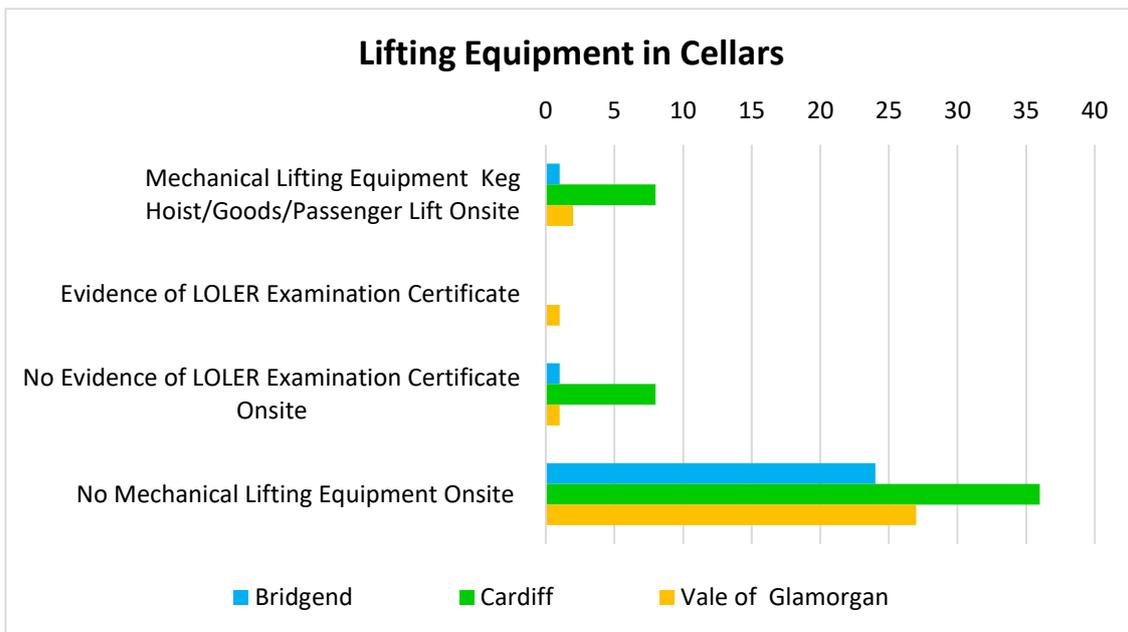
As previously seen in phase 1, a small number of businesses had mistakenly fitted Carbon Monoxide (CO) detectors in their cellars believing these detectors would be a suitable for use with beverage gases. These duty holders were advised to remove the monitors and replace with a suitable alternative.

A critical control measure for the safe use of beverage gases, and a requirement of the Confined Spaces Regulations 1997, is the preparation of emergency procedures for both small and major leaks. It is also a prerequisite that all persons authorised to access a confined space have been effectively trained in all emergency procedures; including what actions to take in the event of any medical emergencies. Of the 98 visits undertaken, 70 (71%) businesses had no documented emergency procedures in place for situations, including minor and major gas leaks and for the safe rescue of persons from a confined space area.

Lifting Equipment Safety

The key findings for the use and thorough examination of lifting equipment in the cellars visited are illustrated in the chart on the next page.

Of the 98 businesses visited 87 (89%) did not have any mechanical lifting equipment in use. Mechanical lifting equipment (*e.g. keg hoists, goods lifts, passenger lifts, dumb waiters*) were used in 11 (11%) businesses, of which only 1 business could produce evidence of its thorough examination by a suitably competent person in accordance with the Lifting Equipment and Lifting Operations Regulations 1998. The remaining 10 premises were required to produce evidence that thorough examinations had been undertaken within a short time-frame following the inspection.



HSE Referrals – Bridgend, Swansea & Cardiff Based Beverage Gas Suppliers

Phase 1 inspections identified that a significant number of gas cylinders from a Bridgend based supplier were consistently either not provided with a coloured test date ring or the test date ring had expired; thus suggesting that compressed gas cylinders had been refilled without being subject to periodic thorough examination (*which would include checks for internal corrosion and thinning of the metal body of the cylinder*). SRS referred this concern to the relevant enforcing authority, the Health and Safety Executive (HSE) in 2017, for further investigation and the company was subsequently issued with a number of Improvement Notices.

Phase 2 visits saw some continuation of these problems with the same Bridgend based supplier which were subsequently referred back to HSE. Phase 2 visits also identified safety issues with 2 other beverage gas suppliers – 1 in Swansea; 1 in Cardiff. Both were found to be supplying gas cylinders in a visibly corroded condition; with poor labelling and a lack of coloured test-date rings. Photographic evidence was taken and referred to HSE for further investigation. All businesses using the Cardiff and Swansea based gas cylinder suppliers have subsequently changed to a different, more reputable, company.

SRS is committed to undertaking a further phase of cellar safety inspections in its 2019-2020 work programme. To target resources most effectively, focus will continue be placed on independently run premises such as tenanted pubs; nightclubs; sports and social clubs and workingmen’s clubs throughout Bridgend, Cardiff and Vale of Glamorgan.

Managing the risk of Cryptosporidium in leisure pools – Improving health and wellbeing & safeguarding the vulnerable

The Cryptosporidium intervention for 2018/2019 only included visits to businesses which fell to SRS for health and safety enforcement. Project visits did not include any leisure pools that were owned/operated by Local Authorities (such as pools in schools); leisure pools owned/operated by private schools or therapeutic pools operated by Health Authority establishments.

A total of 44 leisure pools were visited as part of the project intervention:

 Bridgend	9
 Cardiff	22
 Vale	13

The sample size included leisure pools in hotels (*including micro-businesses, franchise operators and national chains*); caravan parks (*both micro-businesses and national chains*); privately operated leisure centres (*including SMEs and national chains*); and private leisure facilities available to residents of privately rented accommodation (*in an adjoining building with its own separate entrance*).

Significant Findings of the Verification Visits

Of the 44 businesses visited, 1 leisure centre was confirmed to have dry-side activities only. The population subject to analysis was therefore reduced to 43.

• Training of Pool Plant Operators

The competency of all persons engaged with pool plant operations could be evidenced in all but 3 (7%) leisure pools where no training certificates were available.

Only 1 (2%) duty holder solely relied on a system of in-house training for all staff engaged with pool plant operations; the remaining 42 (98%) businesses preferring to send staff on a recognised pool plant training course such as STA (*Safety Training Award*) or CIMSPA (*Chartered Institute for the Management of Sports and Physical Activity*). The STA 3 day Level 3 pool plant operators course was most commonly completed, with 29 (67%) leisure pool operators confirming that all/some leisure staff had completed this training.

A total of 4 (9%) leisure pools had staff with out-of-date pool plant training certificates, whilst 2 (5%) duty holders confirmed that additional staff needed to be sent on an appropriate training course.

Officers confirmed that staff turnover in the leisure pool industry remained high, with only a few managers remaining in post from the 2015 Cryptosporidium in Leisure Pool intervention.

Whilst initial impressions suggested that competency levels in pool plant operations were good, Officers subsequently identified that employee comprehension about the actual pool plant system in use at their respective leisure pool was a lot poorer. Both leisure assistants and managers appeared to find it difficult to apply their theoretical knowledge to real life problems associated with their pool; especially when pool test results fell out of acceptable range or were regularly fluctuating throughout the day. It was not uncommon for officers to find pool staff repeatedly re-standardising the automatic chemical dosing system against manual pool chemistry test results obtained from non-calibrated equipment.

Whilst pool plant operators generally monitored pH and free chlorine levels every 2 to 4 hours, it was less common for operators to carry out weekly balanced water tests (total dissolved solids; calcium hardness; total alkalinity).

Officers also commented that it was not uncommon for pool operators to document pool test results (*pH and chlorine levels*) that were out of parameter without instigating the appropriate corrective actions; suggesting either a lack of training or an inability to effectively interpret results.

Outdoor pools presented a bigger problem, particularly when the operator failed to understand how UV from sunlight would deplete chlorine levels a lot quicker.

- Adequacy of Normal and Emergency Operating Procedures for Leisure Pools

To effectively manage the risk of Cryptosporidium, it is critical that every pool plant operator has a well defined Normal Operating Procedure (NOP) and Emergency Action Plan (EAP) that directly relates to the system in use at the business. The project required officers to audit water safety management plans at all leisure pools visited, including the monitoring records of the daily water chemistry tests.

Officers concluded that NOP documentation was only deemed to be adequate in 4 (9.3%) leisure pools visited. A total of 28 (65.1%) businesses were found to have procedures that lacked detail and/or were too generic for the site in question. A further 10 (23.3%) pools were found to have procedures that were acceptable, but needed some minor amendments. No documented operating procedure could be found at 1 (2.3%) premises.

Equally, officers concluded that only 21 (48.8%) EAP documents were deemed to be adequate. Procedures were not available at 2 (4.7%) businesses, whilst the remaining 20 (46.5%) businesses were considered to have inadequate EAPs for the following reasons:

- ✘ Poor detail on how to deal with a faecal incident (1)
- ✘ Poor technical specification on filter type/rate/turnover period (8)
- ✘ Poor information about Cryptosporidium (1)
- ✘ Inadequate detail / not site-specific (10)

Where leisure pools operate with a high rate filter, the water generally flows through the filter at such a speed that the use of a flocculent to 'clump' the Oocysts for capture in the filter media is an inefficient process. To compensate for this, pools with high rate filters should generally be fitted with a secondary means of non-residual disinfection; Ozone or UV.

Of the 11 pools using high rate filtration, only 1 (9%) was fitted with Ozone; 5 (45.5%) were fitted with UV (*not regularly serviced in 1 pool*) whilst the remaining 5 (45.5%) pools had no secondary means of disinfection.

An important control measure in managing the risk of exposure to Cryptosporidium is also when a pool operator should backwash the filters (*reverse the water flow through the filters to dislodge all contamination to waste to the drain*). The PWTAG guidance (*Pool Water Technical Advisory Group*) is clear on this point; pools filters should be backwashed at the end of the day once the pool has been closed to swimmers. Filters should also be back washed independently so that adequate pressure is available to adequately dislodge contaminants from the filter media.

All pool operators were questioned about their back washing procedures, and the following results were obtained.

- ✚ 21 (48.9%) pools only carried out back washing at the end of the day
- ✚ 12 (27.9%) pools carried out back washing during the day but only when the pool was closed to swimmers
- ✚ 9 (20.9%) pools continued to back wash filters during the day when open to the public
- ✚ Only 1 (2.3%) pool used a contractor to back wash the pool filters
- ✚ 2 pools back washed all filters simultaneously.

- Dealing with a Faecal Release Incident in Leisure Pool Waters

The main technical document which advises pool plant operators about water quality, and how to deal with faecal release incidents in a leisure pool, is the PWTAG guidance. The document contains 2 distinct approaches on how to effectively deal with diarrhoea in a pool; one being applicable to a system operating with a medium rate filter, the other to a system operating with a high rate filter. In simple terms, the rate assigned to a filter is determined by the speed the water flows through it whilst being filtered. Knowledge about what type of filter is in use is therefore a prerequisite for any pool plant operator. The project therefore examined if procedures relating to diarrhoea incidents complied with current PWTAG guidance and whether duty holders were using the correct procedure or not.

Officers confirmed that 24 (55.8%) pools operated with a medium rate filter; 6 (14%) operated with a high rate filter; 5 (11.6%) had both high and medium rate filters in use; and 8 (18.6%) pool plant operators were unaware what type of filter was being used.

Out of the 43 leisure pools visited, only 27 (63%) were implementing procedures that complied with the PWTAG guidance and were correct for the type of filter in use. Procedures in 10 (23%) businesses were not appropriate, principally because operators were following the wrong procedure for the type of filter installed (*usually using the medium rate filter procedure for a high rate filter*). The adequacy of control measures being followed in another 6 (14%) leisure pools was also questionable since the duty holders could not confirm whether the pool filter was medium rate or high rate.

- Hygiene Information to Pool Users

To effectively minimise the spread of *Cryptosporidium* it is essential that pool users are adequately informed about when they should, and should not, use a leisure pool. Anyone who has suffered diarrhoea symptoms should avoid swimming until they have been symptom-free for 48 hours, and confirmed case of *Cryptosporidiosis* should not use leisure waters until they have been clear of symptoms for 14 days. The project therefore considered how duty holders were conveying these key messages to its patrons.

Of the 43 leisure pools visited, 13 (30%) businesses did not provide any hygiene information to customers. A total of 17 (40%) businesses provided information via posters/leaflets/website, whilst a further 13 (30%) businesses provide information a lesser degree.

As previously indicated, the highest number of *Cryptosporidium* cases reported to SRS during 2017 was in the 0-5 year old range. The project therefore examined whether or not duty holders implemented a nappy policy for their young guests.

Of the 43 leisure pools visited, 10 (23.3%) businesses did not have a nappy policy in place. A total of 32 (74.4%) businesses did enforce a nappy policy, whilst 1 (2.3%) business confirmed that their pool was only used by adult guests.

Only 39 (91%) leisure pools provided pre-swim showers. The remaining 3 (7%) businesses were campsites where guests were encouraged to shower in their vans before swimming. One leisure centre, operated by a national franchise, had removed all pre-swim showers as part of a recent refurbishment.

Maintaining good standards of hygiene around the pool itself is also an important control measure for minimising the risk of Cryptosporidium. Despite this being a cheap and simple precaution to implement, only 28 (65%) pool operators provided, and were observed to use, shoe covers for non-swimmers accessing the pool area.

Enforcement Action Taken

Of the 43 leisure pools inspected, all duty holders received formal warning letters which included 'Schedule A' contraventions and 'Schedule B' recommendations. All duty holders were either required to provide a detailed action plan to confirm how issues were to be resolved, or were subject to an officer revisit after a specified period of time.

No Prohibition Notices were served; however, a leisure pool and spa pool located in a city centre hotel closed on a voluntary basis during the officer visit due to low temperature and low free Chlorine concerns. These problems were resolved within 24 hours, allowing the pool and spa to re-open to hotel guests and registered members.

Next Steps

Feedback received from duty holders of the leisure pools visited during Quarter 1 of 2018/2019 indicate that all necessary steps are being taken to improve pool safety management arrangements for reducing the risk of Cryptosporidium to the lowest level reasonably practicable. However, it is anticipated that in most cases the levels of improvement achieved will only be maintained for a finite period of time.

The Communicable Disease, Health and Safety Team will continue to monitor all confirmed cases of Cryptosporidium to identify all potential exposures and implicated businesses. Additional enforcement visits will be undertaken where evidence indicates that the risk of Cryptosporidium is no longer under effective control.

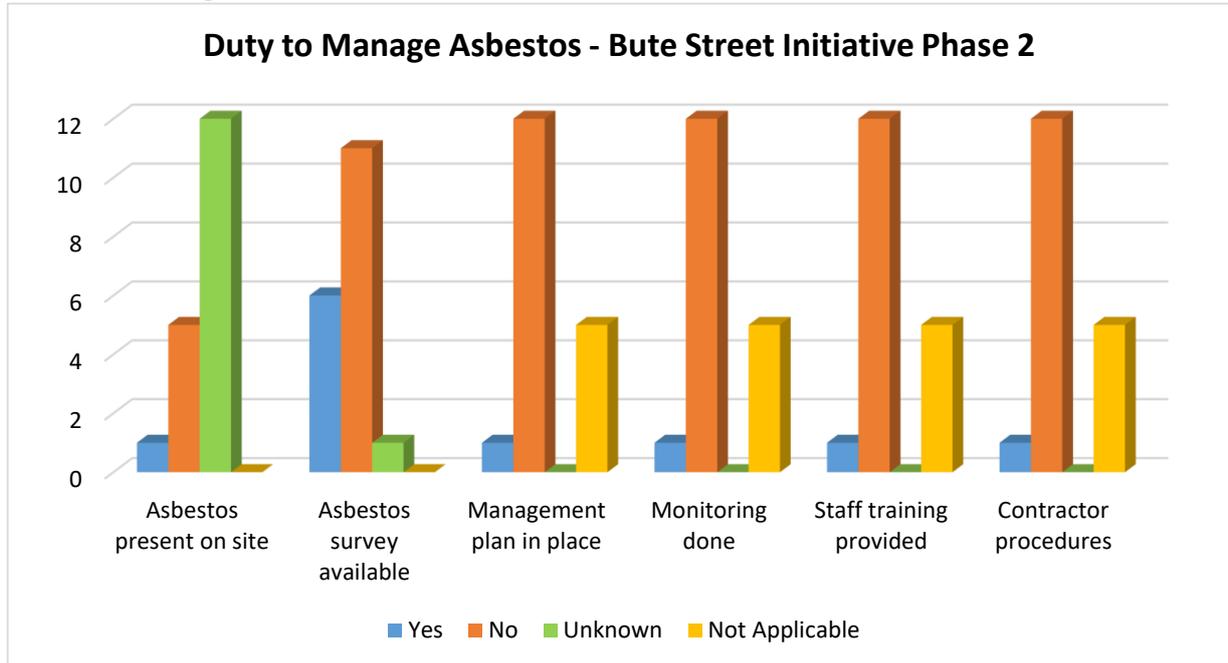
Asbestos Duty to Manage: Improving health and well being

Following on from the success of the Bute Street Initiative pilot during 2017/2018, SRS committed to conducting additional 'duty to manage asbestos' visits in the Cardiff Bay area in the 2018/2019 business plan. A total of 20 additional businesses were targeted, 18 of which were successfully visited (*1 had ceased trading and the remaining business could not be accessed by the Officer by 31st March 2019*).

The results reflected the findings of the initial pilot, with duty holders having a poor level of awareness about the existence of asbestos within their premises. Of the 18 businesses visited, 12 (67%) duty holders did not know if asbestos containing material were present or not.

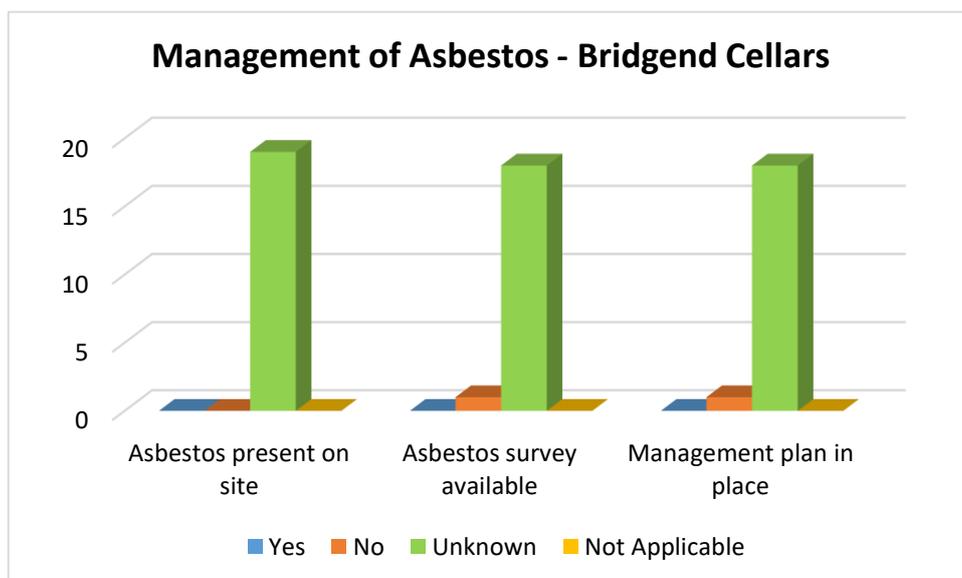
Only 1 (6%) duty holder was found to have an asbestos survey completed and an adequate asbestos management plan in place for the building.

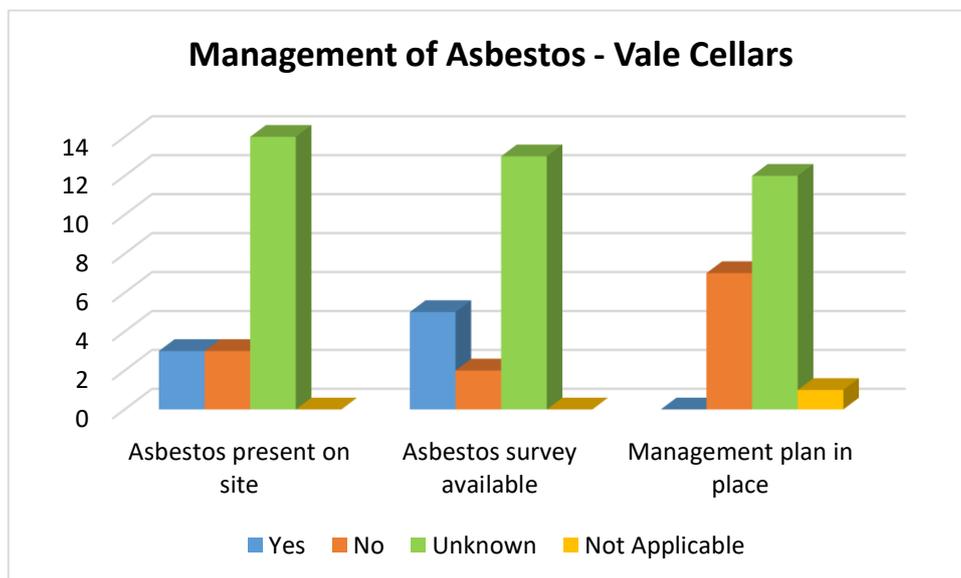
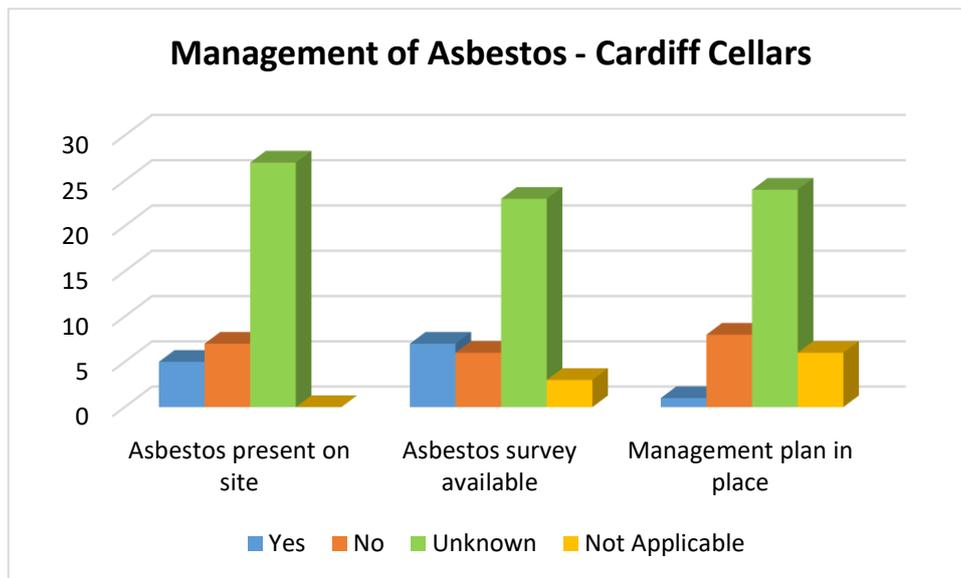
The overall findings of Phase 2 of the Bute Street Initiative are illustrated in the chart below.



The 'duty to manage asbestos' was additionally included as a 'bolt-on' topic in the 78 cellars visits which formed part of the 2018/2019 beverage gas safety initiative. The aim of this 'add on' was to identify if asbestos surveys and management plans had been prepared in all premises constructed pre-2000. This enabled SRS to get greater 'value for money' per project intervention in addition to rationalising the number of enforcement visits to business.

The 3 charts below illustrate the findings of the 'duty to manage asbestos' intervention in cellars across Bridgend, Cardiff and Vale of Glamorgan.





The duty holders in all 19 cellars in Bridgend (100%) were unaware if asbestos containing materials were present in the buildings they occupied. Further investigation identified that 1 of these businesses did have a survey and management plan available, but the person in control of the building was unaware of their existence.

Of the 39 cellars visited in Cardiff, 27 (69%) duty holders were unaware if asbestos containing materials were present in the buildings they occupied. Although 5 duty holders confirmed that asbestos was present, and a survey could be produced, only 1 duty holder had an asbestos management plan in place.

Of the 20 cellars visited in the Vale, 14 (70%) duty holders were not aware of the presence of asbestos in their commercial premises. Whilst 5 businesses could produce an asbestos survey, no duty holders had asbestos management plans in place.

Moving Forward

The duty to manage asbestos in buildings pre-dating the year 2000 continues to be a very poor area of compliance. During 2019/2020, this will continue to be a bolt-on topic area in Phase 3 of the beverage gas safety intervention and gas safety in commercial catering intervention.

Golf Courses – supporting the local economy & improving health and well being

See full report in Appendix 2.

Vale Employers Engagement Project (VEEP) – supporting the local economy

See full report in Appendix 2.

Major Outdoor Events – supporting the local economy

Officers from the Enterprise and Specialist Services Team attended a total of **22 Event Safety Group/Events Liaison Panel meetings** across Bridgend, Cardiff and Vale of Glamorgan areas during 2018/2019. A total of **25 site visits** were made during which Officers worked with event organisers to resolve matters of evident concern that could impact on public safety. A further **74** events received **desktop reviews** to assess event management plans, site plan layouts and risk assessments. Event Organisers were subsequently provided with constructive feedback to bolster the robustness of their event management arrangements.

Achievements for 2018/2019

The Achievements Section highlights a range of work activity including:

- Notable prosecutions
- Work undertaken in addition to the programmed work plan
- Programmed work which has resulted in a significantly positive impact within that industrial sector

Prosecution of Brewery – Improving health and wellbeing and safeguarding the vulnerable

On 8th February 2019 SRS successfully prosecuted a brewery for failing to comply with its duty as an employer under Section 3(1) Health and Safety at Work etc. Act 1974 when a member of the public fell through the unlocked internal cellar door of a public house in Barry. The injured party fell down a flight of concrete cellar steps, sustaining serious head injuries including a fractured skull and bleed on the brain, and continues to receive treatment for his injuries.

Whilst the company had completed a risk assessment for cellar access, it was generic in nature and not site-specific. The defendant's own risk assessment had identified 'injury to customers and employees by unauthorised access to cellar' as a hazard and identified 2 control measures to minimise the risk of injury; namely for the cellar door to be kept locked at all times and, if the door was in the public area, for safety signs to be placed on the door warning 'No Unauthorised Access'. The door had no such signage in place and was opened a number of times in any day to allow staff access to stock, ice and for carrying out beer line changes/cleaning.

The company was fined £140,000, ordered to pay costs of £11,835.48 and a victim surcharge of £170.

Prosecution of Director of Cardiff Public House – Improving health and wellbeing and safeguarding the vulnerable

On 29th January 2019 SRS successfully prosecuted the director of a Cardiff Public House, for a number of health and safety offences. The director pleaded guilty to 2 offences under the Health and Safety at Work etc. Act 1974 for failing to ensure the health, safety and welfare of his employees and failing to ensure that persons not in his employment were not exposed to risks to their health and safety. A further offence was committed when he failed to comply with an Improvement Notice relating to contraventions under the Gas Safety (Installation and Use) Regulations 1998, requiring the commercial gas range oven to be maintained in a safe condition by a suitably competent person.

The offences related to the installation of a commercial gas range oven at the public house, that had been installed by the defendant who was not Gas Safe Registered. He later employed a domestic gas engineer to inspect and certify the commercial oven.

The District Judge commented that the defendant had turned a blind eye to the risk, had displayed apathy and a poor attitude to health and safety. The defendant was subsequently fined a total of £3775, ordered to pay costs of £375 and a victim surcharge of £170.

Prosecution of the director of a Kebab House– Improving health and wellbeing and safeguarding the vulnerable

On 30th January 2019 SRS successfully prosecuted a company and its director in Llantwit Major, after Officers discovered that a gas Pitco Twin Deep Fat Fryer classified as ‘immediately dangerous’ by a Gas Safe Registered engineer had been put back into use without the requisite repairs being made. The director subsequently advised Officers that he had put the fryer back into use after receiving the warning notice by the gas engineer.

Guilty pleas had been previously entered by the company to 2 offences under the Health and Safety at Work etc. Act 1974 for failing to ensure the health, safety and welfare of its employees by failing to provide and maintain the fryer, and for failing to ensure that persons not in its employment were not exposed to risks to their health and safety. The director had pleaded guilty to 3 offences namely: 2 offences under the Gas Safety (Installation and Use) Regulations 1998 for knowingly reconnecting the gas supply and putting the fryer into use when it had been classified as ‘immediately dangerous’ and for failing to maintain the equipment in a safe condition. The third offence was for failing to maintain the fryer in a good state of repair and safe condition under the Provision and Use of Work Equipment Regulations 1998.

The company was fined £120 and the director was fined £1095, ordered to pay costs of £350 and a victim surcharge of £111.

Prosecution for Smoke-Free Offences under The Health Act 2006 and Smoke-Free Premises etc. (Wales) Regulations 2007 – Improving health and wellbeing and safeguarding the vulnerable

SRS has successfully prosecuted 3 duty holders for smoke-free offences during 2018/2019. Full details of these cases have been included in the Communicable Disease business plan.

Business Engagement – Raising awareness about the management of Legionella and infection control measures in private residential care home settings.

Following the completion of the residential care homes verification visits during 2017/2018, it became apparent that care home owners and managers were still struggling to fully understand how to effectively manage the risk of Legionella associated with the hot and cold water system. In order to support the care sector across SRS, SRS Officers held 2 half day workshops, also supported by Public Health Wales and industry, which focused on managing infections in residential care homes. Sessions were held on Legionella management; enhanced cleaning requirements when dealing with Norovirus; and maintaining business resilience with Influenza.

A total of 56 delegates attended the training, with 50 delegates (89%) reporting that the workshops provided either very good or excellent value to their business. 55 (98%) delegates reported learning something from attending the training and 48 (86%) delegates confirmed that they would be making changes in their business as a result of what they had learnt.

Proactive Intervention - Firework Safety

The Commercial Services Trading Standards Team is responsible for the enforcement of the law on storage of explosives in retail premises, sales of fireworks, the safety of fireworks and age-restrictions on sales. There are various regulations and guidance on the subject, all designed to minimise the risk of uncontrolled fire or explosion and thereby staff and customers and the general public as safe as possible. The Explosives Regulations 2014 came into effect on the 1st October 2014. There are three main aims to the regulations:

- ✚ To prevent fire or explosion
- ✚ To prevent communication of any fire or explosion, and
- ✚ To protect people from the effects of fire or explosion

In 2018/2019 Commercial Services Trading Standards officers carried out **82** inspections of premises across **Bridgend (20)**, **Cardiff (45)** and the **Vale of Glamorgan (17)** that applied for a licence to store and sell fireworks and explosives. To ensure the risk to public safety was minimised they also carried out inspections at premises that had previously sold fireworks but had not applied for licences.

Formal action is in progress for 1 business visited for numerous contraventions of Regulation 26 of the Explosives Regulations 2014.

5.3 Areas for Improvement

The following improvements are to be continued during 2019/2020:

- Cost effective implementation of proactive project interventions (*including bolt-on interventions where appropriate; utilising non-face-to-face strategies for communicating key messages and engaging with external stakeholders*).
- Developing officer competency in key topic areas being considered for proactive work so that all SRS customers receive the best possible level of service.
- Engaging with Primary Authority Partners so that improvements to health and safety policies, procedures and practices target a wider audience.
- Completion of all inspection targets now that the team has a full complement of Officers again.

Appendix 1 – Action Plan 2019/2020

There are four Strategic Priorities relevant to the delivery of the Health and Safety Enforcement Function:

1. Improving health and wellbeing
2. Safeguarding the vulnerable.
3. Supporting the local economy
4. Maximising the use of resources.

Relevant Strategic Priorities	Objective	
1, 2, 3, 4	Q1	Secure approval from SRS Joint Committee for the 2018/19 Section 18 Health and Safety Service Plan.
1, 4		Commence the 75 gas safe visits to commercial catering establishments throughout SRS (<i>including bolt-on intervention: duty to manage asbestos</i>).
1, 2		Complete all remaining 11 nail bar pilot visits.
1, 4		Prepare and commence the Hand Arm Vibration (HAVS) & noise at work project intervention. All golf course managers to be sent letters by 14 th June 2019.
1, 4	Q2	Continue with gas safe visits to commercial catering establishments.
1, 2		Complete analysis of nail bar pilot by 12 th July 2019.
1, 4		Continue Phase 3 HAVS/Noise letters to be sent to main car dealerships and tyre & exhaust businesses by 19 th July 2019. All Phase 1 and 2 visits to be completed by 31 st October 2019.
1, 4		Prepare for Phase 3 of the cellar safety/beverage gas safety. Initial letters to all 60 businesses to be sent by 15 th September 2019.
1, 4	Q3	Commence Phase 3 of the cellar safety/beverage gas safety intervention visits to 60 businesses across SRS (<i>including bolt-on intervention: duty to manage asbestos</i>).
1, 4		Continue and complete gas safe visits to commercial catering establishments by 31 st December 2019.
1, 2, 4		Prepare for the indoor trampoline park intervention, including the development of an Officer inspection aide memoire.
1, 4	Q4	Continue and complete Phase 3 cellar safety/beverage gas safety intervention visits.
1, 2, 4		Commence and complete visits to indoor trampoline parks across SRS.
1, 2		Visit, and monitor, 3 shisha businesses in Cardiff to assess compliance with smoke-free legislation.

Appendix 2 – The Management of Health and Safety in Golf Clubs: 2016-2018

Assessment of health and safety compliance at golf clubs in Bridgend, Cardiff & Vale of Glamorgan between October 2016 and November 2018.



Executive Summary

Following two work-related deaths at golf clubs in South East Wales, and a number of incidents associated with golf buggy misuse, a number of Local Authorities in the South East Wales region elected to undertake a local level health and safety intervention to assess health and safety compliance, and management arrangements, at their golf clubs. The collation of local intelligence, and accident investigation information, influenced the focus of the project so that a more targeted approach was adopted.

Key Topic Areas for Inclusion in the Initiative:

<ul style="list-style-type: none">• General health and safety management	<ul style="list-style-type: none">• Green Keeper safety
<ul style="list-style-type: none">• Use and maintenance of machinery and equipment	<ul style="list-style-type: none">• Contractor safety

A regional project plan and inspection form was devised, and Officer training arranged, to enhance Officer competence and promote consistency in approach.

A total of 24 golf clubs [*Bridgend (6); Cardiff (7); Vale of Glamorgan (11)*] located in Shared Regulatory Services (SRS) received an initial inspection between October–December 2016; with each duty holder receiving a formal warning letter to confirm contraventions that needed to be addressed to improve current levels of compliance.

Key issues noted following initial inspection:

Poor delegation of health and safety responsibilities and clarity of health and safety roles	Inadequate arrangements for golf buggy maintenance
Insufficient health and safety training to key personnel responsible for health and safety matters	Failure to adequately address the risks to green keepers whilst working on slopes and near/in water courses.
Lack of procedures for the selection, scrutiny and monitoring of third party contractors.	Control measures for lone working on the greens were not proportionate to the risk.

To assess improvements in compliance levels, unannounced revisits were made to golf clubs between April-June 2017. Officers identified that whilst new policies and procedures were being devised; existing procedures reviewed; and training being arranged to enhance employee core competencies, the majority of clubs had not had the opportunity to fully implement their new health and safety management arrangements. As a result no enhanced enforcement action was taken by Officers at this time.

To identify if golf clubs were achieving a more sustained level of compliance with health and safety legislation, Officers carried out a series of unannounced verification visits to all golf clubs between July-October 2018. Whilst the majority of clubs were found to have made significant improvements to their health and safety management systems, with many electing to engage with a more specialist health and safety consultancy for the golfing sector, a few clubs were identified as being consistent poor performers. As a result, a total of 10 Improvement Notices were served following this phase of the project intervention.

The verification visits also enabled Officers to identify common areas of weakness amongst the golf club duty holders. SRS provided support to golf club owners and managers by holding a free, 1 day business forum which was supported by the Health and Safety Executive (HSE); Public Health Wales (PHW); Institute of Occupational Health and Safety (IOSH); and relevant sectors of private industry.

Background

In 2015, a 20 year old groundsman died from drowning after a weed-spraying buggy carrying a 700 litre water tank, driven by his father, lost traction as it traversed a steep embankment; trapping the groundsman beneath it as it slipped into a pond.

In 2016, a 29 year old man died from drowning after getting into difficulty whilst diving for stray golf balls in a golf course lake. A subsequent investigation established that the contractor was using unsuitable and ill-fitting equipment; had no diving qualifications and had no previous experience.

Following these 2 work-related deaths at golf clubs in South East Wales, and a number of other incidents associated with golf buggy misuse, some Local Authorities in the South East Wales region committed to undertake a proactive, local level health and safety intervention to assess health and safety compliance at their golf clubs as part of their 2016/2017 business plan. At this time golf clubs were not considered to be a high risk sector on the HSE national code, or listed as a national priority for Local Authority inspection. However, the collation of local intelligence, and accident investigation information, provided the necessary evidence base for the regional intervention to proceed.

To adopt a more targeted approach, the following key areas were identified for inclusion in the golf course health and safety initiative.

<ul style="list-style-type: none">• General health and safety management	<ul style="list-style-type: none">• Green Keeper safety
<ul style="list-style-type: none">• Use and maintenance of machinery and equipment	<ul style="list-style-type: none">• Contractor safety

Aims of the golf course health and safety intervention

External aims for golf clubs:

- Signpost employers to health, safety and wellbeing business support.
- Encourage networking and peer support between clubs.
- Promote collective ownership of health, safety and wellbeing within organisations.
- Improve business resilience when changes to key personnel and committee members occur.
- Reduce the cost to businesses from injury and ill health.

Internal aims for regulators:

- For the regional intervention to be a pilot study for a potential all-Wales project.
- To encourage a more open dialogue with golf club managers and green keepers to identify opportunities and support internal development and change.
- To identify gaps in knowledge and areas of weakness in existing health and safety management systems.
- To secure improvements in compliance with current health and safety legislation.

- To arrange and facilitate a free 1 day business forum for golf club owners, managers and green keepers to focus on themes identified during earlier site visits (*Vale Employers Engagement Project*).

Managing the health, safety and wellbeing of workers improves organisational performance and reduces the cost of ill health and absence. Health and safety interventions which aim to support local business achieve a higher degree of compliance with health and safety legislation are in line with the SRS corporate priorities of 'Improving health and wellbeing' and 'Supporting the local community', together with the overall service aim of 'To work with others to protect people's health and safety by ensuring risk in the changing workplace are managed properly.

Such interventions are additionally in line with the 6 strategic themes included in the HSE strategy 'Helping Great Britain Work Well'.



- **Acting together** – Promoting broader ownership of health and safety in Great Britain;
- **Tackling ill health** – Highlighting and tackling the costs of work-related ill health and preventing ill health by making workplaces good workplaces by looking after health and wellbeing of all staff;
- **Managing risk well** – Simplifying risk management and helping business grow;
- **Supporting small employers** – Giving SMEs simple advice so that they know what they have to do;
- **Keeping pace with change** – Anticipating and tackling new health and safety challenges;
- **Sharing our success** – Promoting the benefits of Great Britain's world class health and safety system.

Method

From 1st April 2016 all 24 golf clubs throughout SRS [*Bridgend (6); Cardiff (7); Vale of Glamorgan (11)*] were sent a letter informing them of the work-related fatalities at the Newport-based golf courses concerning contractors working in, or near to, water courses. The correspondence outlined the culpabilities of persons responsible for appointing and managing contractors on their sites, and required duty holders to review and amend all assessments and procedures relating to work activities in, and around, water courses.

From 1st October 2016 all 24 golf clubs throughout SRS were sent a letter confirming that they would receive a proactive intervention visit within the forthcoming 3 months, and confirmed the key themes to be included in the inspection. The type of golf courses to be visited ranged from private clubs, link clubs, parkland courses, driving ranges and resort clubs; some of which had hosted international golfing events. Whilst most courses were 18 hole courses, some clubs operated a 9 hole course only, whilst a couple of sites had two 18 hole courses.

To enhance competency, and promote consistency in approach, an Officer training day was held at the Celtic Manor Resort in October 2016 for all persons involved with the project intervention.

To promote consistency in approach for this intervention, the following documentation was prepared by a project task and finish group, including Officers from South East Wales Local Authorities.

- Project proforma – to be completed by Officers during visits.
- Project plan - to confirm the aim, scope and methodology of the project.
- Project feedback form - to evaluate the effectiveness of the intervention.

Initial proactive intervention visits to golf clubs throughout SRS commenced from 31st October 2016. This comprised of an announced visit to ensure that Officers could engage with key personnel (*such as the Manager; Head Green Keeper; Head of Greens Committee*) and undertake a safety management review of existing health and safety arrangements, policies and procedures, and gain an appreciation of site-specific risks and how they were currently being controlled. Officers subsequently visited their allocated golf clubs at a later date, on an unannounced basis, to observe green keeping staff undertaking their daily duties and validate if documented procedures fully reflected how activities were being undertaken in practice.

Between April-June 2017 Officers revisited a large proportion of golf clubs to identify how duty holders were improving health and safety management arrangements and addressing legal contraventions previously brought to their attention.

To identify if duty holders were achieving a more sustained level of compliance with health and safety legislation, Officers carried out a series of unannounced verification visits to all 24 golf clubs between July-October 2018. The verification visits also enabled Officers to identify common areas of continued weakness amongst golf club duty holders which would inform what topic areas would be included in the golf course safety health and safety business form to be held later in the year.

On 7th November 2018 Officers from SRS arranged and facilitated a free, 1 day health and safety business forum (*Vale Employers Engagement Project*) at the Copthorne Hotel for golf course owners, managers and green keeping staff. The event was supported by HSE, Public Health Wales, IOSH, local authorities and representatives from industry. The day consisted of keynote speakers, exhibitors and a number of interactive, 30 minute workshops on a variety of health and safety topics. The aim of the event was to develop delegate competence, and confidence, and equip them with the necessary skills to improve both business resilience, and an improved level of sustained compliance with health and safety requirements, at their respective golf clubs.

Results

The documentation used by Officers during project visits was found to be fit for purpose, and the method used to engage with the golf courses was found to be appropriate.

Due to the variety in golf clubs visited (*number of holes; type of course*), Officer visit times ranged from 2 to 5 hours per visit.

A total of 24 golf clubs throughout SRS were included in this project intervention:

- Bridgend (6);
- Cardiff (7); and
- Vale of Glamorgan (11).

Of the 24 golf clubs included in this intervention, 13 (54%) were run by committees whilst 11 (46%) were limited companies.

Initial Project Visit

No Improvement Notices or Prohibition Notices under the Health and Safety at Work etc. Act 1974 were served following the completion of all initial project visits. All golf course duty holders received a formal written warning outlining the contraventions noted at the time of the visit and actions required to improve compliance with current health and safety standards. Recommendations were additionally included and clearly defined from the legal contraventions. All duty holders were requested to submit action plans by a pre-determined date to demonstrate their commitment to improving standards and to enable revisits to be undertaken in a timely manner.

Key areas of non-compliance observed during initial project visits:

- **19 out of 24 (79%)** golf courses had failed to adequately address the risks associated with green keeping staff working on slopes and in/near water courses. Despite all golf courses using tractors and self propelled machinery on slopes, uneven ground, near ditches and bunkers it was found that golf courses had not carried out a site-specific, hole-by-hole assessment taking account of specific hazards such as steep inclines, machinery traction/incline limits/weight distribution and weather conditions.

KEY ISSUE: Potential for machinery overturning and drowning.

- **14 out of 24 (58%)** golf courses had not undertaken a suitable and sufficient risk assessment of green keeping staff and contractors undertaking lone working duties; despite lone working being a regular activity within the golf industry, especially during weekends.

KEY ISSUE: Failure to implement proportionate control measures to manage the risks associated with lone working.

- **13 out of 24 (54%)** golf courses failed to have any procedure in place to manage contractors working on site for activities such as tree work; maintenance and pesticide spraying.
- Golf courses with a procedure available for third party contractors were often failing to implement all necessary control measures to select, scrutinise and monitor contractors whilst on site.

KEY ISSUE: Poor management of external contractors responsible for undertaking high risk work-activities.

- **11 out of 24 (46%)** golf courses visited had inadequate health and safety policies that failed to clarify the management hierarchy within the golf club and the delegation of key health and safety roles and responsibilities throughout the organisation. This was particularly prevalent in committee run golf clubs where committee members changed every 2 years.

KEY ISSUE: A lack of defined health and safety roles and responsibilities throughout the hierarchy of golf clubs resulting in a lack of accountability and ownership of health and safety management arrangements.

- **9 out of 24 (37%)** golf courses had not provided sufficient information, instruction or training to key personnel to enable those persons to discharge their statutory health and safety functions to an acceptable standard. Consequently these clubs were either found to have no control measures in place for specific risks, or had generic safe systems of work that were not directly applicable to work activities at that club,

KEY ISSUE: Lack of knowledge and understanding of health and safety legislation amongst those persons responsible for its implementation.

- **8 out of 24 (33%)** golf courses were unable to demonstrate proactive maintenance of golf buggies and utility vehicles to ensure they were maintained in an efficient state, efficient working order and good repair. Repairs were only being carried out on a reactive basis when buggies became visually damaged or inoperative.

KEY ISSUE: A lack of pre-planned maintenance for vehicles used on golf courses.

Revisits

Officers carried out unannounced revisits to golf courses between April–June 2017 for the purpose of monitoring improvements in health and safety compliance. Whilst Officers identified that existing policies, procedures and risk assessments were being reviewed and developed, many duty holders had yet had an opportunity to fully implement these changes and determine their suitability.

Just under half of all golf clubs revisited had amended traffic routes to facilitate the segregation of vehicles and pedestrians on the golf courses; implemented a more proactive maintenance regime for golf buggies and had introduced a more robust system for checking the suitability of persons wishing to hire the golf buggies.

All golf clubs revisited were in the process of devising a site-specific, hole-by-hole assessment of the course to identify high risk areas and 'no go' areas for ride-on equipment.

All golf clubs revisited were able to produce current copies of thorough examinations for lifting equipment and pressure systems.

Verification Visits

Between July and October 2018 Officers carried out unannounced verification visits to all 24 golf clubs in SRS to identify if a more sustained level of compliance with health and safety legislation was being achieved. An amended visit proforma was devised to ensure that all Officers engaged in these visits were adopting a consistent approach.

The verification visits also enabled officers to identify common areas of weakness amongst the golf club duty holders to inform what topic areas should be included in the Vale Employers Engagement ('VEEP') business forum to be held on 7th November 2018.

The verification visits identified the following key findings:

- **13 (54%)** golf clubs continued to be committee run and **11 (46%)** golf clubs continued to be limited companies.
- **6 out of 13 (46%)** committee run golf clubs had experienced changes to key personnel (*Manager; Head Green Keeper; Greens Committee Chair; Club Captain*) since the initial inspection visit, compared to **2 out of 11 (18%)** of golf clubs operated by limited companies.
- **6 out 13 (46%)** committee run golf clubs were found to have poor, or out-of-date, arrangements for the delegation of health and safety responsibilities throughout the organisation, with newly appointed members not having an adequate level of information, instruction or training to fulfil their role effectively.
- **1 out 11 (9%)** golf clubs operated by a limited company were found to have poor, or out-of-date, arrangements for the delegation of health and safety responsibilities throughout the organisation, with newly appointed employees not having an adequate level of information, instruction or training to fulfil their role effectively.
- Lone working arrangements were found to have greatly improved in all golf clubs, with all duty holders now having adequate arrangements in place.
- **4 out of 13 (31%)** committee run golf clubs failed to have current thorough examination certificates for lifting equipment and pressures systems.
- **5 out of 11 (45%)** golf clubs operated by a limited company failed to have current thorough examination certificates for lifting equipment and pressures systems.
- **8 out of 13 (62%)** committee run golf clubs had failed to measure inclines on the golf course to identify 'no go' areas for ride-on equipment, or had failed to update the hole-by-hole course planner following changes to the course.
- **3 out of 11 (27%)** golf clubs operated by a limited company had failed to measure inclines on the golf course to identify 'no go' areas for ride-on equipment, or had failed to update the hole-by-hole course planner following changes to the course.
- **3 out of 13 (23%)** committee run golf clubs continued to have inadequate control measures in place for the use of golf buggies on the course, primarily due to poor implementation of documented policies.
- **2 out of 11 (18%)** golf clubs operated by a limited company continued to have inadequate control measures in place for the use of golf buggies on the course, primarily due to poor implementation of documented policies.

- **6 out of 13 (46%)** committee run golf clubs continued to have inadequate control measures in place to ensure the health and safety of contractors working on site.
- **6 out of 11 (55%)** golf clubs operated by a limited company continued to have inadequate control measures in place to ensure the health and safety of contractors working on site.
- Common areas of weakness amongst duty holders and green keeping staff were identified to be: hand arm vibration (HAVS); noise at work; tree management and the control of exposure to biological hazards (*e.g. Weil's disease; Legionella; E. coli*).

Although the verification visits identified that improvements had been made by the majority of golf clubs included in this project intervention, some duty holders were identified as continued poor performers which necessitated officers to escalate their enforcement action. A total of 10 Improvement Notices were served on 2 golf clubs for the following contraventions:

- Inadequate provision of lighting in the green keeping facilities.
- Inadequate health and safety policy and health and safety arrangements.
- Failure to appoint a suitably competent person to undertaken health and safety responsibilities.
- Failure to have up-to-date thorough examinations for lifting equipment.
- Failure to have written schemes of examination for pressure system equipment.

All Improvement Notices were subsequently complied with when officers revisited the clubs. No Prohibition Notices were served following officer verification visits.

Vale Employers Engagement Project ('VEEP')



The Vale Employers Engagement Project ('VEEP') comprised of a 1 day business forum which was held to support Golf Course Managers and Green Keepers throughout Bridgend, Cardiff and Vale of Glamorgan comply with relevant health and safety legislation. The forum, which took place at the Copthorne Hotel in Cardiff on 7th November 2018, was organised by the Communicable Disease, Health & Safety Team of SRS and was supported by HSE; Public Health Wales; external stakeholders and representatives from the golfing fraternity.

'VEEP' was the culmination of the 3-phase health and safety intervention undertaken at all SRS golf courses between October 2016 and November 2018, and targeted key topic areas which Golf Course Managers and Green Keepers were less confident with. These included:

- Tree management
- Noise at work
- Hand arm vibration (HAVS)
- Control of Substances Hazardous to Health (COSHH)
- Legionella management
- Management of contractors
- Managing health and safety (*delegation of roles; training of key personnel*)
- Occupational health
- Healthy working Wales (*smoking, alcohol and drug use in the workplace*)

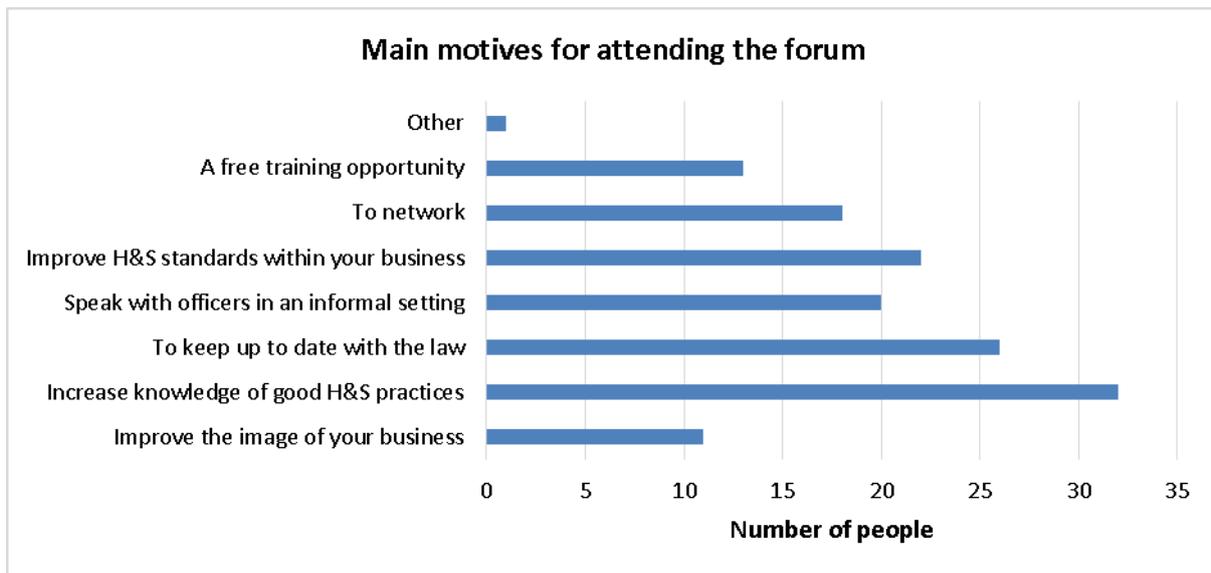
A total of 95 delegates attended the 'VEEP' business forum, which included representatives from golf courses across SRS and some neighbouring local authority areas; EHOs from neighbouring local authorities and external stakeholders. All delegates were able to attend a maximum of 6 pre-selected workshops throughout the day which were run by professional key-note speakers (*including: HSE; Public Health Wales; Vector Air & Water; South Wales Safety Consultancy; MHP Arboriculture; Capital People*). Exhibitors from Bridgend College; IOSH; Insight Health Screening; Insync Corporate Health; Thomas Carroll and XACT also supported the event.

Insync Corporate Health offered free blood pressure and cholesterol checks throughout the day and were able to provide specific advice and support to 35 delegates.

'VEEP' Business Forum – 7th November 2018 - Evaluation

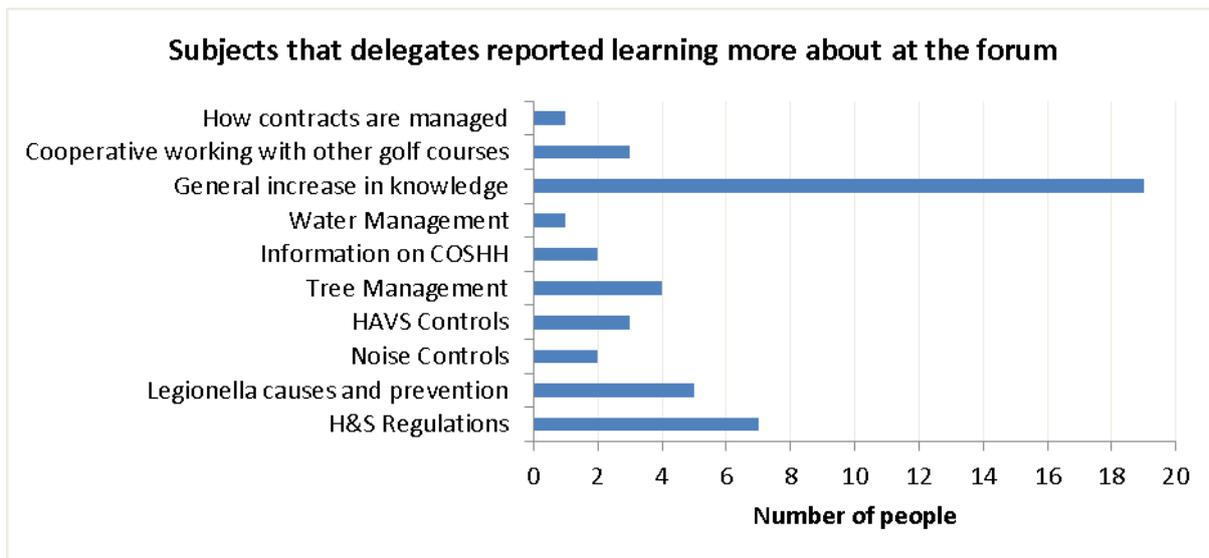
Every delegate was issued with an evaluation form at the close of the business forum; however, a number of golf courses elected to submit collective feedback instead of completing the form individually. A total of 44 evaluation forms were completed and returned by delegates, some of which included missing fields of information or multiple responses to questions.

Of the 44 evaluation forms returned, delegates confirmed that the main motives for attending the business forum were to increase knowledge of good health and safety practices; to keep up to date with the law; and to improve health and safety standards within the club they were working at.



All delegates reported that they had learnt something from attending the 'VEEP' forum, with 19/44 (43%) forms reporting an overall increase in health and safety knowledge. Delegates found the workshop sessions on tree management; noise at work; hand arm vibration and Legionella management to be particularly helpful and expressed an interest in attending more detailed training on these topic areas.

All delegates completing an evaluation form expressed an interest in attending further health and safety training workshops in the future.

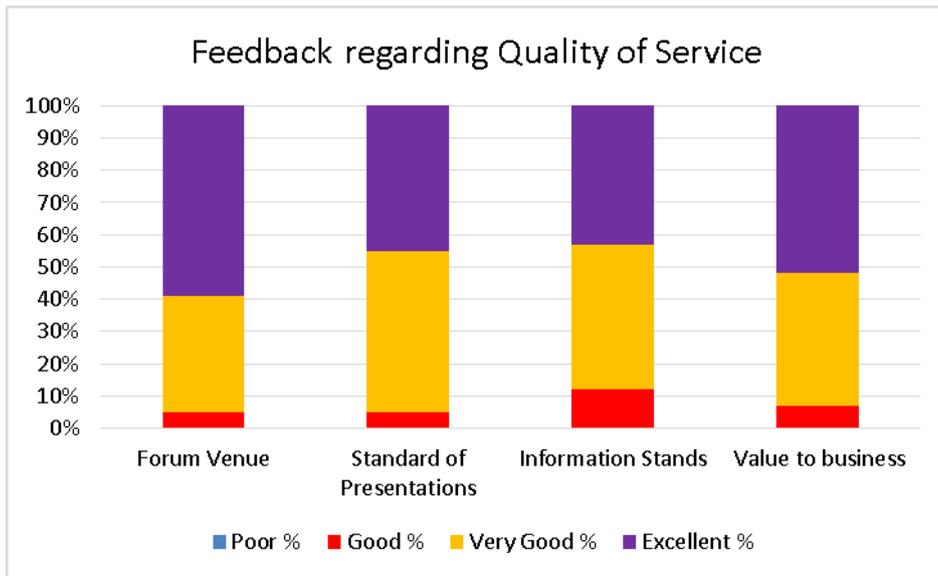


Of the 36 delegates who returned an evaluation form and responded to this question, 34 attendees (94%) reported that, as a consequence of attending the 'VEEP' business forum, they would be making changes to current health and safety arrangements at their business. Examples of what changes delegates intended to make are detailed in below.



No negative comments were received from delegates on the evaluation forms returned to SRS about the quality of the 'VEEP' forum.

- 95% of responders reported that the venue was either excellent or very good.
- 95% of responders reported that the standard of presentations in the workshops was either excellent or very good.
- 88% of responders found the information available on the exhibition stands to be either excellent or very good.
- 93% of responders found the 'VEEP' business forum to be of excellent or very good value to their business.



Comments included on the evaluation forms included:

“Found the course very good and learnt loads of helpful tips.”

“Excellent day, professional presenters.”

“Great event, good speakers with great knowledge.”

“Excellent run forums, very well managed with good time keeping throughout”

“Excellent course – thank you”

“Fab event”

“Very informative day”

Conclusion

The aims of this phased project intervention were to assess health and safety compliance levels in all golf clubs throughout SRS; secure improvements in health and safety compliance; and to support duty holders develop more robust management systems to achieve a more sustained level of compliance. These aims were in line with:

- HSE’s ‘Helping Great Britain Work Well’ strategy;
- SRS’s corporate priorities of ‘Improving Health and Wellbeing’ and ‘Supporting the Local Economy’; and
- SRS’s overall service aim of ‘To work with others to protect people’s health and safety by ensuring risks in the changing workplace are managed properly’.

The project intervention was generally well received by duty holders and engagement with club managers and green keeping staff was mostly positive. The 'VEEP' business forum was well attended, very well received and subject to very positive feedback from delegates.

The verification phase of the project identified that, in general, golf clubs were showing a greater commitment to health and safety matters than previously observed. Health and safety was now a standing agenda item at committee/management meetings, and the majority of clubs had arranged dedicated budgets for health and safety matters (*including PPE; training; replacement equipment*). A number of golf clubs had engaged the services of more sector-specific health and safety specialists, such as XACT, instead of using generalist consultants that could provide limited advice about golf-specific hazards and risks.

The project visits, engagement with the Golf Union of Wales, and 'VEEP' business forum also had a positive impact on the level of networking between local golf clubs. There were positive signs that golf clubs were behaving less like silos and were more prepared to share experiences and knowledge with their counterparts in neighbouring golf clubs. Managers and Head Green Keepers reported that the project visits had reinvigorated their focus on health and safety and provided a fresh impetus to review, and improve, site-specific procedures.

The project did identify that the majority of smaller golf clubs struggled to devote sufficient time and resources to develop, and review, health and safety management systems. As a consequence they were often slower to effect significant change. Frequent changes to key personnel, including green keeping staff and committee members, was found to negatively impact business resilience and the ability of a club to achieve a more sustained level of compliance with health and safety requirements. A number of committee run golf clubs were seeking to overcome this problem by re-allocating health and safety responsibilities to employees in more permanent positions so that a greater level of continuity could be achieved.

In conclusion, this phased health and safety project intervention successfully achieved its aims. The initial project visits enabled officers to successfully undertake an initial assessment of each club's health and safety management arrangements; the revisits and verification visits enabled officers to determine the level of improvements made by each club and take appropriate enforcement action to secure compliance with legislative requirements; and the 'VEEP' business forum enabled SRS to support its local golf clubs by facilitating engagement with experts in priority topic areas and encouraging the development of self-supporting networks.



South Wales Branch
Cangen De Cymru



thomascarroll
GROUP PLC



Health & Safety
Executive



Newport
CITY COUNCIL
CYNGOR DINAS
Casnewydd



ARBORICULTURAL
CONSULTANTS

mhp



SOUTH WALES
SAFETY CONSULTANCY
Health • Safety • Fire • Environmental



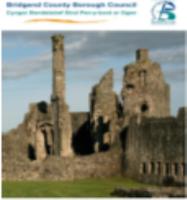
CELTIC MANOR
HOTELS, RESORTS, CONFERENCES



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Appendix 3 – Corporate priorities and outcomes of partner authorities

Bridgend County Borough Council	City of Cardiff Council	Vale of Glamorgan Council
		

Corporate Priorities

<ul style="list-style-type: none"> • Supporting a successful economy; • Helping people to be more self reliant; • Smarter use of resources 	<ul style="list-style-type: none"> • Working for Cardiff; • Working for Wales; • Working for the future; • Working for public services 	<ul style="list-style-type: none"> • Reducing poverty and social inclusion; • Providing decent homes and safe communities; • Promoting regeneration, economic growth and employment; • Promoting sustainable development and protecting our environment; • Raising overall standards of achievement; • Valuing culture and diversity; • Encouraging and promoting active and healthy lifestyles; • Safeguarding those that are vulnerable and promoting independent living.
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Corporate Outcomes

<ul style="list-style-type: none"> • Supporting a successful economy; • Helping people to become more self reliant; • Smarter use of resources 	<ul style="list-style-type: none"> • Cardiff is a great place to grow up; • Cardiff is a great place to grow older; • Supporting people out of poverty; • Safe, confident and empowered communities; • A Capital City that works for Wales; • Cardiff grows in an resilient way; • Modernising and integrating our public services. 	<ul style="list-style-type: none"> • An inclusive and safe Vale; • An environmentally responsible and prosperous Vale; • An aspirational and culturally vibrant Vale; • An active and healthy Vale.
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