VALE of GLAMORGAN
BRO MORGANNWG

Agenda Item: 9

Meeting of:	**Shared Regulatory Services Joint Committee**
Date of Meeting:	**Wednesday, 25 June 2025**
Relevant Scrutiny Committee:	Live Well Scrutiny Committee
Report Title:	Shared Regulatory Services Health and Safety Enforcement Service Plan 2025/26
Purpose of Report:	To seek approval for the Health and Safety Enforcement Service Plan for the Shared Regulatory Service for 2025/26
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:

- The report apprises 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 Services for 2025/26.

Recommendations

1. Approve the 2025/26 Health and Safety Enforcement Service Plan.
2. Authorise the Head of the Shared Regulatory Services to make administrative amendments to the 2025/26 Health and Safety Enforcement Service Plan should the need arise.

Reason 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 2025/26 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 2024/25 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. Climate Change and Nature Implications

4.1 As set out in 1.1 above, one of the key strategic themes for the Shared Regulatory Service is *Protecting the Local Environment*.

4.2 The SRS Business Plan articulates the work carried out under this theme to deliver on the corporate priorities for the participant Councils, including their ambitions to minimise climate change and impacts on the natural environment.

4.3 In this context, the Joint Committee is regularly updated on the contribution of SRS to this agenda, for example through its work in the areas of animal health and welfare, air quality, contaminated land, energy efficiency in the private rented sector and investigating greenwashing claims or environmental fraud.

5. Resources and Legal Considerations

Financial

5.1 The Participants' contribution towards the Shared Regulatory Service is recharged on a quarterly basis, based upon the approved budgets for 2023/24. Accounting for the full year is reported to the Committee at the Annual General Meeting.

Employment

5.2 There are no immediate employment implications associated with this report.

Legal (Including Equalities)

5.3 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.

6. Background Papers

- Appendix 1 - Draft Health and Safety Enforcement Service Plan 2025/26.
- The Shared Regulatory Services Business Plan 2025/26

Shared Regulatory Services

Health & Safety Enforcement Service Plan 2025/26

Health and Safety at Work

Shared Regulatory Services

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr BRIDGEND County Borough Council

CARDIFF CAERDYDD

VALE of GLAMORGAN BRO MORGANNWG

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Introduction

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

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 is produced in response to that requirement and is designed to inform the business community and wider audience of the arrangements in place across Bridgend, Cardiff and the Vale of Glamorgan to regulate health and safety in the workplace. It also illustrates 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.

The Plan is therefore designed to meet the Health and Safety Executive's national planning priorities *(as detailed in LAC 67(2) 2025-2026 work year)* and highlight how Shared Regulatory Services will target its available resources to optimise workplace health, safety and welfare standards across the 3 legacy Authority areas.

The plan will illustrate how the Service will meet the objectives of the Health and Safety at Work etc. Act 1974 to:

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

SRS was able to successfully complete a number of national and local priority health and safety project interventions during 2024/25, and engage with a range of different duty holders; however, the 2025/26 business year requires us to plan our work through a wider lens following the implementation of the new Welsh Government licensing scheme for special procedures on 29th November 2024. Whilst this new statutory function will present a significant and competing demand on existing resources, the Service remains committed to protecting and improving the health and safety of people across the region.

Christina Hill
Operational Manager - Health & Public Protection

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 enforcement activity in accordance with national guidance, and local level intelligence, to focus resources on higher risk work activities and poor performers.
- Support delivery of the HSE's National 10 year Strategy, "Protecting People and Places" https://www.hse.gov.uk/aboutus/assets/docs/the-hse-strategy.pdf
- 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, unions, safety representatives 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 removal notifications, statutory notifications for lifting equipment and pressure systems, licensing applications.

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 4). In developing our own strategic priorities for Shared Regulatory Services, we have considered the priorities of all three authorities, together with the needs and aspirations of our partners and customers, so they translate into priorities that meet local needs.

SRS priorities particularly relevant to the delivery of this plan are:-

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.

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.

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 HSE's LAC 67/2 document facilitates achievement of this objective.

Nationally the service also contributes to the **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

As a co-regulator of workplace health and safety, SRS remains committed to delivering services which focus on:

- Encouraging and recognising improvements whilst promoting a joined-up approach to minimise unnecessary burdens on businesses;
- Continuing to promote a risk-based, goal-setting regulatory regime;
- Working with key stakeholders to promote safer and healthier workplaces, 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;
- Taking a proportionate, risk-based approach to support better outcomes, innovation and the safe use of new technologies;
- Supporting the development and sharing of services, products and knowledge that contribute to improved management and control of risks;
- Continuing stakeholder engagement to ensure services and systems remain effective, efficient, appropriate and relevant.

As a public body, SRS is required to implement the key principles of the **Well-being of Future Generations (Wales) Act 2015** which seeks to ensure the needs of the present are met in a sustainable way by using the following ways of working:

- looking to the long term so not compromising the ability of future generations to meet their own needs;
- 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; and
- acting to prevent problems from occurring or getting worse.

Welsh Government requires Local Authorities to embody these principles as part of the strategic planning process.

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 650,000 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.

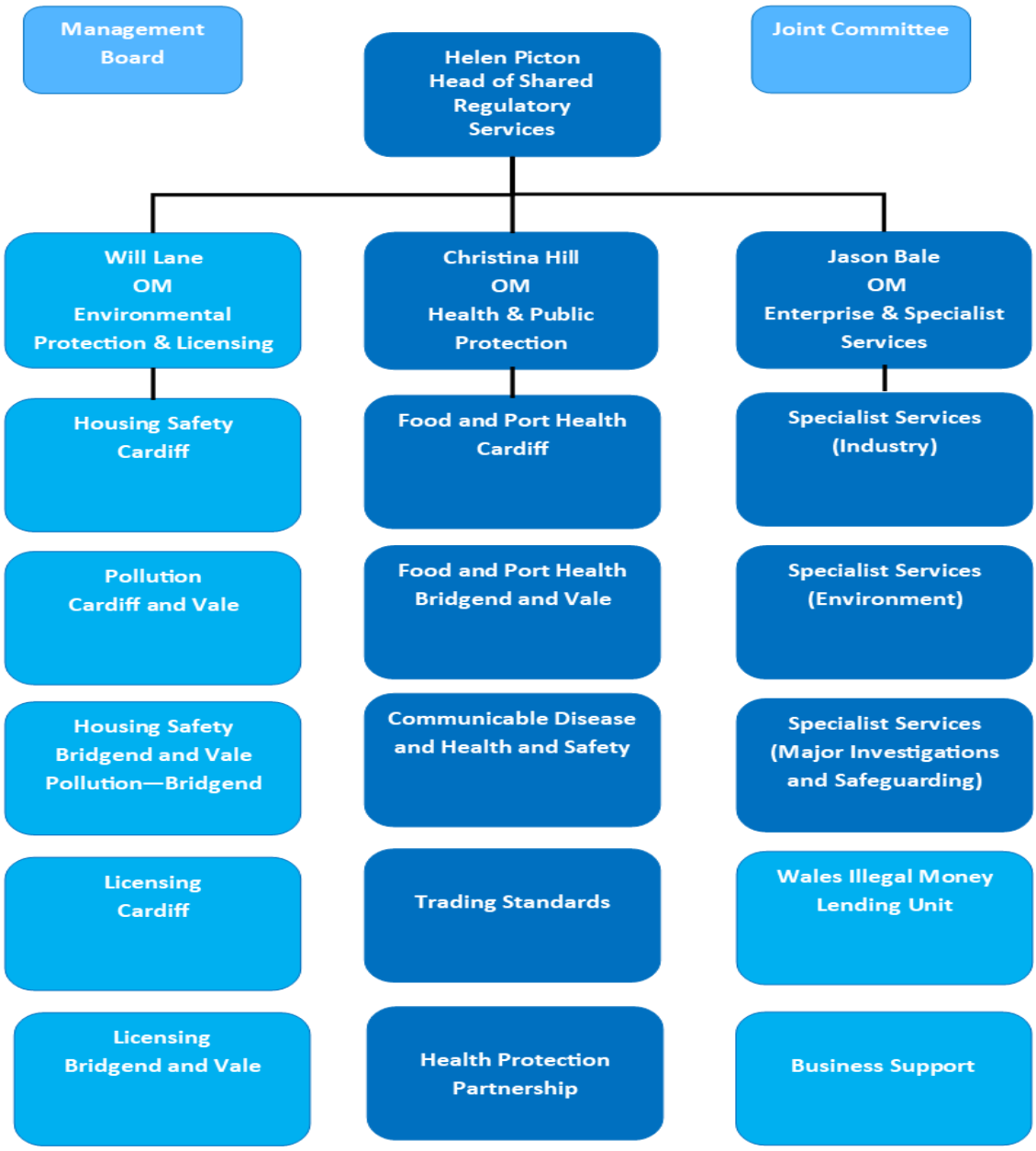
Cardiff is the capital city of Wales and is continuing to grow faster than any other capital city in Europe. In population terms, it is the largest city in Wales with a population of 360,000. Measures of population however, belies Cardiff's significance as a regional trading and business centre. The population swells by approximately 70,000 daily with commuters and visitors. Cardiff is the seat of Welsh 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 Principality 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 Health & Public Protection *(previously called 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. Health & Public Protection deals 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. There are approximately **9,908** premises across the region that require a range of health and safety interventions such as inspection, survey, monitoring, advice and enforcement. Activities are categorised as either reactive or proactive. The full scope of the health and safety service includes:

Reactive

- Investigating reported accidents, occupational diseases and dangerous occurrences;
- Responding to complaints and requests for service;
- Permissioning activities including special procedures licensing, asbestos removal work and statutory examination reports;
- Responding to consultations from Licensing, Planning, and Building Control;
- Providing advice and information to new businesses;
- Securing safety standards at outdoor sporting, cultural and entertainment events through the Events Liaison Panel and ESAG structure;
- Prioritised and targeted health and safety promotional campaigns.

Proactive

- Planned health and safety interventions which focus on national priority topic areas;
- Undertaking targeted initiatives informed by local intelligence and consideration of risk and confidence in management;
- 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; Commissioning Teams; Local Health Boards; Public Health Wales; Care Inspectorate Wales.
- 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 promoting consistency between enforcers, for sharing good practice and information, and raising particular concerns and challenges with wider agencies. The main liaison arrangements are as follows:

- Working in partnership with HSE, including attendance at national HELA and Practitioner Forum meetings;
- Participation in the Directors of Public Protection Wales (DPPW) Regional Liaison Group via Environmental Health Wales;
- Participation in the South East Wales and South West Wales Health and Safety Task Groups;

- Participation in the All-Wales Health and Safety Expert Panel *(SRS currently fulfils the role of Chair and co-Secretary)*;
- 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, Social Services 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

Whilst all 3 Local Authority areas include regional hubs which operate office hours from Monday to Friday, the health and safety enforcement service is primarily delivered by Officers following a hybrid working model. Weekend and out-of-business hour duties are carried out as the need arises. The service also operates an out-of-hours duty officer scheme for emergency situations.

SRS.wales
Tel: 0300 1236696

@SRS_Wales

http://www.srs.wales

Bridgend

Civic Offices
Angel Street
Bridgend
CF31 4WB

Normal offices hours:
Monday to Thursday: 8.30am to 5.00pm
Friday: 8.30 am to 4.30pm

Cardiff

Level 1
County Hall
Cardiff
CF10 4UW

Normal office hours:
Monday to Thursday: 8.30am to 5.00 pm
Friday: 8.30 am to 4.30pm

Vale of Glamorgan

Civic Offices
Holton Road
Barry
CF63 4RU

Normal offices hours:
Monday to Thursday: 8.30am to 5.00pm
Friday: 8.30am to 4.30pm

Responsibility

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

Team	Responsibility
Health and Safety Enforcement Team (Health & Public Protection)	Health and Safety proactive inspections and project interventions
	Investigation of complaints and service requests
	Investigation of accidents; occupational diseases & dangerous occurrences
	Investigation of workplace fatalities
	Permissioning activities *(as detailed above)*
	Business engagement and partnership working

	Targeted promotion and education with businesses
Trading Standards Teams	Firework and explosives safety Product safety
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
	Primary Authority partnership work
	Petroleum licensing
Major Investigations and Safeguarding	Assisting with major investigations as necessary

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, which came into effect on 6th April 2014, and the regulatory principles required under the Legislative and Regulatory Reform Act 2006.

With the intention of improving the effectiveness and efficiency of enforcement activities, the Regulators' Code is based on 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

Resourcing and Service Delivery – We continue to deliver the SRS in a climate of on-going financial cuts to Local Government services, requiring us to be increasingly creative and innovative in how to effectively meet the needs of customers across the 3 legacy Authority areas. The Health & Safety Service will continue to explore opportunities for collaborative working, with both internal and external partners, in the year ahead to optimise efficiencies and maximise the impact of deliverable outcomes. This commitment will be at the heart of the 3-year retail intervention to be scoped out during 2025/26.

Service delivery continues to be impacted by staff recruitment and retention challenges within the SRS, reflective of the national landscape across Environmental Health. SRS is committed to opening up opportunities for recruitment into the profession by actively supporting the Level 4 Regulatory Apprenticeship Scheme for Wales, in addition to supporting staff complete higher level, and technical, educational qualifications that will enhance their existing roles.

The new financial year will require SRS to review and dynamically adapt its service delivery model to ensure that the needs and priorities of service users can continue to be managed effectively and in a meaningful way.

On-going Impact of New Legislation – The implementation of special procedures licensing in Wales on 29th November 2024 has required the SRS to prioritise this new statutory duty to ensure all premises and practitioners are issued with their approval certificates and personal licences within the 9 month transition period. As predicted, this created a 3-fold increase in applications during February and March 2025, and it is anticipated a similar spike will be repeated in July and August 2025. It is further expected that the Service will be required to issue a significant number of enforcement notices from 1st September 2025 to stop businesses and practitioners performing defined skin piercing treatments where the requisite permissions have not been obtained, thus creating an added burden of work for the Service.

Cost of Living Challenges – The UK economic climate continues to remain challenging for businesses across the board, but even more acutely at a micro level. Duty holder reluctance to prioritise spending on pre-planned maintenance, and invest in staff training and development, could have a profound and long-term negative impact on workplace health and safety standards. Ultimately this may require the Health and Safety Service to investigate a higher number of complaints and accidents, and take escalated enforcement action, over the forthcoming year.

New Sectors and Diversification of Activities – In response to cost of living challenges, businesses are increasingly diversifying their activities to maximise opportunities to generate revenue. It is not uncommon for such new activities to be inadequately planned and risk assessed, thus exposing customers to greater risks of harm. This trend has been particularly prevalent in the farming sector, where diversification into leisure activities has become popularised *(e.g. glamping, wedding venues, leisure activities, animal petting & feeding, pumpkin picking),* creating enforcement challenges where the 'main activity' is no longer clearly defined. Similar enforcement challenges have emerged when dealing with significant concerns associated with the aesthetics industry, a rapidly burgeoning sector with a lack of specific legislative controls available to enforcement officers.

3. Service Delivery

3.1 Intervention Plan

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

- National Local Authority Enforcement Code and
- Local Authority Circular (LAC) 67/2 – 2025/2026 Work Year, "Setting Local Authority Priorities and Targeting Interventions for 2022/2026"

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 (2025-2026) provides guidance under Section 18 of the Health and Safety at Work etc. Act 1974 and gives LAs a steer 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 is embodied in the National Code and LAC 67/2 (2025-2026), 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 are detailed within this business plan.

- **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 (non-face-to-face)** to educate, advise or engage duty holders, employees or other bodies such as trade associations e.g. raising health and safety awareness by providing information packs or mail shots.

Previous interventions have included:

- Delivery of Level 2 health and safety training courses
- Paid for advice visits to support local businesses
- Mail shot self-assessment questionnaires to organisations

Matters of evident concern - when visiting premises, officers are able to consider any observed 'matters of evident concern' that may be beyond the initial scope of the visit. Where additional health and safety issues are identified that could present a foreseeable risk of serious personal injury or illness, the scope of the visit can be widened to include whatever aspects of workplace health and safety are 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.

Accident and Incident Investigation

All reportable notifications received are assessed against specified criteria in the SRS Accident Notification and Investigation Procedure, which has regard to the HSE incident/accident selection criteria in LAC 22/13, to ensure an evidence-based approach is used to prioritise which reports are subject to further investigation. This ensures resources are targeted on those work activities presenting the highest level of risk, where the most vulnerable members of our community are being negatively impacted and where the Service can achieve the greatest regulatory impact. 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 achieving a successful outcome.

Advice to businesses

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

- Discussions with duty holders during site visits.
- Responding to permissioning activities.
- Responding to complaints and service requests.
- Preparation and dissemination of leaflets, posters and newsletters.
- Provision of training.
- Representing the Service at business seminars.
- Participation in national events such as European Health and Safety Week.
- Maintaining the Shared Regulatory Services website.

3.2 Intervention Plan 2025/2026

An intervention plan confirming the programme of interventions for 2025/2026 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 (2025-2026), 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 further considers staffing levels, existing competencies and resources available within the Communicable Disease, Health and Safety Enforcement Team for 2025-2026. The plan recognises the need to prioritise the completion of special procedures licensing compliance visits during the initial 9 month transition period, and enforcement action that is likely to be necessary where practitioners have failed to apply for a new personal licence and premises approval certificate after the end of August 2025.

Intervention Plan 2025 -2026						
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/ Trades Unions, and investigate in accordance with Accident Investigation Policy.				
2.	Complaint investigation	Receive and investigate all complaints (including service requests and 'matter of evident concern' referrals) 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 activities, statutory examination reports, and asbestos removal notifications in a timely and effective manner.				
Proactive inspections – national priority projects		**Activity detail**	**Target No. of premises**			**Total no. of inter-ventions**
			B	**C**	**V**	
1	Carbon Monoxide poisoning in commercial catering establishments.	The risk of Carbon Monoxide poisoning associated with the use of faulty and poorly installed solid fuel, natural gas and LPG fuelled cooking appliances in commercial catering establishments is listed as an area of work	10	10	10	30

		suitable for proactive inspection in Annex B of LAC 67/2 for 2025/2026. The Service had to prohibit the use of several appliances categorised as immediately dangerous during 2024/25, and continues to receive referrals from Food Safety colleagues about poorly maintained gas appliances. The Service will continue to undertake proactive inspections of commercial catering establishments during 2025/26 to ensure risks to both employees and non-employees are being effectively mitigated.				
2.	Legionella management – cooling towers	Shared Regulatory Services has seen an increase in reported Legionella cases in 2024/25, and the management of Legionella in cooling towers located in built-up areas has been included in Annex A of LAC 67/2 for 2025/2026. In 2021-22, duty holders were required to complete and submit a self-assessment questionnaire, so focus for 2025/26 will be the completion of site visits to ensure the risk of exposure is being effectively controlled.	-	2	-	2
Proactive inspections – local intelligence led projects		**Activity detail**	**Target No. of premises**			**Total no. of interventions**
			B	**C**	**V**	
	N/A	N/A	N/A	N/A	N/A	N/A
Non inspection led interventions - National Priorities		**Activity detail**	**Target No. of premises**			**Total no. of inter-ventions**
			B	**C**	**V**	
1.	Managing the risk of exposure to biological hazards *(E.coli and Cryptosporidium)* in open farm and animal visitor attractions.	This area of work continues to be included in both Annex A and B of LAC 67/2 for 2025/2026. Shared Regulatory Services has seen an increase in reported Cryptosporidium and E.coli cases during 2024/25, and is aware of a significant outbreak of Cryptosporidium at an open farm in a neighbouring LA area. Inspections of these premises were undertaken in 2021/22, so the **focus for 2025/26 will be the distribution of educational material via a targeted mail shot to signpost duty holders to a range of resource materials to support improvements at the start of the animal handling season.**	N/A	N/A	N/A	N/A
2.	Managing health risks to employees working in the retail sector.	In 2025/26, the Service will **commence scoping out a 3-year intervention focused on key themes in the retail sector: violence and aggression at work; mental health & wellbeing; musculoskeletal disorders (MSDs).** Currently awaiting additional data from HSE to inform the targeting of this piece of work but will align SRS with priority areas of work currently on-going by HSE and provide a focus on health-related topics, as required by the document LAC 67/2 – 2025/2026 work year.	N/A	N/A	N/A	N/A

Non inspection led interventions – Local intelligence led		Activity detail	Target No. of premises.			Total no. of inter-ventions
			B	C	V	
1.	Managing the risks of exposure to biological hazards in barber shops across the SRS region.	2025/26 will see a continuation of engagement with barbers across the SRS region to cascade in-house educational material about infection prevention and control arrangements, particularly with regard to Ringworm infection.	N/A	N/A	N/A	N/A

The content of the Intervention Plan is reflected in the Service's Action Plan 2025/26 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 2025/26 is included in the Service budget and is considered adequate 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, Health & Public Protection x 1	Public Protection including the management of health and safety.	0.2
Team Manager x 1 (Equal split between health and safety and communicable disease functions)	Communicable Disease, health & safety.	0.5
Team Manager x 1 (Industry)	Management of the health and safety aspects delivered by the Enterprise & Specialist Services (Industry) Team	0.1
Environmental Health Officer posts x 7 4 EHO posts are full time - equal split H&S:CD 1 EHO post is full time and has a 20:80 H&S:CD split 2 EHO posts are full time (100% H&S) – 1 post currently vacant	All aspects of health and safety enforcement (plus communicable disease work)	4.2
Environmental Health Officers x 2 (Industry) Both officers are part time and make up 1 FTE post	Health and safety enforcement (large events), advice and training.	1.0
Environmental Health Officer x 1 (Major Investigations Team)	Provides assistance with major health and safety investigations, as necessary	0.1

Environmental Health Technical Officer post x 1	Primarily health and safety enforcement work (plus communicable disease work as necessary).	1.0
Business Support Officer	Administrative support.	0.2

The Communicable Disease, Health and Safety Team starts the 2025/26 business year carrying 1 vacant full-time post which presents a significant resource challenge for a small team tasked with delivering two discrete areas of work.

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 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 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 through regular performance reviews where line managers and employees identify and agree performance and learning objectives to support training and development needs. Officers are also expected to satisfy the annual Continual Professional Development requirements of their accredited professional organisation and are supported to achieve this.

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

- Subscription to relevant databases and documents *(e.g. BSI, UKLPG Codes of Practice)*
- HSE engagement via the Enforcement Liaison Officer function
- Access to both internal and external specialist services.

Shared Regulatory Services operates systems to appoint, authorise, train, monitor and maintain a competent inspectorate. The Service ensures that competency is secured by appointing appropriately qualified personnel to health and safety enforcement duties, and supporting the development of officers in that role. 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. The on-going development of officer knowledge, confidence and skills is supported through the provision of project-specific training, completion of relevant educational qualifications *(e.g. NEBOSH, Master Degree qualifications)*, legal training, and team working.

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 promote quality and consistency in the work delivered by Shared Regulatory Services, relevant processes, procedures and work instructions for health and safety enforcement activities are produced and held electronically. Periodic internal audits enable documented procedures to remain relevant and appropriate, and to ensure work instructions are being implemented correctly.

Assessment and audits

Monitoring of the implementation of our policies and procedures is undertaken in a number of ways:

- All proactive health and safety projects include officer training followed by a shadow visit with a more experienced colleague and a validation visit to assess consistency of approach and technical knowledge.
- Review of completed visit forms and letters for proactive and reactive work on the Tascomi database.
- Review of officer work via monthly reporting of performance information for the team.
- 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

To ensure the work of the Health and Safety Service successfully meets the key strategic goals of the organisation, it is essential that performance is regularly monitored. Shared Regulatory Services has performance management arrangements in place throughout its hierarchy as illustrated below.

- The Joint Committee for the Shared Regulatory Service approves this Service Plan which sets out the work programme for the Health and Safety Service, and reviews performance against the programme on an annual basis.

- The Joint Committee for the Shared Regulatory Service additionally monitors how the work of the Service is aligned with, and meets, key organisational strategic priorities on a quarterly basis.
- Performance of the Health and Safety Service is reviewed monthly at team meetings, communicated to Senior Management via monthly performance reports, and discussed at fortnightly Team Manager meetings.
- Team meetings facilitate the effective management of project interventions and provide an opportunity to maximise staff engagement and collaboration in their development and delivery.
- Performance of all staff is further strengthened and supported through the Personal Development Review Scheme, #Itsaboutme.

Performance and activity measures

The Health and Safety Service uses the Tascomi database to record details of premises, inspections (visits), complaints and other activities, which can be used to inform the targeting of priority work and development of the annual work plan.

Each April/May a new service plan is prepared which confirms the work of the Health and Safety Service for the forthcoming business year to reflect the national planning priorities detailed in the latest iteration of LAC 67/2, and initiatives based on local level intelligence. Each project and intervention will be assigned a target number of visits for Officers to complete, enabling performance to be monitored. The service plan also reflects on the business year just ended to report on its successes, challenges and achievements against agreed performance targets.

The following sections confirm what work streams were successfully completed by the Health and Safety Service throughout the 2024/25 business year.

Programmed Inspection led interventions

In terms of performance targets, the benchmark for success is completion of at least 90% of all planned national, and local intelligence, inspection-led interventions for the business year. In 2024/25 the Health and Safety Service was able to exceed this KPI, despite pausing the 'work at height in retail' intervention, by completing some other areas of work not originally included in the 2024/25 plan. Full details on interventions completed is illustrated in the table on pages 23 to 26.

Service committed to delivering 75 programmed inspection led interventions in 2024/25, and completed 104 (139%)

Programmed Non-inspection led interventions

In terms of performance targets, the benchmark for success is completion of at least 85% of all planned national, and local intelligence, non-inspection led interventions for the business year.
The Health and Safety Service was able to fully achieve this area of its planned work.

Service committed to delivering 8 programmed non-inspection led interventions and completed 19 (238%)

LAE1 – Local Authority Health and Safety Annual Return – Under the Code, all Local Authorities are required to ensure that they have a means of monitoring, capturing and sharing health and safety intervention, enforcement and prosecution activity. This information must be made available to HSE via the annual LAE1 return which allows the preparation of national data. The LAE1 is limited to the capture of occupational health and safety regulatory activity required by HSE and is recorded in a standardised format. Comparative information on enforcement and health and safety activity over recent financial years can be found on the next page.

Business feedback

Feedback via Microsoft Forms is sought from all customers of Shared Regulatory Services so we can understand what we did well, what we could do better, and what difference we have made. Whilst feedback is not received on a regular basis, it was hugely gratifying to know that we had made such a positive impact on the customer below.

I just wanted to thank you really sincerely for all the work you did to so thoroughly investigate my enquiry about the [business] near Bridgend and the injury my son sustained there. I was so impressed by your professionalism, compassion and efficiency, and felt very reassured by your report. It really made a difference! With many thanks again, hugely appreciated.

Intervention Plan - Activities 2024/2025

The 2024/2025 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 2024/2025, **9,908** businesses within SRS were logged on the Tascomi database as falling under the Local Authority remit for health and safety enforcement.

- Bridgend **2,341** (24%)
- Cardiff **5,641** (57%)
- Vale of Glamorgan **1,926** (19%)

The following table provides a summary of enforcement activity during the last 4 years across Bridgend, Cardiff and the Vale of Glamorgan.

Type	2021/22			2022/23			2023/24			2024/25		
	B	C	V	B	C	V	B	C	V	B	C	V
No. of workplaces.	**2561**	**5729**	**1946**	**2544**	**5693**	**1935**	**2525**	**5591**	**1918**	**2341**	**5641**	**1926**
Total No. of proactive interventions	**3590**	**964**	**1600**	**254**	**450**	**317**	**146**	**170**	**108**	**131**	**178**	**133**
No. of proactive intervention visits	3525	876	1506	35	73	32	46	42	34	42	42	31
No. of non-face-to-face interventions*	54	68	84	208	362	275	76	92	53	77	119	84
No. of other face-to-face contacts**	11	20	10	11	15	10	24	36	21	13	18	17
Total No. of reactive visits	**701**	**559**	**587**	**103**	**316**	**86**	**121**	**354**	**104**	**121**	**422**	**98**
No. of accident and complaint/service request visits	674	485	563	48	182	35	56	213	54	39	151	34

No. of Permissioning requests	27	70	23	48	116	45	51	122	43	73	214	54
No. of revisits	0	4	1	7	18	6	14	19	7	9	57	10
No. of formal cautions	0	0	0	0	0	0	0	0	0	0	0	0
No of H&S improvement notices	0	0	0	1	4	1	3	22	4	3	27	3
No. prohibition notices	0	0	1	0	2	0	1	5	0	2	7	0
No. of prosecutions	0	0	0	0	2	0	0	0	0	0	2	0

* Includes desk top assessments; provision of advice by phone or email; responding to FOI requests; mailshots.

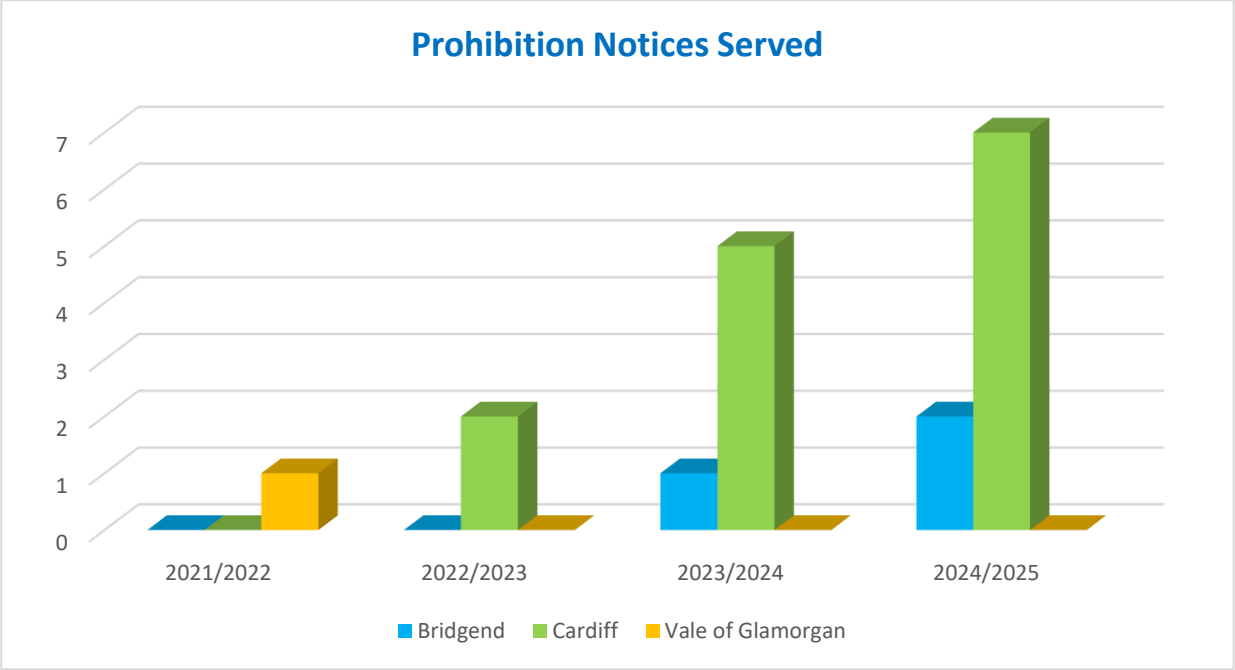
** Includes provision of training/education; attendance at ESAG/ELP meetings and outdoor events; Primary Authority work; paid for advice visits; business forums; other visits not falling within scope of a proactive intervention visit.

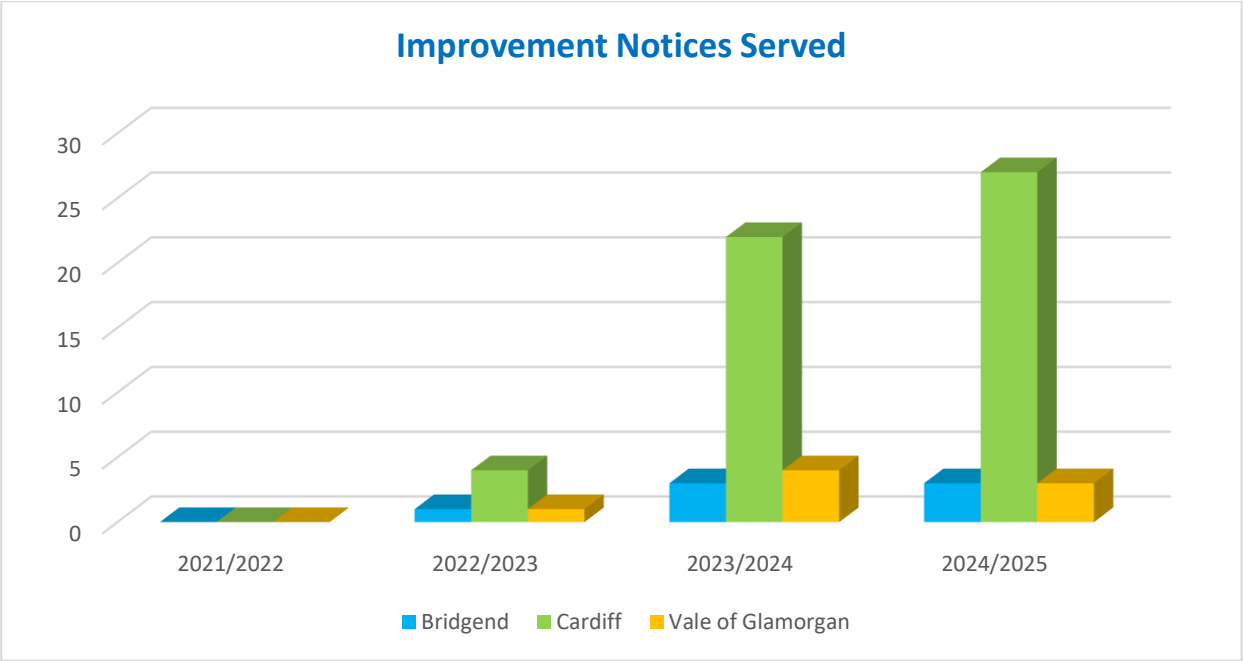
Total number of reactive visits = accidents/complaints/service requests/permissioning requests/revisits

Nine (9) health and safety Prohibition Notices were served during 2024/25 – x5 to prevent the use of unsafe commercial catering appliances, x2 to prevent the use of a diesel generator inside a children's soft play centre, x1 to prevent the use of indoor electrical equipment in an outdoor environment, and x1 to prevent a fall from a height in a takeaway premises.

Thirty three (33) health and safety Improvement Notices were served during 2024/25 requiring duty holders to make improvements to:

- The maintenance of their commercial gas appliances,
- The construction and maintenance of electrical systems,
- Control measures for working at a height,
- Inadequate maintenance and inspection of storage racking in warehouse facilities,
- The maintenance of premises being used as workplaces,
- The management of asbestos containing materials,
- An inadequate assessment of risks associated with specific work activities.





The Intervention Plan table illustrated below provides specific details on how the team performed against targeted planned work in Bridgend, Cardiff and Vale of Glamorgan throughout 2024/2025.

Intervention Plan 2024-2025		
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; other enforcement agencies or members of the public and investigate in accordance with the SRS Accident Investigation Policy. **A total of 50 notifications were investigated during 2024/2025 in accordance with the accident investigation procedure: Bridgend (6); Cardiff (38); Vale (6).** A total of **202** RIDDOR notifications were received between 01/04/24 and 31/03/25 – Bridgend (35); Cardiff (144) and Vale (23).
2.	Complaint / Service Request 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 330 complaints/service requests/referrals were followed up during 2024/2025: Bridgend (66); Cardiff (206); Vale (58)** Complaints and service requests also include smoke-free complaints, the investigation of matters of evident concern referrals, and responding to requests for advice.
3.	Permissioning Activities	Respond to licence applications for skin piercing registration/licensing activities, statutory equipment/plant reports, and asbestos notifications in a timely and effective manner. **A total of 341 permissioning requests were dealt with by Officers during 2024/2025: Bridgend (73); Cardiff (214); Vale (54).** **73 (21%) of these applications were skin piercing registration requests (under 1982 Act) which require at least 1 Officer visit: Bridgend (20); Cardiff (41); Vale (12).** **204 (60%) of these applications were skin piercing licensing applications, which require at least 1 Officer visit: Bridgend (42); Cardiff (127); Vale (35)** Petroleum and firework/explosive visits are also included in this category.

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 2024/2025, a total of 32 ESAG/ELP meetings were attended by Officers (Bridgend 11; Cardiff 10; Vale 11).** **No actual events were visited and monitored for health and safety compliance.** **116 desk top exercises for other events were conducted (Bridgend 40; Cardiff 25; Vale 51). 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.	All applicable explosive storage premises.	Inspect all applicable premises that store explosives including fireworks.	-	4	-	22	-	3
2.	Petroleum storage premises.	Inspect all premises that store petroleum or have stored petroleum.	-	3	-	8	-	4

Project based activity – National projects		Activity Detail	No. of premises					
			Bridgend		Cardiff		Vale	
			T	A	T	A	T	A
1.	Electrical safety in hospitality settings	Annex A of LAC 67/2 (rev 13) continues to include this priority topic to improve standards of compliance across the hospitality sector. The continuation of this premises in 2024/25 is informed by the outcome of visits undertaken in 2023/24 and will see a focus on nightclub venues that are independently operated.	10	**10**	10	**13**	10	**10**
2.	Health and safety in warehousing and wholesale storage facilities	This intervention will focus on traffic management, work at height (including racking safety) and manual/mechanical handling which satisfy several criteria specified in Annex B of the current LAC 67/2 (rev 13) document. This intervention has also been informed by the outcome of visits undertaken during the 2023-24 business year, with a focus on independent operators.	5	**13**	5	**12**	5	**6**
3.	**Gas safety in commercial catering *(additional intervention)***	Gas safety in commercial catering premises continued to be an Annex A priority topic area in LAC 67/2 (rev 13). Whilst this area of work was not initially targeted for 2024/25, proactive interventions were undertaken where significant concerns were noted following referrals from other teams. A delay in the implementation of special procedures licensing also provided an opportunity for the Service to undertake additional proactive interventions.	-	**11**	-	**7**	-	**9**

Project based activity – Local projects		Activity detail	No. of premises.					
			Bridgend		Cardiff		Vale	
			T	A	T	A	T	A
1.	Safety associated with planned and unplanned working at a height in larger retail park shops.	This proactive intervention is led by local level intelligence – complaints about unsafe working practices at a height and a recent fatality in Newport. The intervention will focus on out-of-town retail parks and premises that would not normally be subject to proactive interventions. Emphasis on confirming how planned and unplanned works are undertaken at a height (e.g. cleaning, maintenance and repair, re-merchandising), both in-house and through third party contractors.	10	4	10	2	10	4
2.	**Sunbed safety *(additional intervention)***	Further to the local intelligence led project completed by SRS in 2023/24, the Service became aware of 2 new facilities that had opened in the SRS area. Whilst this area of work was not initially targeted for 2024/25, a delay in the implementation of special procedures licensing also provided an opportunity for the Service to undertake additional proactive interventions.	-	1	-	1	-	-
3.	**Indoor leisure and soft play facilities *(additional intervention)***	Further to the local intelligence led project completed by SRS in 2022/23, the Service became aware of a new facility that had opened in the Cardiff area. Whilst this area of work was not initially targeted for 2024/25, a delay in the implementation of special procedures licensing also provided an opportunity for the Service to undertake additional proactive interventions.	-	-	-	1	-	-
Non Inspection led interventions – National Priorities		**Activity detail**	**No. of premises.**					
			Bridgend		Cardiff		Vale	
			T	A	T	A	T	A
1.	Health risks associated with exposure to lead in indoor firing ranges and gun clubs.	Annex B in LAC 67/2 (rev 13), which lists activities and sectors suitable for proactive inspection, includes lead poisoning hazards associated with indoor firing ranges and gun clubs for the first time. This has not historically been flagged as a significant issue in the SRS area so 2024/25 will focus on identifying facilities across the region and communicating key messages about effective air extraction, adequate hand washing facilities, and correctly managed cleaning procedures. This initial exercise will inform the need for future proactive inspections.	4	4	1	1	3	3

Non Inspection led interventions – Local Intelligence Led		Activity detail	No. of premises.					
			Bridgend		Cardiff		Vale	
			T	A	T	A	T	A
1.	Managing the risk of exposure to biological hazards in barber shops across the SRS region.	The past 12 months has seen an increase in the number of concerns raised about Ringworm infection in children associated with the current trend for fades haircuts. 2024/25 will see a continuation of engagement with barbers across the SRS region to cascade in-house educational material about infection prevention and control arrangements.	N/A	3	N/A	6	N/A	2

Numbers shown in red reflect actual inspection numbers being lower than predicted. The local intelligence-led intervention to review planned and unplanned work activities at a height in larger retail park outlets had to be paused in Quarter 4 as a consequence of the introduction of special procedures licensing work on 29th November 2024; a new statutory duty without additional Welsh Government funding to support effective delivery alongside existing enforcement work. Since standards of compliance were not as poor as initially anticipated, a decision was made not to complete all remaining visits since there was a lack of evidence base to justify its continuation. This approach is aligned with the expectations of HSE to ensure the effective targeting of resources.

Reactive Interventions

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

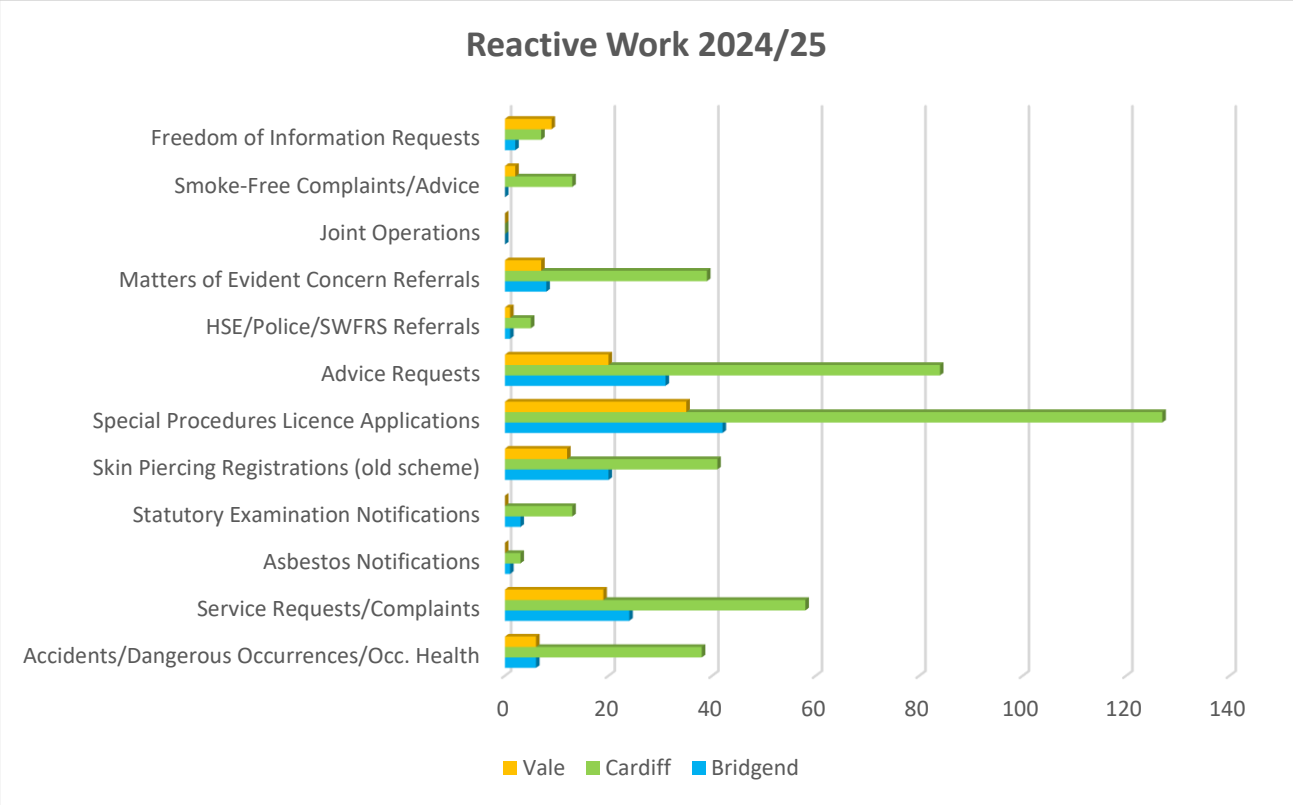
Accidents, Complaints and Service requests

Officers investigated a wide range of complaints/service requests and accidents during 2024/25, which included:

- Electrical systems – lack of maintenance and inspection, and use of electrical systems not adequately protected from adverse conditions.
- Gas safety in catering – poor maintenance of equipment, continued use of equipment classified as immediately dangerous, use of gas equipment with inadequate ventilation.
- Use of catering equipment without appropriate guarding in place.
- Slips, trips and falls to both employees and non-employees
- Significant injuries to younger members of the public at indoor trampoline parks, indoor soft play centres and indoor parkour facilities.
- Workplace traffic management concerns, including fork lift truck collisions and people being struck by reversing vehicles.
- Risk of carbon monoxide poisoning – use of a diesel generator inside a fully enclosed childrens' play area, ventilation concerns in an indoor karting facility.

All of the above were fully investigated by Authorised Officers, with appropriate enforcement action being taken which ranged from formal written warnings to formal departmental warnings.

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, and now licensing, 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.



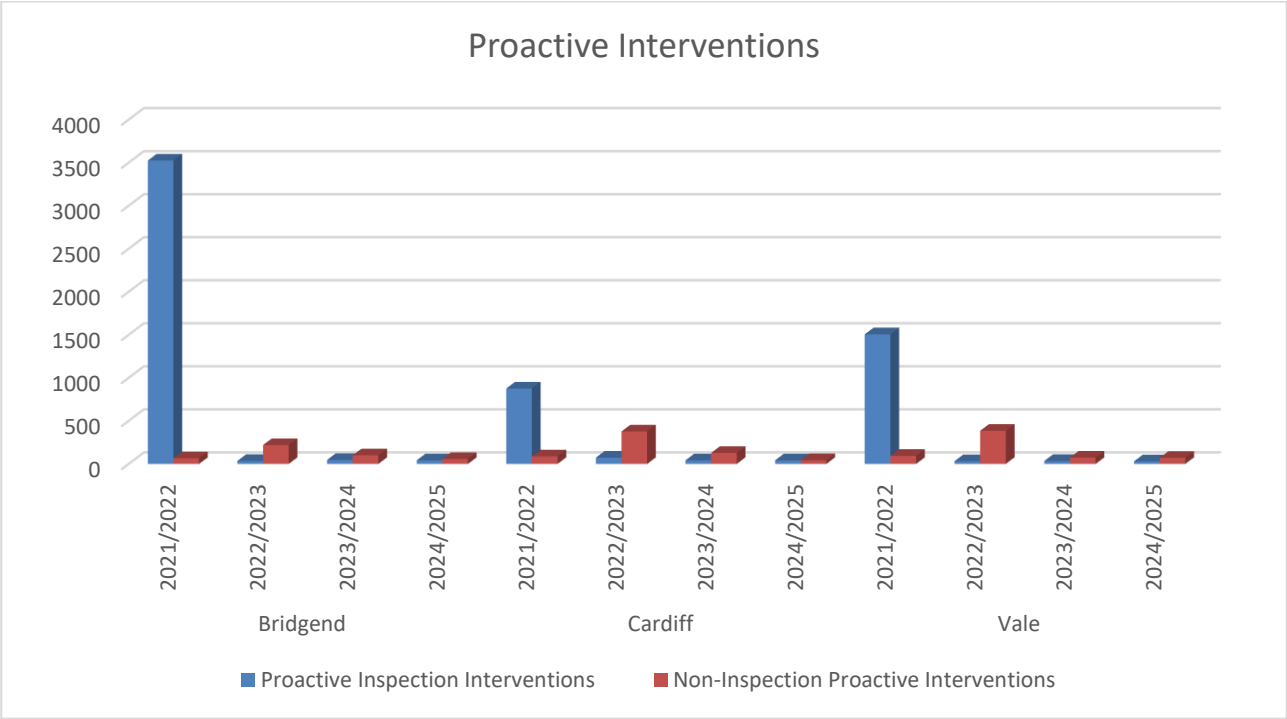
Proactive Interventions

Proactive Interventions include **proactive inspection-led interventions (projects)**, which are either local intelligence led or based on national priority topic areas, and **non-inspection led proactive interventions** which both face-to-face interventions *(including the provision of training/education, attendance at event safety liaison groups, primary authority engagement work, and chargeable advice visits)* and non-face-to-face interventions *(including desk top assessments, targeted mail shots based on national priority themes and local intelligence, production and dissemination of themed in-house guidance).*

The graph below compares the number of proactive interventions in Bridgend, Cardiff and Vale of Glamorgan for 2024/25 against the number of proactive interventions for the previous 3 financial years *(visits made in relation to petroleum and explosives are excluded since they are not in-scope of the annual LAE1 return and are classified as permissioning visits for the purpose of this Service plan).*

The figures for 2021/22 include proactive interventions undertaken during the COVID-19 pandemic, whereas the results for 2022/23 and 2023/24 are more reflective of a return to 'business as usual' for Shared Regulatory Services. Numbers of proactive interventions were impacted during Quarter

4 of the 2024/25 business year following the implementation of the new, all-Wales special procedures licensing regime.



Proactive Project Inspections/Visits

115 businesses (Bridgend: 42; Cardiff: 42; Vale: 31) received proactive, face-to-face health and safety interventions in the following topic areas during 2024/25:

- Gas safety in commercial catering premises.
- The management of health and safety in warehousing ('Safe Estates')
- Electrical safety in hospitality venues.
- UV tanning equipment (also included electrical safety and the control of exposure to biological hazards).
- Health and safety compliance in indoor soft play facilities.
- Controlling exposure to biological hazards in barber shops.

These projects were targeted initiatives aligned with national planning priorities detailed in LAC 67/2 (revision 13) and local intelligence, details of which are included in the next section and within Appendices 2 and 3.

Electrical Safety in Hospitality (Phase 2) – Improving health and wellbeing

See full report in Appendix 2

Management of Health and Safety in Storage and Distribution Warehousing ('Safe Estates') – Phase 2 – Improving health and wellbeing

See full report in Appendix 3

Pilot Assessment of Planned & Unplanned Work at a Height in Retail Park Premises – Improving health and wellbeing

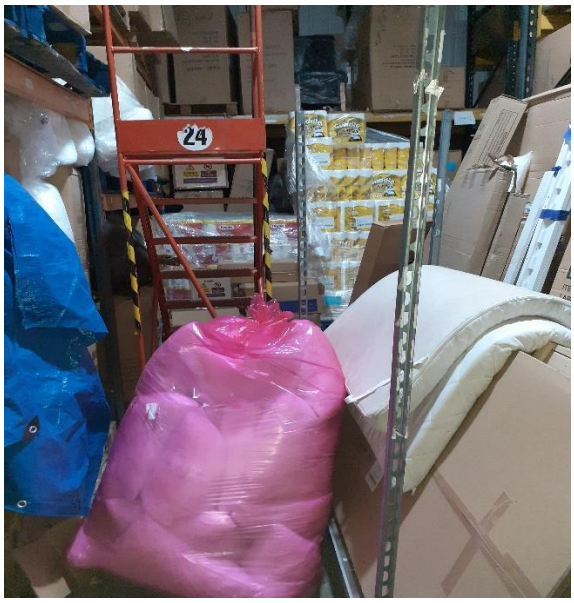
The aim of the intervention was to determine how effectively retail park businesses across the SRS region were managing the risks to health and safety when working at a height after receiving relevant complaints in this sector, and becoming aware of a fatality in a neighbouring Local Authority involving cleaning activities being undertaken at a height.

Working at height continues to be a significant cause of workplace injuries and fatalities, and remains included in the LAC 67/2 document as an activity suitable for proactive inspection. Within the out of-town retail sector, both planned, routine activities *(e.g. re-merchandising, cleaning)* and unplanned, infrequent tasks *(e.g. emergency repairs, infrequent maintenance requirements)* pose foreseeable risks to both employees and non-employees. The aim of the intervention was to raise awareness and promote safer working practices, improve legal compliance, and ultimately reduce injuries sustained from work at a height. The original objective was to engage with a minimum of 30 out-of-town retail park businesses - 10 per local authority area – however the introduction of special procedures licensing resulted in the project being paused prior to completion.

By the end of Quarter 4, **a total of 10 visits** had been undertaken: Bridgend (4); Cardiff (2); and Vale of Glamorgan (4).

Larger retailers with multiples sites across the UK were largely found to be managing risk successfully, with up-to-date risk assessments and safe working practices, and well maintained access equipment. Conversely, a greater number of concerns were identified in smaller companies with fewer retail outlets across the UK. Poor practices were observed in the following areas:

- The overstocking and unsafe storage of goods.
- Use of defective storage racking.
- Use of unsuitable equipment to access high levels.
- Poor housekeeping standards which negatively impacted both the manual and mechanical handling of goods.



Since standards were found to be generally higher than initially anticipated, suggesting that non-compliances were not sector-wide, the Health & Safety Service will not be prioritising the completion of this piece of work during 2025/26.

Major Outdoor Events – Supporting the local economy

Officers from the Enterprise and Specialist Services Team attended a total of **32 Event Safety Group/Events Liaison Panel meetings** across Bridgend (11), Cardiff (10) & Vale of Glamorgan (11) during 2024/2025. Although **0 site visits** were made by Officers, **116** 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.

Other Achievements for 2024/2025

The Achievements Section highlights a range of other work activity including:

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

Prosecution of a Cardiff-based Warehouse Operator and Landlord – Improving health and wellbeing

The 2024/25 business year saw the successful conclusion of a lengthy and complex investigation into serious injuries sustained by an office assistant working at a Cardiff-based warehouse. On the morning of 19th March 2018, the employee sustained serious injuries, including skull fractures and a bleed on the brain, after being struck by a large, metal security gate after its hinges failed.

Officers from Shared Regulatory Services attended site and determined that:

- Prior to 19 March 2018, hazards associated with employees and non-employees coming into contact with the security gates as part of their day-to-day activities had not been risk assessed *(staff being required to open up and close up daily).*
- There had been no routine inspection or maintenance programme in place for the security gates on, or before, the 19th March 2018.
- Staff with health and safety responsibilities had received no instruction or training to be competent to undertake their roles.
- Health and safety issues appeared to be dealt with on a reactive basis.
- The warehouse duty holder considered the maintenance and repair of the yard and security gates to be the responsibility of the landlord.
- The warehouse duty holder had no knowledge of the reporting requirements prescribed in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

Support from HSE Specialist Inspectors and the HSE Science Division was able to establish that the weld made during the construction of the gate hinge did not conform to welding standard BS EN ISO 5817:2014, there was evidence that the hinge had previously fractured and been repaired prior to 19th March 2018, and the bottom hinge had previously failed through the box section twice at approximately the same location.

Charges were laid against both the warehouse operator and the landlord for failure to comply with duties under Section 2(1) and Section 4 of the Health and Safety at Work etc. Act 1974. Whilst guilty pleas were entered by the employer and landlord in January 2024, sentencing at Crown Court was delayed until July 2024.

In sentencing, HHJ Harrison stated that "*there had been a clear history with the gate and these matters could have been picked up with regular inspections. The company had fallen far short of the appropriate standard by failing to put any measures in place, by failing to carry out any risk assessments, or inspections, despite numerous reports of the gates failing and this should have been a red flag. In his opinion, this was an accident waiting to happen and this 180kg gate was likely to fail when a person was near/using it".*

The warehouse operator (employer) was fined a total of £45,000, ordered to pay costs of £11,397.15 and a court charge of £170.
The landlord was fined a total of £12,000, ordered to pay costs of £11,397.15 and a court charge of £170.

Gas Safety in Commercial Catering Businesses – Improving health and wellbeing *(in addition to the programmed work plan)*

A delay in the implementation of special procedures licensing in Wales enabled the Service to complete some gas safety in catering intervention visits between November 2024 and March 2025. Intelligence received from Food Safety colleagues highlighted that commercial gas appliances were poorly maintained, particularly in independently operated businesses, suggesting that the risk of exposure to carbon monoxide was not being effectively mitigated.

A total of 27 visits were made – Bridgend (11); Cardiff (7), and Vale of Glamorgan (9)

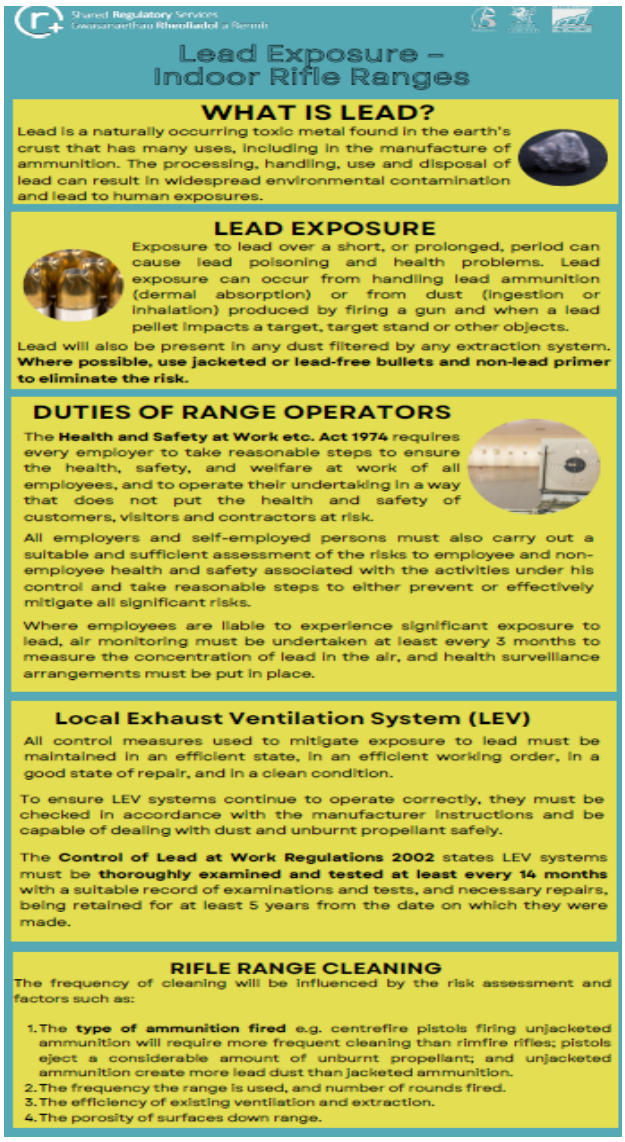
Matters of evident concern observed by Officers included:

- Employees unable to isolate the gas supply in the event of an emergency due to primary meters being inaccessible.
- Lack of notices at emergency isolation valves and primary meters.
- Inadequate standards of cleaning contributing to a poor flame picture on gas appliances.
- Gas appliances not installed beneath an extract ventilation canopy, but observed in use.
- Extract ventilation systems not switched on, but gas appliances observed in use.
- Inadequate ventilation in areas where gas appliances were available for use, but no evidence of carbon dioxide checks by a Gas Safe Registered engineer to evidence that safe levels would not be exceeded with existing ventilation provision.
- Defective interlocks, or lack of interlocks, and no supporting safe system of work for employees to follow.
- Lack of employee information and training on gas safety in the workplace.
- Lack of evidence of routine and regular maintenance of commercial gas appliances.

Officer findings from this unplanned intervention highlighted that standards and practices across the commercial catering sector continued to be poorly managed, despite this topic area being a long-standing intervention by Environmental Health teams across Wales.

Targeted Mail Shots and Development of Guidance – Improving health and wellbeing; maximising the use of resources

With ever decreasing resources, the Service endeavoured to communicate key messages to specific sectors via the preparation, and dissemination, of in-house resource materials. The health risks associated with exposure to lead in indoor firing ranges and gun clubs was identified as an activity suitable for proactive inspection within Annex B of LAC 67/2 (rev 13). Since this has not been highlighted as an area of concern across the SRS region, a targeted mail shot was arranged to reiterate the importance of effective air extraction, provision of adequate hand washing facilities and correctly managed cleaning procedures to all known venues across the 3 legacy Local Authority areas. The advice sheets illustrated below were also included on the SRS website to maximise access to the resource.



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Lead Exposure – Indoor Rifle Ranges

WHAT IS LEAD?

Lead is a naturally occurring toxic metal found in the earth's crust that has many uses, including in the manufacture of ammunition. The processing, handling, use and disposal of lead can result in widespread environmental contamination and lead to human exposures.

LEAD EXPOSURE

Exposure to lead over a short, or prolonged, period can cause lead poisoning and health problems. Lead exposure can occur from handling lead ammunition (dermal absorption) or from dust (ingestion or inhalation) produced by firing a gun and when a lead pellet impacts a target, target stand or other objects.

Lead will also be present in any dust filtered by any extraction system. **Where possible, use jacketed or lead-free bullets and non-lead primer to eliminate the risk.**

DUTIES OF RANGE OPERATORS

The **Health and Safety at Work etc. Act 1974** requires every employer to take reasonable steps to ensure the health, safety, and welfare at work of all employees, and to operate their undertaking in a way that does not put the health and safety of customers, visitors and contractors at risk.

All employers and self-employed persons must also carry out a suitable and sufficient assessment of the risks to employee and non-employee health and safety associated with the activities under his control and take reasonable steps to either prevent or effectively mitigate all significant risks.

Where employees are liable to experience significant exposure to lead, air monitoring must be undertaken at least every 3 months to measure the concentration of lead in the air, and health surveillance arrangements must be put in place.

Local Exhaust Ventilation System (LEV)

All control measures used to mitigate exposure to lead must be maintained in an efficient state, in an efficient working order, in a good state of repair, and in a clean condition.

To ensure LEV systems continue to operate correctly, they must be checked in accordance with the manufacturer instructions and be capable of dealing with dust and unburnt propellant safely.

The **Control of Lead at Work Regulations 2002** states LEV systems must be **thoroughly examined and tested at least every 14 months** with a suitable record of examinations and tests, and necessary repairs, being retained for at least 5 years from the date on which they were made.

RIFLE RANGE CLEANING

The frequency of cleaning will be influenced by the risk assessment and factors such as:

1. The **type of ammunition fired** e.g. centrefire pistols firing unjacketed ammunition will require more frequent cleaning than rimfire rifles; pistols eject a considerable amount of unburnt propellant; and unjacketed ammunition create more lead dust than jacketed ammunition.
2. The frequency the range is used, and number of rounds fired.
3. The efficiency of existing ventilation and extraction.
4. The porosity of surfaces down range.

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All cleaning and de-leading (if applicable) should be recorded in the Range Log together with the name, or job status, of the person responsible for the overall supervision.

CLEANING METHODS

To effectively control the risk of lead exposure, anyone responsible for cleaning surfaces in an indoor firing range must use wet methods for cleaning and/or a HEPA filtered vacuum cleaner.

Dry sweeping and dusting is strictly forbidden. Cleaning the firing range area should only be undertaken by staff with adequate Personal Protective Equipment (PPE) and who have received sufficient training on the hazards of lead exposure and the correct use of PPE provided.

Disposable overalls, gloves and masks should be worn at all times during cleaning activities and indoor repair and maintenance work.

DEEP CLEANING

Periodic deep cleaning should be undertaken by specialist contractors since it involves removing all residual dust from the structure including roof spaces, tubes, target and bullet trap areas (including any anti backsplash curtains).

It is sensible to de-lead and maintain bullet traps just before a deep clean as this process can generate considerable dust. The frequency of deep cleans will be dependent upon range use.

HEALTH AND HYGIENE - HAND WASHING FACILITIES

Adequate hand washing facilities with hot and cold (or mixed) running water, liquid soap and hygienic hand drying facilities should be readily available to all persons using the indoor firing range to facilitate regular hand washing after the handling and loading of ammunition.

The importance of regular hand hygiene should be effectively communicated to all range users through clear signage.

HEALTH AND HYGIENE - CONSUMING OF FOOD & DRINK

Eating, gum chewing, drinking, and smoking are forbidden in an indoor area used as a firing range. The Range Operator is responsible for communicating the importance of thorough hand washing after leaving the indoor range before anyone eats, drinks or smokes.

Additional signage can be used to remind users to that food and drink is not permitted in the firing range area.

Please visit the National Rifle Association, where a copy of their Range Design & Safety Handbook and other useful information can be found by visiting www.NRA.org.uk

For further information and guidance please visit our website

Management of Health and Safety in Indoor Soft Play Facilities and Venues with Inflatable Amusement Devices – Improving health and wellbeing & safeguarding the vulnerable *(in addition to the programmed work plan)*

Further to the proactive intervention completed by the Health & Safety Service in 2022/23, we became aware of a new facility in Cardiff following receipt of a customer complaint about an injury sustained by their child whilst using the play equipment. An unplanned project intervention visit was undertaken by Officers to ensure the business was taking all reasonably practicable measures to mitigate the risk of injury to its customers.

Safe Use of Commercial UV Tanning Equipment – Improving health and wellbeing *(in addition to the programmed work plan)*

Further to the proactive intervention completed by the Health & Safety Service in 2023/24, we became aware of 2 new operators of commercial UV tanning equipment across the SRS region during the 2024/25 business year. Unplanned project intervention visits were undertaken by Officers to ensure the businesses were taking all reasonably practicable measures to mitigate risks to the health and safety of its customers.

Proactive Intervention - Firework Safety

The Trading Standards Team within Health & Public Protection 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 2024/2025 Commercial Services Trading Standards officers carried out **29** inspections of premises across **Bridgend (4)**, **Cardiff (22)** and the **Vale of Glamorgan (3)** that applied for a licence to store and sell fireworks and explosives.

Primary Authority Partnership Work – Supporting the local economy & maximising the use of resources.

The following Primary Authority Partnership work was completed during 2024/25.

Marston's – In August 2024, SRS undertook a review of Marston's health and safety policies and procedures, with specific emphasis on generic and site specific risk assessments *(e.g. cellar safety)*. Supplier auditing protocols were additional reviewed. Findings were submitted to Marston's and subsequently discussed with the Director of Safety.

Studex – In 2024/25, SRS has worked with Studex and their key partners, including Claire's Accessories and Superdrug, to assist them prepare for the new special procedures licensing regime in Wales. This also included delivery of the RSPH Level 2 Infection Prevention and Control for Special Procedures qualification for employees of key partner organisations.

National Hair & Beauty Federation (NHBF) – SRS have reviewed the health and safety elements of the 'Beauty in a Box' which is a health and safety tool produced by the National Hair & Beauty Federation. SRS has additionally provided them with guidance relating to special procedures for their members who work in Wales which will become incorporated into their 'Beauty in a Box' health and safety pack.
Please note that this partnership is still in the process of being agreed and finalised with NHBF and the Office of Product Safety and Standards (OPS&S).

5.3 Areas for Improvement

The following improvements are to be continued during 2025/2026:

- 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.
- Developing Officer competency in allied teams to optimise the resilience of the Health and Safety Enforcement Service.
- Engaging with Primary Authority Partners so that improvements to health and safety policies, procedures and practices target a wider audience and maximise potential impact.

Appendix 1 – Action Plan 2025/2026

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 **1, 2, 3, 4** **1, 2, 3** **1**	Q1	Complete and secure approval from SRS Joint Committee for the 2025/26 Section 18 Health and Safety Service Plan. Complete a targeted mail shot to animal handling/feeding premises to signpost duty holders to the Industry Code of Practice, *"Preventing or Controlling Ill Health from Animal Contact at Visitor Attractions",* and allied resource materials to support infection control improvements at the start of the season. Engage with barber shop operators across the region to assess how the risk of exposure to biological hazards is being mitigated. Continue visits to commercial catering businesses to assess how the risk of exposure to Carbon Monoxide from LPG, solid fuel, and natural gas cooking appliances is being controlled.
1, 2, 3 **1**	Q2	Engage with barber shop operators across the region to assess how the risk of exposure to biological hazards is being mitigated. Continue visits to commercial catering businesses to assess how the risk of exposure to Carbon Monoxide from LPG, solid fuel, and natural gas cooking appliances is being controlled.
1, 2, 3 **1** **1, 3, 4**	Q3	Engage with barber shop operators across the region to assess how the risk of exposure to biological hazards is being mitigated. Continue visits to commercial catering businesses to assess how the risk of exposure to Carbon Monoxide from LPG, solid fuel, and natural gas cooking appliances is being controlled. Commence scoping out a 3-year intervention which focuses on violence & aggression, mental health & wellbeing, and MSDs in the retail sector.
1, 2, 3 **1** **1, 2** **1, 3, 4**	Q4	Engage with barber shop operators across the region to assess how the risk of exposure to biological hazards is being mitigated. Continue visits to commercial catering businesses to assess how the risk of exposure to Carbon Monoxide from LPG, solid fuel, and natural gas cooking appliances is being controlled. Complete site visits to operators of cooling towers to ensure that the risk of exposure to Legionella is being effectively controlled. Continue scoping out a 3-year intervention which focuses on violence & aggression, mental health & wellbeing, and MSDs in the retail sector.

Appendix 2 - Electrical Safety in Hospitality Venues (Phase 2)

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Project Report

ELECTRICAL SAFETY IN HOSPITALITY SETTINGS - PHASE 2

CONTENTS

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- BACKGROUND AND EVIDENCE BASE – 4
- PREPARATION AND SCOPE OF THE INTERVENTION VISITS – 10
- AIMS OF THE INTERVENTION – 11
- SIGNIFICANT FINDINGS OF THE INTERVENTION VISITS -12
- CONCLUSION – 36
- RECOMMENDATIONS AND FUTURE WORK - 38

EXECUTIVE SUMMARY

Electrical safety in hospitality continues to be an agreed intervention in 2024/2025 for Local Authorities in Wales and remains a national priority topic in the Health and Safety Executive Local Authority Circular document 67/2 'Setting Local Authority Priorities and Targeting Interventions'.

After the success of the phase 1 project in 2023/2024 which significantly raised electrical standards in the businesses targeted, phase 2 was undertaken with a focus on nightclubs, late opening bars, wet pubs, smaller independent businesses and larger businesses where there was local intelligence of large outdoor areas or concerns. The expectation was that a similar positive outcome could be achieved in phase 2.

The same topics of focus were used in phase 2 including inspection, testing and maintenance of electrical installations and electrical equipment; suitability of outdoor electrical installations and outdoor electrical equipment; identification of defective parts and damage to the installation and equipment; competency of persons working on the installations and RCD protection.

A total of 30 businesses were inspected as part of the phase 2 intervention, with 4 found to have very high standards.

Half of the businesses did not have a satisfactory Electrical Installation Condition Report (EICR) completed within the previous five years to demonstrate their electrical installation was in a satisfactory condition and had numerous defects identified with the installations. As a result, 43% of businesses assigned a competent person to inspect and test their installation and achieved a satisfactory result. All outdoor installations were found to be suitable for the environment with adequate protection against the effects of the weather.

All businesses were found to be using a competent person to work on their electrical installation, however one individual was discovered to be assessing installations as satisfactory when results from inspection and testing indicated otherwise. This was addressed by a further inspection with testing conducted by a different competent person.

Electrical equipment was found to be defective in only a low percentage of businesses and user checks were carried out by the majority, however some unsuitable electrical items designed for indoor use only were being used in outdoor areas without adequate protection against the effects of the weather.

BACKGROUND AND EVIDENCE BASE

"Jack was the life and soul of our family, always laughing and giggling and putting a smile on our faces, he especially loved going to the seaside and having an ice cream"

KATIE SHEACH, THE AUNT OF 10-YEAR-OLD JACK PIPER-SHEACH WHO SADLY DIED FOLLOWING AN ELECTROCUTION IN A BLACKPOOL HOTEL IN 2023.

Electricity can kill or severely injure people and cause damage to property. The main hazards are:

- Electric shock and burns from contact with live parts - normal mains voltage, 230 volts (V) AC, can kill.
- Injury from exposure to arcing (when electricity jumps from one circuit to another).
- Fire from faulty electrical equipment or installations.
- Explosion caused by unsuitable electrical apparatus.
- Fire or explosion where electricity could be the source of ignition in a potentially flammable or explosive atmosphere.

Electric shock is the result of current flowing through the body; the more current that flows, the greater the likelihood of harm. How much current flows through the body will depend on the shock voltage. Voltages in excess of 50 V alternating current (or 120 V direct current) should be regarded as dangerous even in cool, dry conditions.

Electric shock has a variety of effects on the human body. Mild shocks cause an unpleasant tingling sensation; more severe one's cause muscle contractions, interfere with breathing and can upset the heartbeat; while severe shocks cause extensive burns and are usually fatal.

Electric shocks can also lead to other types of injury, for example by causing a fall when working from ladders or scaffolds etc.

Even incorrectly wiring a plug can be dangerous and lead to fatal accidents or fires.

NATIONAL EVIDENCE

The Shared Regulatory Services Health and Safety service plan for 2024-25 is directed by Local Authority Circular (LAC) 67/2 (revision 13), "Setting Local Authority Priorities and Targeting Interventions for 2024/2025", which is guidance made under Section 18 of the Health and Safety at Work etc. Act 1974 and assists Local Authorities (LAs) to target heir finite resources with a clear focus on delivering specific outcomes.

To facilitate a more consistent and proportionate approach to regulatory interventions, LAC 67/2 sets out the Government expectations of a risk-based approach to targeting and sets out principles to enable LAs to comply with the requirements of the National Local Authority Enforcement Code. The document also incorporates an annual list of national planning priorities within its Annex A. LAC 67/2 also recognises that LAs will have access to local level intelligence about poor performers, matters of evident concern and specific local priorities.

The Shared Regulatory Services (SRS) strategic priorities illustrated below are aligned with the principles of the Well-being of Future Generations (Wales) Act 2015 and contribute to the National Enforcement Priorities for Wales for Local Regulatory Delivery. They also embody the corporate priorities and outcomes of the 3 legacy Authorities, thereby focusing on priorities that meet local, specific needs.

Annex A of LAC 67/2 (revision 13), states:

"The Electricity at Work Regulation 1989 requires that any electrical equipment which has the potential to cause injury is maintained in a safe condition. Local Authority Enforcement Officers are asked to increase awareness to improve standards of compliance. They are asked to remind duty holders to ensure both the fixed installation and electrical appliances are inspected by a competent person at appropriate intervals.

Many hospitality venues have extended their space to make the most of outdoor areas. Pubs, restaurants and cafés are urged to ensure outdoor electrical equipment such as lights and heaters are specifically designed for outdoor use, installed by a competent person and checked regularly for damage or water ingress."

LOCAL EVIDENCE

LAST YEARS SRS ELECTRICAL SAFETY IN HOSPITALITY SETTINGS PROJECT

A total of 62 hospitality business venues across SRS were inspected by 7 officers between July 2023 and March 2024 as part of SRS' Phase 1 Electricity in Hospitality project intervention. Analysis of the visits demonstrated the value of the project and identified the following information:

- 42% businesses were found to have defects with their electrical installation.
- 29% of all businesses visited had their electrical installation inspected and tested following an Officer visit and subsequently provided a copy of their new EICR for inspection.
- Over three quarters (79%) of venues that were part of larger companies or chains were able to provide a current Electrical Installation Condition Report (EICR) less than 5 years old for inspection, whereas just under half (46%) of independent businesses were able to do this.

- Of the 62 hospitality businesses visited as part of the 2023/24 Phase 1 project, 58 duty holders received a formal warning letter which detailed the 'Schedule A' contraventions and 'Schedule B' recommendations identified by the Officer on the visit. Duty holders were required to provide evidence of how contraventions had been resolved or a detailed action plan confirming how they were going to be addressed by the deadline given by the Officer.

NIGHTCLUB DEATH

Sadly, during the 2023/24 financial year an unexplained death occurred in an outdoor seating area of a late-night cocktail bar and club in Cardiff. Whilst a Coroner's Inquest remains pending, initial investigations found that the duty holder had failed to ensure that the low voltage electrical systems to the external area had been constructed and maintained to prevent danger to persons. An Improvement Notice was served on the duty holder to secure all necessary improvements by a suitably competent person. This emphasised the need to consider night clubs/late venues for further safety interventions.

LEGISLATIVE CONTROLS

The Electricity at Work Regulations 1989 (SI 1989/635) (as amended) (the Regulations) came into force on 1 April 1990. The purpose of the Regulations is to require precautions to be taken against the risk of death or personal injury from electricity in work activities. Guidance on the regulations is available on the HSE website - https://www.hse.gov.uk/pubns/priced/hsr25.pdf.

The Regulations are made under the Health and Safety at Work etc. Act 1974 (the HSW Act). The HSW Act applies principally to employers, the self-employed and to employees, including certain classes of trainees. Duties are imposed on people (duty holders) in respect of systems, electrical equipment and conductors, and in respect of work activities on or near electrical equipment. The duties are in addition to those imposed by the HSW Act. The 1989 Regulations pre-date the risk assessment process brought in with the 1992 version of the Management of Health and Safety at Work Regulations. However, the risk assessment process is still required.

The Regulations apply to all electrical systems and equipment whenever manufactured, purchased, installed or taken into use, even if its manufacture or installation pre-dates the Regulations. Where electrical equipment pre-dates the Regulations, this does not mean that the continued use of the equipment would be in contravention of the Regulations. For example, some of the equipment to which the Regulations apply may have been made to a standard, such as a British Standard, which has since been modified or superseded.

British Standard (BS) 7671 Requirements for Electrical Installations (also known as the IET Wiring Regulations)

BS 7671 Requirements for Electrical Installations is also known as the IET Wiring Regulations. They are non-statutory regulations which 'relate principally to the design, selection, erection, inspection and testing of electrical installations, whether permanent or temporary, in and about buildings generally. BS 7671 is a code of practice which is widely recognised and accepted in the UK and compliance with it is likely to achieve compliance with relevant aspects of the Electricity at Work Regulations 1989. BS 7671 is updated alongside improvements in electrical safety and technologies etc. the current version is BS 7671:2018+A2:2022.

Fixed Wire Testing helps toward ensuring that electrical installations are safe and are governed by BS 7671. After completing the fixed wire testing of installations, electrical contractors supply duty holders with an Electrical Installation Condition Report (EICR).

ELECTRICAL INSTALLATION CONDITION REPORTS (EICRS)

C1 – DANGER PRESENT. RISK OF INJURY. IMMEDIATE REMEDIAL ACTION REQUIRED

A C1 represents an immediate threat to the safety of employees, customers or other members of the public and should be rectified or made safe as soon as possible. This means there is a risk of electric shock or fire if the issue is not made safe as soon as possible. An example of a C1 code could be the exposure of live electrical parts, deteriorated insulation, or broken light switches/plug sockets.

C2 – POTENTIALLY DANGEROUS – URGENT REMEDIAL ACTION REQUIRED

A Code 2 (C2) is not as severe as a C1, but is still a potentially dangerous defect. They may not pose an immediate threat but are likely to become a danger in the future.

FI – FURTHER INVESTIGATION REQUIRED WITHOUT DELAY

This code means that the electrical engineer has identified an issue, but they need more time to investigate it. An example, is if the emergency lights seem very dim. This might not have been covered in the report so they have noted it separately as code FI.

WHAT CODES MEAN AN EICR INSPECTION IS UNSATISFACTORY?

If the inspection was unsatisfactory, this means that C1 or C2 work needs to be done, or FI codes need to be looked at in more detail.

C3 – IMPROVEMENT RECOMMENDED

This means that this part of the installation is not in line with the wiring regulations, but it does not present any immediate danger. Alternatively, improving it would enhance the safety of the electrical installation. Think is like an 'advisory note' on an MOT. You don't have to get it fixed, but it is recommended you do.

Competent Persons

The Registered Competent Person Electrical single mark and register went live on 30th June 2014 and was officially launched in Parliament on 2nd July 2014. It was created following an agreement between all Government-approved electrical Competent Person Scheme Operators in England and Wales. All electrical enterprises listed and permitted to display the mark are registered to undertake work on domestic electrical installations under the Competent Person Scheme, introduced by the Government, to allow individuals and enterprises to self-certify that their work complies with the Building Regulations. These electricians meet strict qualification requirements, and their work is regularly assessed by their electrical Competent Person Scheme Operator to ensure their ongoing competence. The list of Government-approved electrical Competent Person Scheme Operators, their requirements and how they are authorised can be found on the Gov.uk website. The "Registered Competent Person Electrical single mark and register" and Government-approved electrical Competent Person Scheme Operators do not cover hospitality premises per se. However, there are no equivalent schemes covering the hospitality sector, so the use of electricians registered with these schemes is generally viewed as satisfactory and provides more assurance than using an electrician who is not registered with a competent person scheme. Further information can be found on the Registered Competent Person Electrical single mark and register website - *https://electricalcompetentperson.co.uk/*.

Historic Licensing Conditions

Historically, for premises to be permitted by Licensing for the sale or supply of alcohol, the provision of regulated entertainment and the provision of late-night refreshment (provision of hot food or drink between 11pm and 5am), licensing conditions for public safety relating to electrical safety were enforced.

These included conditions to the effect of:

- Ensuring that the fixed electrical installation had been inspected and tested with a satisfactory Electrical Installation Condition Report (EICR) being produced.
- Ensuring that 30mA RCD protection was provided to sockets in 'stage' areas.
- The Licensing Act requires conditions to be proportionate, enforceable, and relevant to the licensing objective. Electrical safety relates to the public safety element, however Licensing Officers currently do not undertake checks on electrical safety. Licensing no longer routinely applies these conditions on duty holders, with subsequent legislation in a number of those fields being more specific. These licensing conditions are now rarely seen.

PREPARATION AND SCOPE OF THE INTERVENTION VISITS

Phase 1 of the project found that under half of independent businesses had an EICR within the preceding 5 years, so small and medium enterprises were selected as the bulk of the hospitality venues. Some premises that were run by larger organisations were included, where local intelligence indicated there were new outdoor areas or that live music events were held at the premises.

The premises selected included live music venues where amplified electrical equipment is used and there is a need to protect musicians and DJs etc. Night clubs were included following the aforementioned night club death, as well as the fact that, night clubs, live music venues and pubs/bars not serving food are not inspected as often by SRS Food Safety Teams, who often highlight matters of evident concern (MEC) including electrical hazards to the SRS Communicable Disease, Health and Safety Team.

Pubs that were thought to have an outdoor customer area and fell to SRS for health and safety enforcement were again also included in the project intervention.

As the findings from last year's project found very little difference geographically, in terms of premises which had defective electrical equipment, a total of 30 premises were selected, 10 for Bridgend, 10 for Cardiff and 10 for the Vale of Glamorgan. A reserve list was also compiled. Should any of the businesses on the visit list have permanently closed, officers were expected to select another from a reserve list.

A full day training course had previously been attended by all Officers that had been allocated project visits. This included basic electrical awareness and what to look for and how to interpret Electrical Installation Condition Reports. A project briefing session was held over Teams for all Officers involved with the project to discuss the updated visit proforma, expectations and to address any concerns.

All Officers used the updated proforma that had been adapted from the Phase 1 Electricity in Hospitality project proforma. This would ensure a consistent approach to visits by all Officers.

AIMS OF THE INTERVENTION

- TO FURTHER INCREASE AWARENESS AND TO IMPROVE STANDARDS OF COMPLIANCE WITH THE ELECTRICITY AT WORK REGULATIONS 1989.

- TO IDENTIFY HOW DUTY HOLDERS WERE MANAGING THE RISK OF HARM, FROM THE ELECTRICAL INSTALLATION AND THE ELECTRICAL EQUIPMENT IN USE, AT THE PREMISES UNDER THEIR CONTROL.

- TO IDENTIFY IF THERE WAS A SUITABLE OUTDOOR ELECTRICAL INSTALLATION WITH SUITABLE ELECTRICAL EQUIPMENT FOR USE OUTDOORS.

- TO IDENTIFY IF DUTY HOLDERS WERE ADEQUATELY MAINTAINING THEIR ELECTRICAL INSTALLATION AND ELECTRICAL EQUIPMENT.

- TO IDENTIFY IF DUTY HOLDERS WERE USING COMPETENT PEOPLE TO INSPECT AND MAINTAIN THEIR ELECTRICAL INSTALLATION AND ELECTRICAL EQUIPMENT.

SIGNIFICANT FINDINGS OF THE PROJECT VISITS

A total of 30 hospitality venues were inspected by seven Officers between June and September 2024 as part of the second phase of the Electricity in Hospitality intervention. 29/30 of the premises were selected as part of the original project and one premises was added to the project as a result of an electrical Service Request allocated to the Team.

Two premises on the original inspection list were not visited due to one business closure and one which was a duplicate premises under a different name.

Figure 1 illustrates the number of premises inspected per Local Authority and whether these were nightclubs or bars/pubs.

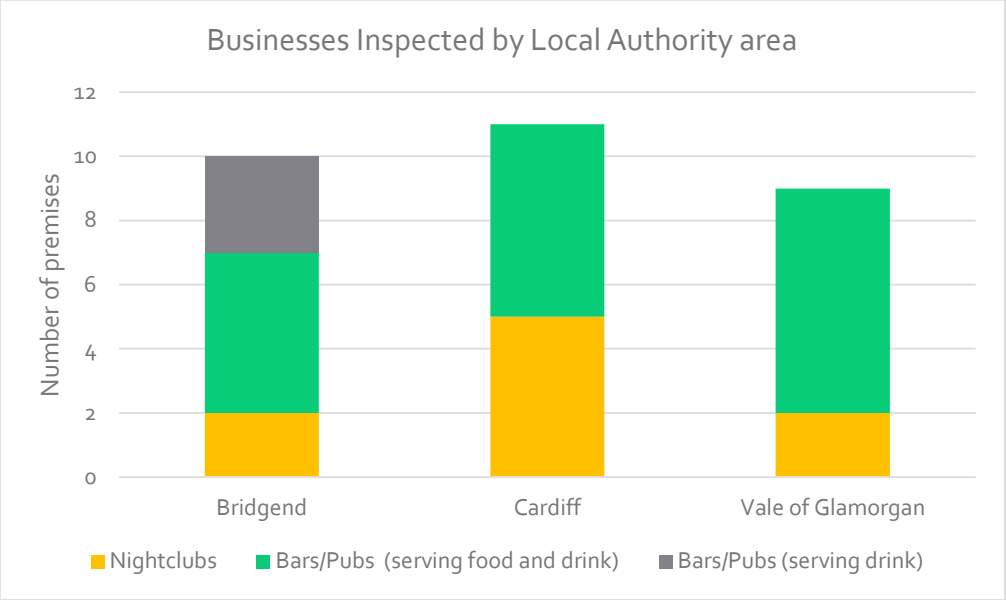


Figure 1

21/30 (70%) of the businesses inspected were bars or pubs, of which 3/30 (10%) were wet pubs and were not preparing food. 9/30 (30%) businesses inspected were nightclubs. This meant that a total of 12/30 (40%) businesses were not getting regular, frequent inspection by Food Safety Officer's, who will routinely refer health and safety matters observed on their visit to the Team.

10/30 (33%) businesses that fell within the scope of the intervention were part of larger groups or chains. These were Revolution Bars, Nightcap PLC, Green King, Marstons, Valiant Pub Company, Neos Hospitality, Croeso Pubs, Mitchell and Butlers, and Stonegate.

The size of each business was defined by the number of people that they employed. Figure 2 shows the number of very small, small, medium and large businesses that were included in the intervention.

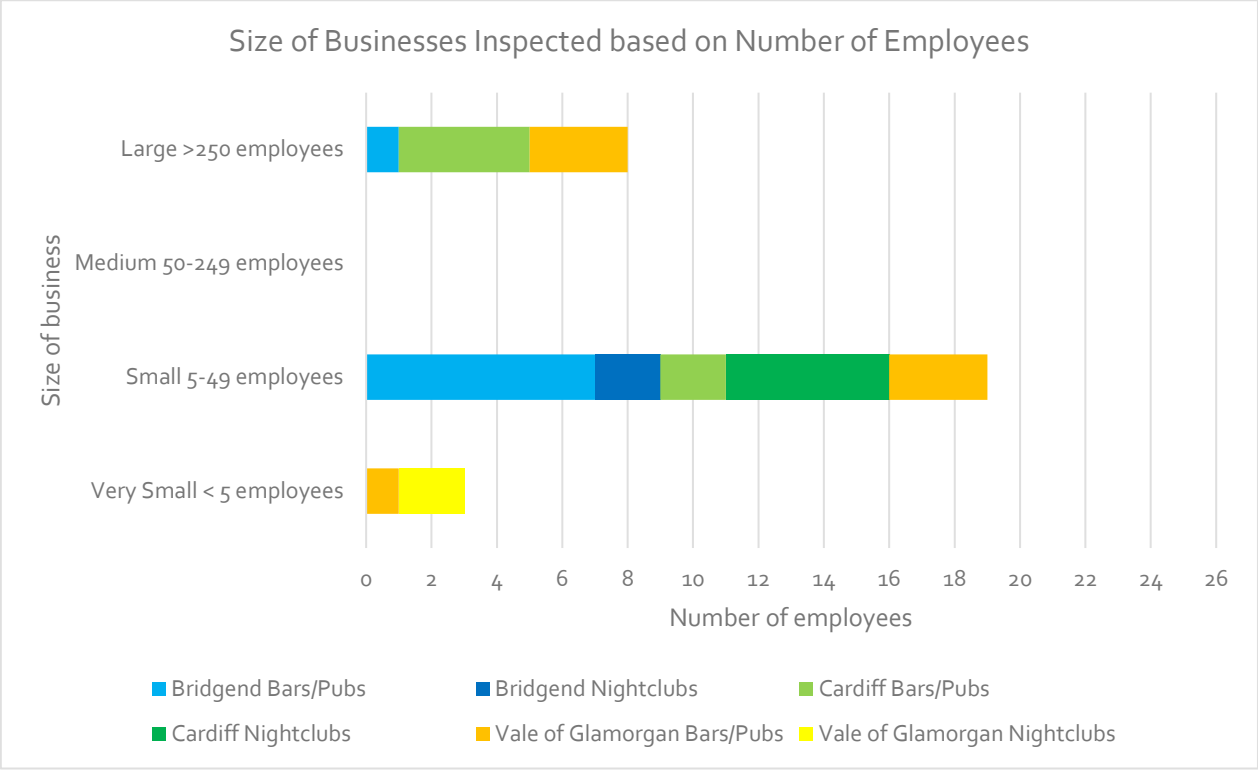


Figure 2

19/30 (63%) businesses inspected were small, having between 5-49 employees, 3/30 (10%) were very small with less than 5 employees and 8/30 (27%) were large with over 250 employees. There were zero medium sized businesses with 50-249 employees included in the intervention.

ELECTRICAL INSTALLATION

Maintenance and Inspection of the Electrical Installation - Fixed Wire Testing

Electrical systems can deteriorate over time. Regular inspection will check the condition and identify any electrical faults before they become an immediate hazard. Regulation 4(1) and 4(2) of The Electricity at Work Regulations places a requirement on employers and self-employed persons to ensure that all electrical systems are constructed and maintained in such a way that will prevent, so far as is reasonably practicable, danger.

For an employer or self-employed person to effectively maintain the electrical system, inspection and testing is required and for commercial premises, electrical installation fixed wire testing is required at a minimum of every five years as specified in the BS7671 IET Wiring Regulations 18th Edition: 2018. A satisfactory installation report means that the installation does not pose an increased risk of danger however, an unsatisfactory report means the system is dangerous, potentially dangerous or needs further investigation to rule out danger. Urgent remedial work is required to ensure the electrical system is in a satisfactory, safe condition to use. During the premises visits, Officers requested to view current Electrical Installation Condition Reports (EICR) to ensure that the installation was assessed to be in a satisfactory condition. Figure 3 shows the number of businesses in possession of a current, satisfactory EICR at the time of the Officer visit and those that were not, shown by local authority area.

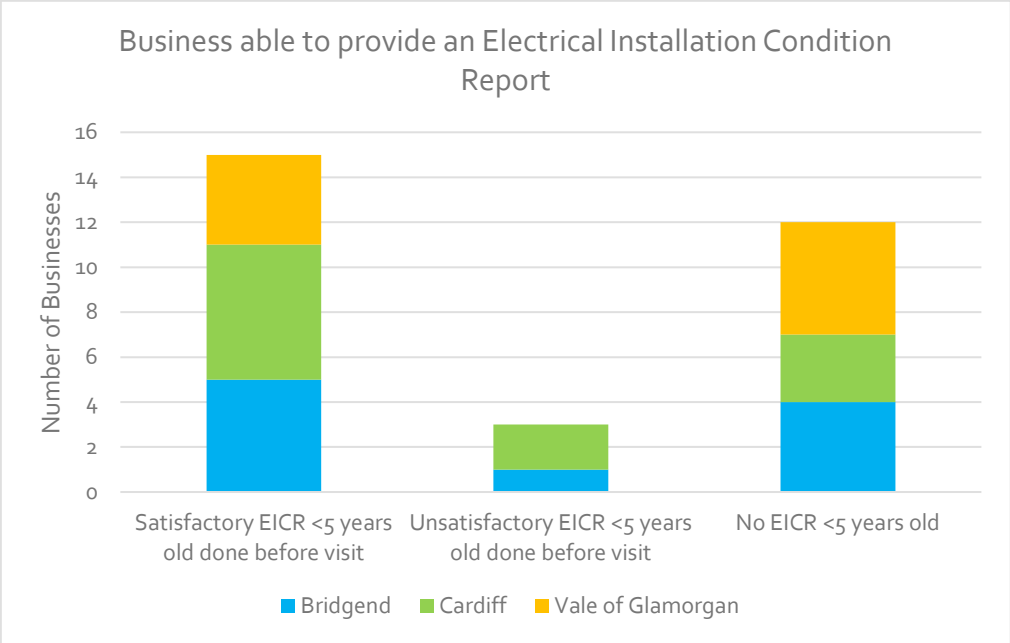


Figure 3

A total of 15/30 (50%) businesses were able to evidence that their electrical installation had been inspected and tested with a satisfactory outcome within the five years prior to the Officer visit. This was done by providing a current EICR. This included 5/9 (56%) nightclubs and 10/21 (48%) bars/pubs. Six were businesses that were part of larger groups or chains. For many businesses, EICRs were held on a computer system or online portal and were sent to the inspecting Officer soon after the visit or were provided on a subsequent revisit to the business.

Three businesses (10%) had a current EICR within the last five years, however a number of C2 or FI codes indicated that the installation was in an unsatisfactory condition and needed work to ensure it was safe. This work had not been carried out at the time of the Officer's visit.

A further 12 (40%) businesses did not have a current EICR and could not evidence in any other way that the electrical installation was in a satisfactory condition.

As a result of the Officer visits, the 15/30 (50%) businesses that did not have a satisfactory EICR were instructed to get their installation inspected and tested by a suitably competent person as soon as possible and within a specified time frame. 10/15 (67%) did as requested and provided a satisfactory EICR for inspection.

Of the five outstanding, one business had closed down mid November 2024 without providing a copy of their EICR and due to this, no further follow up action was taken. The remaining four are still outstanding at the time of writing this report. Three of these businesses have sent correspondence confirming that inspection and testing has now been carried out and remedial work is underway. The certificate will be forwarded to the inspecting Officer as soon as work has been completed and the certificate is received.

One business has failed to provide a satisfactory report within the prescribed deadline and has not confirmed that an inspection and test has been carried out or arranged. This business is part of a large nationwide group and the Officer has been copied into correspondence in the form of an email with an attached letter to the publican from the large nationwide group, outlining that it is their responsibility under the lease agreement to get the electrical installation inspected and tested.

The expectation is that an Improvement Notice will be served on all businesses that fail to evidence ongoing inspection and maintenance of their electrical installation, in order to secure compliance with Regulation 3(1)(a) of The Electricity at Work Regulations 1989, by virtue of compliance with 4(1) and 4(2) and to ultimately protect employees and others using the premises from danger. N.B. Regulation 3(1)(a) states that it is the duty of all employed and self-employed persons to comply with the provisions of The Electricity at Work Regulations 1989.

Competent person

Regulation 16 of The Electricity at Work Regulations 1989 states that no person shall be engaged in any work activity if they do not have the technical knowledge or experience that is necessary to prevent danger or injury, unless they have an appropriate degree of supervision in relation to the nature of the work. This ensures that people are not placed at risk due to their own lack of competence in dealing with electrical equipment, or that of others.

On assessing EICR's, Officers were checking that the person who had carried out the inspection and testing was suitably competent enough to do so. This was done by checking the Registered Competent Person electrical single mark and register or if they were registered with a specific competent person trade body such as the Electrical Contractors Association (ECA), National Association for Professional Inspectors and Testers (NAPIT) or National Inspection Council for Electrical Installation Contracting (NICEIC). Officers were also checking that an EICR marked as satisfactory did not have any code C1, C2 or FI items which would mean the installation was in an unsatisfactory condition.

15/15 (100%) businesses with a current EICR were using a person registered with one of the electrical trade bodies and were under the assumption that the person employed was suitably competent to carry out the work. One business in Bridgend however, had an EICR done by a company registered with trade body NICEIC. A satisfactory EICR was given when there were four code C2 items, indicating the installation was potentially dangerous. The inspecting Officer required the business to find a suitably competent person to address the issues and conduct a new inspection and test and following this, to issue another EICR. The business complied with the request and was therefore able to demonstrate that their electrical installation had been suitably tested and inspected so it was not posing any ongoing risk of danger to staff and premises users.

All businesses confirmed that they were not allowing any unqualified people to carry out any other work on their electrical installations.

OUTDOOR INSTALLATION AND OUTDOOR ELECTRICAL EQUIPMENT

Employers and the self-employed have a duty to ensure that their electrical systems are at all times, of such a construction as to prevent, so far as is reasonably practicable, danger (Regulation 4(1) of The Electricity at Work Regulations 1989). Regulation 6(b) also puts a duty on employers and the self-employed to ensure that electrical equipment which may be exposed to the effects of the weather, natural hazards, temperature or pressure are of such a construction or as necessary protected as to prevent, so far as is reasonably practicable, danger arising from such exposure.

As part of the inspection, Officers assessed whether the electrical installation and electrical equipment being used in outdoor areas was in good condition and suitable for the environment in which it was located. Of the 30 businesses inspected, 25 (83%) had an outdoor area which was used by employees and the public and all 25 contained an outdoor electrical installation. Those that did not have an outdoor area included two bars in Bridgend and two nightclubs and one bar in Cardiff.

Figure 4 illustrates the suitability and condition of the outdoor electrical installation and electrical equipment being used outdoors in the premises visited.

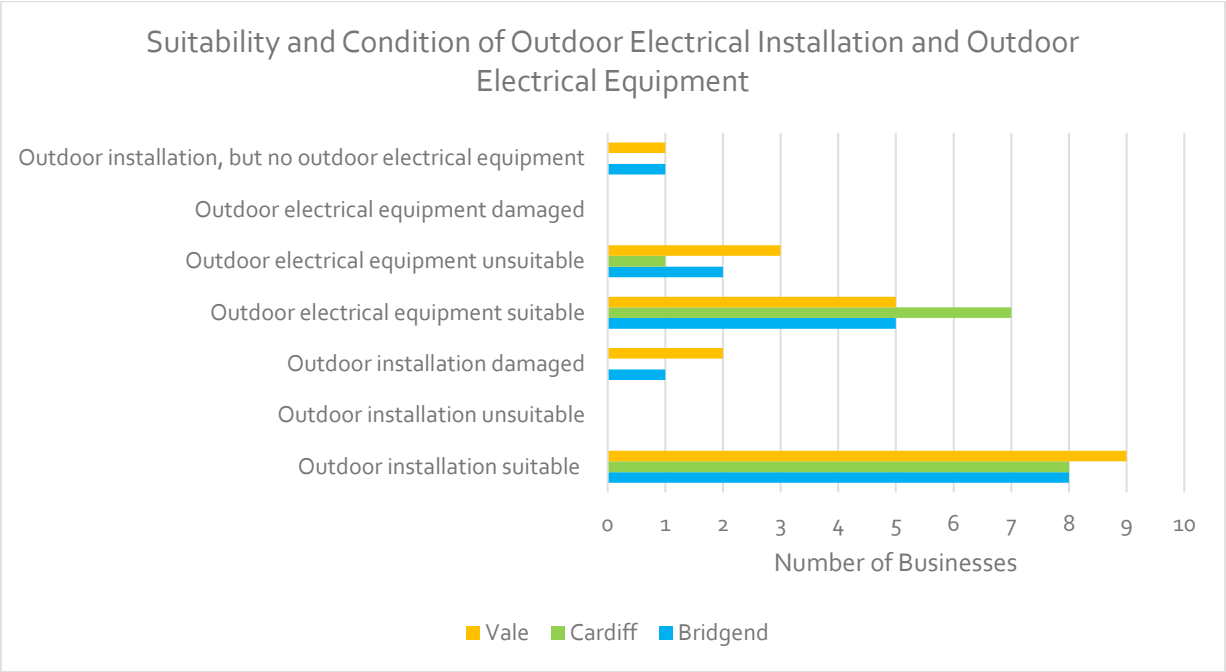


Figure 4

Suitability and Condition of Outdoor Electrical Installation

The outdoor electrical installation was found to be suitable if the installation, including fixed sockets, light switches and fittings were of such a construction or protected to prevent any danger occurring from exposure to the effects of the weather.

Officers found that 25/25 (100%) businesses with outdoor areas had a suitable outdoor electrical installation, **however 3/25 (12%) of these were found to be damaged**.

One premises in Bridgend had corroded outdoor light fittings and two premises in the Vale of Glamorgan had broken covers to their IP rated sockets. One of the premises in the Vale of Glamorgan also had a poorly fitted and taped cover to the external rotary electricity isolator.

Officers instructed the duty holders not to use the unsuitable parts of the outdoor electrical installation and to ensure a competent person completes any work to repair or replace the defective part before putting it back into use.

Figure 5 shows photographs of the defective parts of the electrical installation observed by Officers.

FIGURE 5 - PHOTOS FROM LEFT TO RIGHT SHOW A SIGNIFICANTLY CORRODED LIGHT FITTING, IP RATED SOCKET WITH BROKEN COVER AND A POORLY FITTING AND TAPED COVER TO A ROTARY ELECTRICAL ISOLATOR SWITCH.

Suitability and Condition of Outdoor Electrical Equipment

An ingress protection (IP) rating is used to convey the level of protection that a piece of equipment provides to the user against foreign bodies and moisture. It is displayed in two digits, with the first relating to the level of protection against dust, debris and other solid objects and the second relating to the level of protection against moisture and liquids. To assess the suitability of outdoor electrical equipment, Officers were looking for IP ratings of at least IP54 or higher, depending on where the equipment was located and the conditions it would be exposed to.

Of the 25 businesses with outdoor areas, 23/25 (92%) businesses were using electrical equipment outdoors and 6/25 (24%) were using equipment that was not designed to be used outdoors and therefore was not adequately protected from the effects of the weather, posing a risk of harm. 2/25 (8%) were in Bridgend, 1/25 (4%) was in Cardiff and 3/25 (12%) were in the Vale of Glamorgan. In all 6 premises, Officers were told that user checks of electrical equipment were carried out, however checks were being made on the condition, rather than the suitability of electrical equipment for outdoor use. Officers highlighted the need to check IP ratings for electrical equipment in use outdoors as part of their regular electrical equipment checks.

A range of different indoor electrical equipment was found to be in use outdoors without adequate protection. Figure 6 shows the type of equipment and the number of premises where these items were observed.

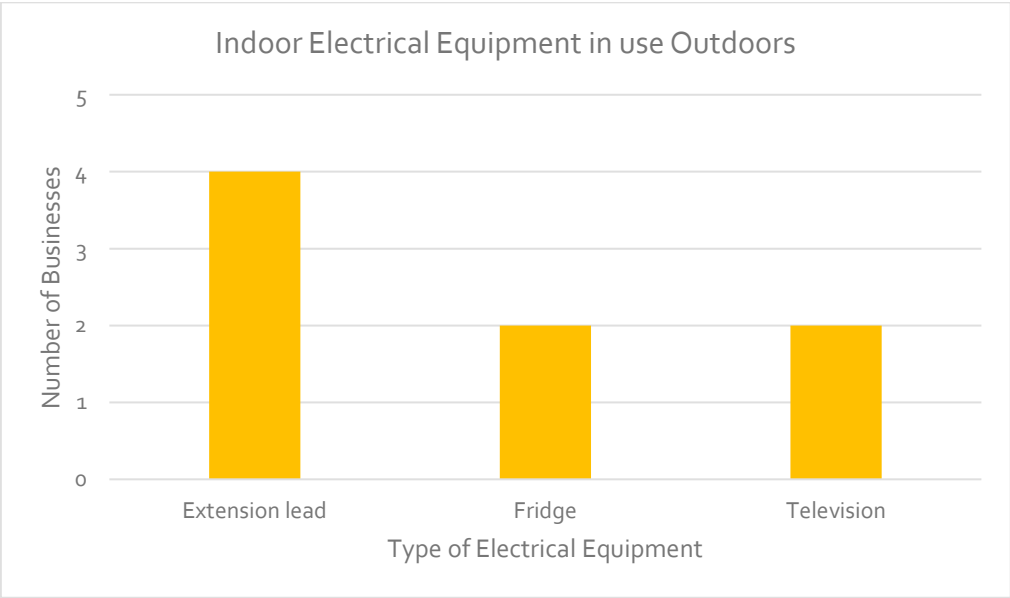


Figure 6

There were only three types of electrical equipment found to be unsuitable and in use outdoors in premises with outdoor areas. These were extension leads, found at 4/25 (16%) premises, followed by fridges and televisions, found at 2/25 (8%) premises each.

Figure 7 shows photographs of indoor equipment found in use outdoors.

LEFT - INDOOR TELEVISION MOUNTED ON AN EXTERNAL WALL UNDER A CANOPY. RIGHT -INDOOR TELEVISION IN A PARTIALLY ENCLOSED AREA WITH AN INDOOR EXTENSION LEAD ON THE WALL TO THE UPPER RIGHT OF THE TELEVISION.

LEFT TO RIGHT - INDOOR FRIDGE LOCATED OUTDOORS AND INDOOR EXTENSION LEADS IN USE OUTDOORS.

FIGURE 7

The increased likelihood of harm to users of the equipment and to those of the outdoor area was addressed by Officers who required businesses to cease using the unsuitable equipment and to either remove to an indoor location, adequately protect if appropriate (e.g. encase television in IP rated box), or replace the item with one of a suitable IP rating for outdoor use. Where possible, staff were told to remove the item from the outdoor area at the time of the visit, for example extension leads, or send evidence via email, or to demonstrate on a revisit that any larger items such as the fridges and televisions had been removed, adequately protected, or replaced.

DEFECTS IDENTIFIED WITH THE ELECTRICAL INSTALLATION AND ELECTRICAL EQUIPMENT

The presence of defective electrical equipment poses a risk of harm which must be removed or reduced to as low as is reasonably practicable. On visits, Officers were checking whether businesses took a proactive approach to identifying defective items, such as ensuring user checks are done before the equipment is used, removing any defective items as soon as they are identified and if it is not possible to remove the item, then to stop the item from being used until sufficient repairs are made by a competent person.

Figure 8 shows the number of premises per local authority where defective installations or defective electrical equipment was found.

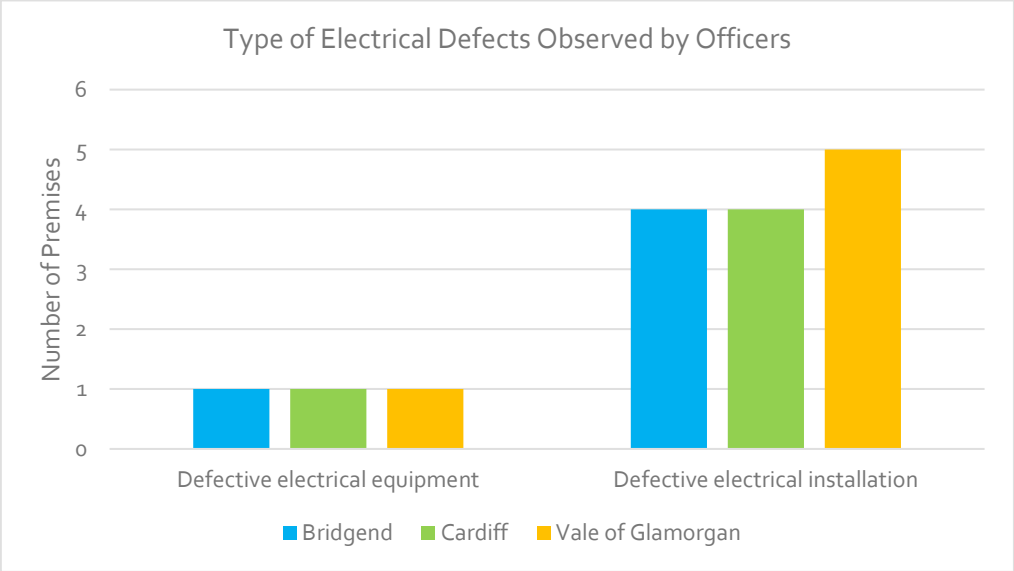


Figure 8

Officers found that a significantly higher number of premises had installation defects compared to those found to have defective electrical equipment.

Defective Electrical Installation

13/30 (43%) businesses were found to have defects with their electrical installation and of these, four were in Bridgend, four were in Cardiff and five were in the Vale of Glamorgan. Of the 13 with defective installations, three (23%) of these were nightclubs and 10 (77%) were bars/pubs.

Figure 9 illustrates the affected parts of the electrical installation and the number of businesses where the defects were observed.

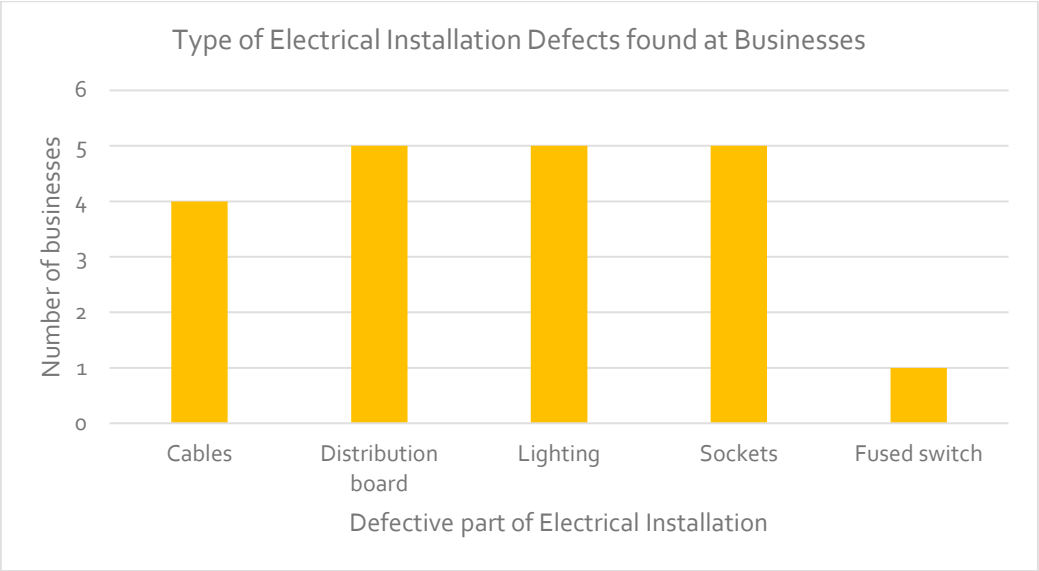


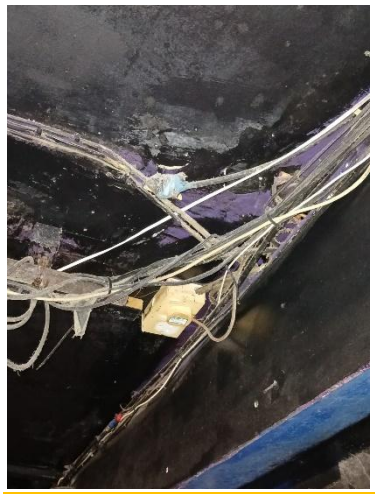
Figure 9

- 5/30 (17%) businesses had defective sockets. This included damage to the socket casing, loose sockets, missing covers off IP rated sockets and burn marks on sockets.
- 5/30 (17%) businesses had defective distribution boards which included missing blanks or circuit breakers, missing or damaged covers and missing screws.
- 5/30 (17%) had defective lighting, including damaged light fittings and light switches.
- 4/30 (13%) had defective cabling including exposed live basic insulation, inadequately joined cables, unsupported twin and earth cabling and damaged cable trunking.
- 1/30 (3%) had a defective fused switch for the premises speakers.
- 4/30 (13%) were daisy chaining extension leads (the use of multiple extension leads plugged into each other) showing signs of overloading, suggesting that additional socket points were needed.

The defects found by Officers significantly increased the likelihood of a person suffering injury or potentially death as a result of contact with live conductors in the installation. Duty holders were required to remedy the issues as soon as possible and within a prescribed deadline by ensuring a competent person worked on the installation to ensure it was in a satisfactory condition.

Figure 10 shows photographs of defective parts of the electrical installations.

LEFT – LIGHT SWITCH INADEQUATELY SECURED TO THE WALL. MIDDLE – UNPROTECTED AND UNSUPPORTED CABLING RIGHT- BROKEN LIGHT SWITCH.



LEFT – HOLE IN THE TOP OF SWITCH CASING. MIDDLE – MISSING BLANK OR CIRCUIT BREAKER. BROKEN DISTRIBUTION BOARD CASING. RIGHT – INADEQUATELY INSULATED JOINED CABLES.

FIGURE 10

Condition of the Electrical Installation and outcome of the EICR

Figure 11 compares the condition of the electrical installation in businesses with and without a satisfactory EICR in the five years prior to the Officer visit.

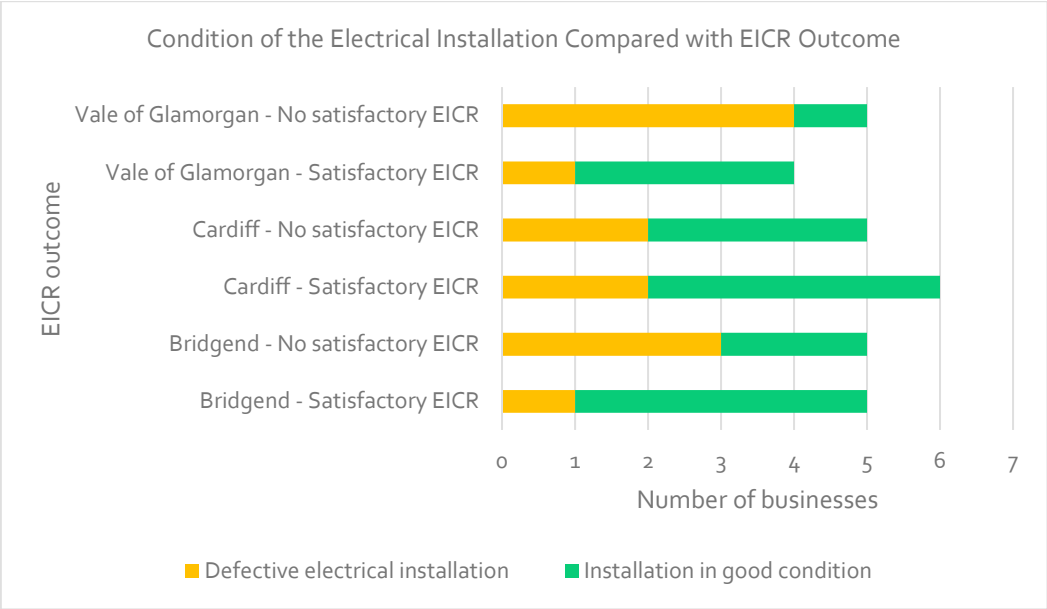


Figure 11

- 13/30 businesses were found to have defective electrical installations and of these, 9/13 (69%) did not have a satisfactory EICR less than 5 years old compared to 4/13 (31%) that did.
- Of the four businesses that had a defective installation and a satisfactory EICR:
  - ✓ One business in Bridgend had their EICR done in March 2020 and are due another before March 2025, this business had one broken switch.
  - ✓ One business in Cardiff had their EICR done in January 2022 and had a broken light switch and missing gland from a socket.
  - ✓ One business in Cardiff had an EICR done in May 2024 and was found to have a missing blank in the distribution board and a defective cable
  - ✓ One business in the Vale of Glamorgan had an EICR done in September 2024 and was found to have broken outdoor socket covers. This issue was identified on the EICR which took place just before the Officer visited and remedial work was planned.

Defective Electrical Equipment

Most businesses (28/30, 93%) were conducting regular checks of electrical equipment to ensure it was in a good, safe condition for use. This was reflected by the number of businesses where defective electrical equipment was observed, which was low (3/30, 10%).

Of these three businesses, one was in Bridgend and found to have a defective freezer, one was in Cardiff and found to have a defective plug to the DJ mixing deck and a damaged extension lead and one was in the Vale of Glamorgan and found to have a damaged extension lead. These items were taken out of use immediately for repair or replacement.

Two of the businesses found to have defective equipment stated they were carrying out regular checks of electrical equipment. An increase in the frequency of their user checks was suggested and further training on what to look for, for staff carrying out electrical equipment checks.

For those businesses not carrying out regular checks on the condition of electrical equipment, Officers discussed the requirement for this to be introduced.

Officers also discussed portable appliance testing (PAT) at the time of the visit and looked for evidence that this was being carried out, such as viewing documentation and PAT stickers on tested appliances. Staff confirmed and Officers saw evidence to confirm that 21/30 (70%) businesses were having formal combined inspection and testing to ensure appliances were safe to use. Advice was given on PAT to the remaining nine businesses.

Distribution Boards

Officers inspected distribution boards, of which most businesses had numerous units serving different parts of the electrical installation. Officers were looking to see if:

- ✓ All circuits were labelled
- ✓ There were no missing blanks or circuit breakers
- ✓ Gland covers were in place
- ✓ Unit covers were present, functional and in good repair
- ✓ Residual current devices(RCD) or residual current circuit breakers with overcurrent protection(RCBO) were in place
- ✓ There were no signs of damage or burning
- ✓ Units were accessible to staff in an emergency.

The main electrical intake to the business was also inspected to ensure that it was:

- ✓ Adequately sited and enclosed
- ✓ In good condition
- ✓ The main fuse was in place
- ✓ Meter seals were intact.

Figure 12 details the main observations of Officers in relation to the distribution boards and the main electrical intake.

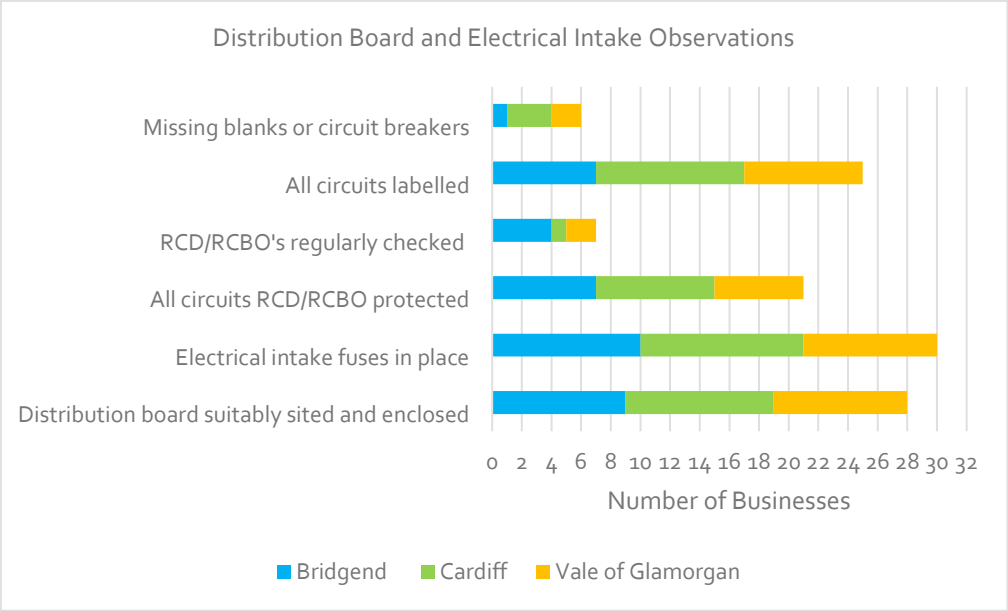


Figure 12

Almost all businesses (28/30, 93%) had distribution boards that were suitably sited and enclosed. The two that did not were in Bridgend and Cardiff and had distribution boards that were not adequately enclosed as they were missing their front cover. Both also had basic insulation visible through gaps in the board casing. Businesses were required to get a competent person to suitably enclose the distribution boards and basic insulation.

25/30 (83%) businesses had distribution boards with all circuits clearly labelled. Officers required the remaining five (three in Bridgend, one in Cardiff and one in Vale of Glamorgan) to ensure that all of their circuits were clearly labelled so that employees were able to isolate a circuit quickly, for example in an emergency.

Missing blanks or circuit breakers were observed in the distribution boards in 6/30 (20%) businesses. One was in Bridgend, three were in Cardiff and two were in the Vale of Glamorgan. The distribution boards affected were adequately enclosed however, officers required the defect to be addressed as soon as possible by ensuring blanking plates were fitted to stop accidental exposure to live conductors.

All businesses (30/30, 100%) had the main electrical intake fuses in place and all (30/30, 100%) had the meter seals in place and were showing no signs of meter bypass.

In 27/30 (90%) businesses, employees knew how to turn the electricity supply off. For those that did not, Officers required the business to train all staff on what to do should the electrical supply need to be turned off or individual circuits need isolating.

RCD Protection

RCD's protect against earth current faults, resulting in imbalances in the electrical current and will shut off the supply when detected, preventing the likelihood of injury and damage to the equipment and greatly reducing the risk of electric shock and fire. They will usually provide protection to several circuits.

Although the lack of RCDs will not cause an outcome of unsatisfactory on an EICR, they are a highly recommended safety feature and a lack of these would generate a code C3 on an EICR. Many distribution boards were installed before RCDs were made mandatory in the IET wiring regulations (BS 7671) and are therefore a recommended upgrade.

21/30 (70%) businesses had RCD protection on all of their circuits. Whilst there were no businesses that had zero RCD protection, the remaining businesses had a varying degree of protection ranging from nearly all circuits protected to nearly all circuits unprotected. Officers were also assessing whether businesses were checking the functionality of the RCD's via the test button and found that only 7/30 (23%) businesses were regularly doing this and could therefore be assured that the devices would protect them if an electrical imbalance, overloading or short circuit was detected.

For the 23/30 businesses not conducting tests, Officers required them to implement a testing regime for their RCD's.

Figure 13 outlines the number of businesses that had RCD protection on circuits to sockets in kitchen, toilets, outdoor areas and to entertainers audio equipment.

	Bridgend	Cardiff	Vale of Glamorgan	Total	Total %
Entertainer audio circuits protected by RCD	9	7	4	20/21	95
Kitchen sockets protected by RCD	9	9	6	24/26	92
Toilet sockets protected by RCD	8	9	6	23/24	95
Outdoor sockets protected by RCD	7	7	7	21/24	88

Figure 13

Not all businesses had circuits to sockets in kitchens, toilets, outdoor areas or entertainers audio equipment but in those that did, a high proportion (88% and above) had added protection from RCD's, meaning extra protection for premises users against injury and a reduced risk from fire. In one business, sockets with their own RCD protection were being used for entertainer's audio equipment, adding further protection from injury for entertainers and premises users. Officers recommended to duty holders that all circuits should be protected with RCD's. Figure 14 is a photograph of the RCD protected sockets in a Bridgend nightclub.

FIGURE 14 - ENTERTAINERS SOCKET WITH RCD PROTECTION IN A BRIDGEND NIGHTCLUB

HIGH STANDARDS

Although a lot of defects with the electrical installation, electrical equipment and lack of EICRs were identified on visits, there were also a number of businesses that excelled.

- ✓ 4/30 (13%) businesses had very high standards and required no further intervention by Officers.
- ✓ 2/30 (7%) were small independent businesses in Bridgend, 1/30 (3%) was a large business in Cardiff and 1/30 (3%) was a large business in the Vale of Glamorgan.
- ✓ All four were bar/pub businesses.
- ✓ All four had:
  - ✓ Satisfactory EICR's less than five years old with all code C1, C2 and FI items corrected
  - ✓ Suitable outdoor installations
  - ✓ Outdoor electrical equipment suitably IP rated
  - ✓ No damage to any of the electrical installation or electrical equipment
  - ✓ User checks being carried out on electrical equipment
  - ✓ No signs of electrical overloading
  - ✓ Distribution boards were suitably sited and enclosed, in good condition with all circuits labelled and no missing blanks
  - ✓ The main electrical intake fuse and meter seals were in place with no obvious signs of burning or damage
  - ✓ All circuits were protected by RCDs/RCBO's
  - ✓ RCDs/RCBO's were being regularly tested

OTHER MATTERS OF EVIDENT CONCERN

Although Officers were visiting premises as part of the Electricity in Hospitality intervention, any other matters of evident concern were also discussed with the duty holder and included in the post visit formal warning letter so that these issues would also be rectified. Some examples of other matters of evident concern are shown in Figure 15 photographs below.

LEFT – DRIPPING WALK IN FREEZER PIPE. MIDDLE – DAMAGED OFFICE CEILING. RIGHT – POSSIBLE LEAKING FRIDGE.

LEFT – INADEQUATELY SUPPORTED FRIDGE. MIDDLE – DAMAGE TO CEILING (ASBESTOS WITHIN VOID). RIGHT – MOULDY CELLAR.

FIGURE 15

ENFORCEMENT ACTION

Following the intervention visit, 21/30 (70%) duty holders received a formal warning letter which detailed the 'Schedule A' legal contraventions and 'Schedule B' recommendations identified by the Officer on the visit. Duty holders were required to provide evidence of how contraventions had been resolved or a detailed action plan confirming how they were going to be addressed by the deadline given by the Officer. Some businesses were also subject to a revisit to check the work that had been done.

- ✓ 9/30 (30%) businesses were found to have either no further work required or only minor items to address and consequently, only required verbal advice, advice by email or a confirmation of intervention form to be left at the premises, negating the need to send a formal warning letter.
- ✓ No Improvement Notices and no Prohibition Notices were served following Officer intervention visits, however some work is still outstanding at the time of writing this report and escalated enforcement action may still be required.

DISCUSSION

Comparison between the Significant Findings of Phase 2 & Phase 1 Project Interventions

Similarities

As the same electrical hazards were explored at businesses during phase 2 and phase 1, many of the findings were found to be very alike:

- **Competent Person** - The findings of both the Phase 1 and Phase 2 interventions revealed that 100% of the people carrying out the inspection and testing on the electrical installations and subsequently producing the EICR were registered with one of the electrical trade bodies. This suggested that the work was being carried out by people that were competent enough to do the work without putting themselves, or others, in danger.

- **Distribution Boards** - Over both phases of the project most businesses (Phase 2 = 93%, Phase 1 = 89%) were found to have distribution boards that were suitably sited and enclosed, protected against electric shock and thermal effects. Suitable siting of the units also reduced the likelihood of them being tampered with by unauthorised personnel and being easily accessible in the event of an emergency.

- **Defective Electrical Equipment** - In Phase 2, the number of businesses where defective electrical equipment was observed, was 10%. This is the same percentage as in Phase 1 findings. User checks on equipment was high in both Phase 2 (93%) and Phase 1 (89%) which may account for the lower percentage of businesses with defective equipment.

- **Suitability of Outdoor Electrical Equipment** - In Phase 2, 20% of businesses were using equipment in outdoor areas that was not designed to be used in an external environment, thereby increasing the risk of injury. Similarly, in Phase 1, 18% of businesses were found to be using electrical equipment designed for indoor use in their external areas.

- **Defective Electrical Installation** - In Phase 2, 43% of businesses were found to have defects with their electrical installation, compared with 42% in Phase 1. In both phases of the intervention the most common defects were with sockets, distribution boards and lighting.

- **Suitability of the Outdoor Installation** - Both Phase 2 and Phase 1 found a very high percentage of businesses that had suitable outdoor installations (100% and 95% respectively) meaning that all, or almost all, parts were suitably protected against the effects of the weather.

Differences

There were also some contrasts in the findings between the Phase 2 and Phase 1 interventions.

- **Fixed Wire Testing** - In Phase 1, 35% of businesses did not have a current, satisfactory EICR and could not evidence in any other way that the electrical installation was maintained in a satisfactory condition. In Phase 2 there was a higher percentage, where 50% of businesses were found to not have a current, satisfactory EICR.

- **High Standards in Electrical Safety** - In Phase 1, 34% of premises were determined to have high standards. However, this percentage was much lower in Phase 2, with only 13% of businesses having high standards. This may be attributed to the scope of this year's project which included a higher proportion of small businesses.

  Overall, small businesses were found to be less compliant during Phase 1, as only 38% of the businesses identified as having high standards in Phase 1 were classified as small.

- **Notices Served** – In Phase 2 no notices were served to secure compliance with health and safety law compared with Phase 1, where one Improvement Notice was served due to inadequate maintenance of an electrical installation. This situation may change in due course since one business in Phase 2 has yet to provide an action plan, or evidence that they are maintaining their electrical installation in a satisfactory, and safe, condition. The difference in enforcement action may also be due to the reduced number of visits for Phase 2 compared to Phase 1.

Electricity in Hospitality Phase 2 Significant Findings

Electrical Installation Condition Reports

The findings of the Phase 2 intervention showed that half of the businesses did not have a current, satisfactory EICR and were failing in their legal duty to ensure that electrical systems were suitably constructed and being maintained in a safe condition.

Electrical inspection and testing costs money and many hospitality businesses continue to struggle financially. Factors impacting the disposable income of businesses include decreased profits as a consequence of the on-going cost of living crisis; continued increases to utility bills and supplies; the reduction of business rate relief following the COVID-19 pandemic and increased rental costs. From April 2025 employers will also see an increase in employee National Insurance contributions (13.8% to 15%) and a reduction in the threshold on employee earnings at which National Insurance will apply, creating a greater financial burden across all sectors, but more acutely in smaller, independent businesses. Potential changes to employment law under the new Employment Rights Bill will further impact the pockets of the hospitality sector.

Such financial pressures may lead to reduced staffing levels and increased workloads for those remaining, creating a knock-on effect which results in fewer people who are effectively able to ensure the safety of the electrical installation and equipment in the business.

In the first half of 2024, 50 pubs a month closed their doors permanently across England and Wales showing that there is a real problem within the hospitality sector. In addition to the financial cost, the removal of historic licencing conditions may also play a factor.

Officers have ensured that businesses failing in their duty to maintain their electrical system address the issue within a defined time period.

Officers found that all businesses were using what they believed to be a competent person to carry out their inspection and maintenance, however one 'competent person' was found to have given a satisfactory inspection report when the installation was found to be in a potentially dangerous state, as indicated by their own coding on the report. It was not unusual for duty holders to have little, or no, knowledge on how to interpret reports despite most EICRs including information on the meaning of each code. A small number of businesses had unsatisfactory EICRs completed within the previous five years, due to C2 or FI coded items, which had not been actioned by the respective duty holders.

Defective areas

Unsurprisingly, more defects were found with indoor installations as opposed to outdoor installations, principally because there was a much higher percentage of electrical installations – distribution boards, main electrical intakes, entertainers and live music areas - that would not be routinely found outdoors. Defects were mostly observed in areas inaccessible to the public, however employees were still at risk of harm. Because of this, all hospitality premises, regardless of whether they have an outdoor area, should be considered for electrical safety interventions in the future.

Size of the Business

The majority of businesses included in the intervention were small (63%), having between 5 and 49 employees. The size of a business will often have an impact on the degree of focus that a business will put on health and safety. Smaller businesses are much less likely to have a dedicated health and safety professional to focus on health and safety improvements and ensure compliance with all health and safety legislation. They will often have less resources such as money, time and people to take proactive measures on what is required when compared to their larger counterparts.

Large Hospitality Groups

Although larger groups, or chains of premises, were not specifically targeted for Phase 2, the intervention has highlighted the importance of keeping such businesses within scope of this intervention moving forward after identifying multiple failings in some of the larger organisations visited. This was particularly pertinent for venues where tenants operated the undertaking under a full repairing lease and were contractually responsible for maintaining the electrical systems within the business.

Two businesses that were part of the same large, national chain - the first had a dripping pipe to a walk in freezer close to an electrical distribution unit, with evidence that water had dripped behind the unit itself, whilst the second was found to be using a number of electrical appliances in outdoor areas designed for indoor use only.

One business that was part of different national chain was found to have sockets inadequately protected against liquid beneath a beer tap under the bar; missing blanks, missing screws and an inadequately enclosed electrical distribution unit; inadequately supported and insulated cables; and a hole in the top of a socket leaving access to basic insulation.

One large national business was found to have a badly corroded light fitting in their outdoor area; damaged indoor lighting; a missing blank and unsuitably enclosed distribution board; and inadequately protected exposed basic insulation on cabling.

Unlike Phase 1, the Phase 2 intervention did not require direct engagement with any Primary Authority Partners.

CONCLUSION

Targeted intervention visits were well received by duty holders who welcomed the information, advice and identification of where improvements needed to be made and therefore enabled them to provide a safer workplace for their employees and others using the premises.

The visit proforma was fit for purpose and covered a wide range of topics associated with electricity at work with some minor alterations made following phase one of the intervention, allowing Officers to gather additional information on distribution boards and RCD/RCBOs and information regarding size of the businesses targeted. Officers were therefore able to apply a consistent approach to the inspections and the advice provided.

The methods used for the intervention were appropriate and targeted the correct type of businesses outlined in the plan. The scope was broad in terms of business type and included a range of very small to very large businesses, live music venues, nightclubs, bars and pubs, most with outdoor areas.

Although some businesses did not have an outdoor area, their inclusion was of value as the intervention found that a higher degree of defective and damaged installation and equipment was found in the indoor areas of the businesses.

The issues with the greatest level of non-compliance were found with businesses not having a satisfactory and in date EICR, businesses having defective or damaged electrical installations and businesses that were not checking the functionality of their RCD/RCBOs.

Exactly half of businesses were able to evidence that their electrical installation had been inspected and tested with a satisfactory outcome within the five years prior to the Officer visit and this included just under half of bars/pubs and just over half of nightclubs, therefore showing minimal difference in the electrical installation inspection and testing in each type of business. It comes as no surprise that businesses found with an in date satisfactory EICR were less likely to have defective electrical installations than those that did not.

Just under half of businesses were found to have defects with their electrical installation and a large proportion of these did not have a satisfactory EICR. The main areas of concern were sockets, distribution boards and lighting.

As a result of the intervention, 43% of businesses have had their electrical installation inspected and tested and provided evidence to show that it is now in a satisfactory condition. This confirms that the project has had a positive impact on improving the safety of electrical installations and therefore the safety of premises users in the hospitality sector.

The greatest level of compliance was found with electrical equipment. Officers found that almost all businesses had ensured employees were checking the condition of their electrical equipment regularly and removing defective items from use, which is reflected in very low numbers of electrical equipment that was seen to be defective or damaged. A large proportion of businesses were also having formal combined inspection and testing by competent people to further ensure appliances were safe to use.

Just under three quarters of businesses had RCD/RCBO protection on all of their circuits and whilst not all businesses had circuits to sockets in kitchens, toilets, outdoor areas or entertainers audio equipment, a very high percentage of those that did, had added protection from RCD or RCBO's, meaning extra protection for premises users against injury and a reduced risk from fire.

A further area of high compliance was found with the outdoor electrical installation, where all those with outdoor areas had suitable installations with protection against the effects of the weather.

RECOMMENDATIONS AND FUTURE WORK

The findings of Phase 2 of the Electricity in Hospitality intervention showed that the visits were justified and had a significant impact on raising standards and reducing the risk of harm from electricity in the workplace.

A continuation of focused work across independent hospitality businesses would be justified to affect management of the risks resulting from poor maintenance, inspection and testing of electrical installations and equipment. However, these would need to be in a targeted way to effectively prioritise finite Local Authority resources.

It is recommended that future interventions target:

- Sports, Social Clubs and Working Men's Clubs as they have not been included in the intervention so far and often are run by committees with limited resources.
- A wide range of premises regardless of whether they have an outdoor area.
- Awareness raising in the independent hospitality sector, including:

  - Seasonal campaigns, for example when outdoor electrics are more likely to be used such as during sports tournaments, Christmas and other the festivities.
  - Provision of information, on the need for 5 yearly satisfactory EICR's licensees and RCDs for circuits to be used by entertainers, by our licensing partners or when other SRS officers visit a premises.
  - Use of social media and the SRS website to provide information

Appendix 3 - Management of Health and Safety in Storage and Distribution Warehousing (Phase 2)

Shared Regulatory Services
Gwasanaethau Rheoliadol a Rennir

Bridgend County Borough Council
Cardiff
Vale of Glamorgan

Safe Estates Intervention 2024/25 (Phase 2)

Assessment of health and safety management systems and on site controls in independent storage and distribution warehouses within the Shared Regulatory Services region: April 2024 to September 2024

Background & Evidence Base for Intervention

The annual health and safety service plan for Shared Regulatory Services (SRS) is directed by Local Authority Circular (LAC) 67/2, "Setting Local Authority Priorities and Targeting Interventions", guidance that assists Local Authorities (LAs) target their finite resources with a clear focus on delivering specific outcomes. To facilitate a more consistent and proportionate approach to regulatory interventions, LAC 67/2 sets out Government expectations of a risk-based approach to targeting and sets out principles to enable LAs to comply with the requirements of the National Local Authority Enforcement Code. The document also incorporates an annual list of national planning priorities within its Annex A, as well as a list of specific work activities considered to be suitable for proactive inspection (Annex B).

Analysis of accident data produced by the Health and Safety Executive (HSE) identified storage and distribution warehouse premises, and a number of the work activities undertaken by this sector, as suitable for proactive inspection.

This intervention was also informed by local intelligence gathered across the SRS region. This included data collected as part of a proactive, face-to-face intervention undertaken across this sector during the 2023–2024 work year (Phase 1), as well as data collated following the investigation of reactive complaints and accidents throughout Bridgend, Cardiff and the Vale of Glamorgan. Analysis of data determined that health and safety management systems, including the effectiveness of control measures being implemented, were noticeably poorer in micro and SME businesses that were independently operated in comparison to national companies with multiple outlets.

Based on this intelligence, the 2024–2025 (Phase 2) intervention focused on '**independent operators with a single setting within the SRS locality'**.

The 2023–2024 report concluded that independent duty holders performed particularly poorly in the following areas:

- Health and safety management systems/employee training arrangements
- Compliance with the Lifting Operations and Lifting Equipment Regulations 1998
- Safe storage of goods
- Safety of mezzanine storage areas
- Racking Safety – Installation, inspection and inclusion of safety features
- Electrical installation safety

Consequently, the key themes for the 2024-2025 (Phase 2) intervention were rationalised to focus on these priority areas.

As illustrated in the 2023-2024 report, this area of work was aligned with the strategic priorities of the Service, in particular improving the health and well-being of service users, and safeguarding more vulnerable citizens who would be exposed to risks associated with this category of workplace.

Key aims of the Intervention

- **To determine if independent duty holders operating storage and distribution warehouses across Bridgend, Cardiff and the Vale of Glamorgan were operating in compliance with the Health and Safety at Work etc. Act 1974, and Regulations made thereunder.**
- **To determine if independent duty holders operating storage and distribution warehouses across Bridgend, Cardiff and the Vale of Glamorgan were operating in compliance with Approved Codes of Practices and published sector guidance.**
- **To determine if independent duty holders operating storage and distribution warehouses across Bridgend, Cardiff and the Vale of Glamorgan were operating in compliance with their own internal health and safety management systems.**
- **To educate duty holders operating storage and distribution warehouses across Bridgend, Cardiff and the Vale of Glamorgan on legal matters pertaining to their undertakings.**
- **To identify other matters of evident concern.**

Relevant Legislation

Legislation relevant to the management of storage and distribution warehouses, and assessed as part of these intervention visits, included:

- The Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999, *as amended*
- The Workplace (Health, Safety and Welfare) Regulations 1992
- The Provision and Use of Work Equipment Regulations 1998
- The Lifting Operations and Lifting Equipment Regulations 1998
- The Working at Height Regulations 2005
- The Control of Asbestos Regulations 2012
- The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- The Electricity at Work Regulations 1989
- The Health and Safety (First Aid) Regulations 1981
- The Reporting of Injuries, Disease and Dangerous Occurrences Regulations 2013
- The Health and Safety (Safety Signs and Signals) Regulations 1996

Preparation and Scope of Phase 2

All premises identified for inclusion in the intervention fell within scope of the Health and Safety (Enforcing Authority) Regulations 1998, Schedule 1, with the main activity being enforced by the Local Authority for health and safety matters.
The premises to be targeted were warehouse facilities which offered storage and distribution services and were operated by independent duty holders.
To maximise 'added value' for each visit, officers were also required to identify Matters of Evident Concerns (MECs). Whilst there was a particular focus on electrical safety, any wider concerns identified by Officers were required to be dealt with.

An initial scoping exercise of the Tascomi database, internet searches and collation of local intelligence identified a primary inspection list of 30 suitable premises, with 10 businesses per Local Authority area.
A project work plan and visit proforma were developed to promote consistency amongst all Officers engaged with site visits. These proformas were amended following Phase 1 to reflect the re-focused priorities for the 2024-2025 intervention. All officers allocated project visits attended briefing sessions with the Project Lead prior to visits starting to discuss the intervention plan.
Businesses identified through the scoping exercise were sent a letter in May 2024 to advise that unannounced visits would be taking place, the reason for the intervention, and what documentation would be required by the inspecting Officer during the visit. Duty holders were also signposted to relevant links on the HSE website to support them prepare for Officer visits.

Significant Findings of Phase 2 Visits

A total of **30 warehouses** were visited as part of Phase 2. A number of business closures on both the primary and reserve lists impacted the distribution of visits across the SRS region, as illustrated in **figure 1**.

Of the 30 visits undertaken, **27 fell within scope of the Phase 2 intervention**, namely independent operators with a single setting within the SRS region. For the purposes of data analysis **only data collated from the 27 premises within the scope of the project definition were included in the analysis of significant findings.**

Where Officers identified changes to an undertaking which meant it was no longer within scope of the Phase 2 intervention *(e.g. SME bought out by a national company, business expansion to more than 1 venue)*, visits did continue and findings were reported to the duty holders. However, data from these 3 premises was excluded from the analysis to avoid skewing the overall results.

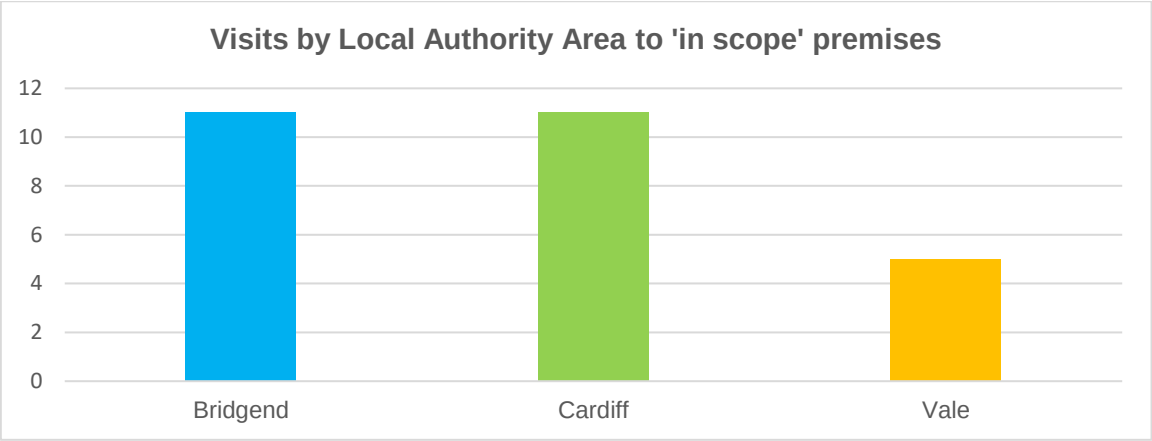


Figure 1

Management of Health and Safety

- **Health and Safety Policy**

The Health and Safety at Work etc. Act 1974 requires an employer to have a policy in place which explains how they will manage health and safety in its business. Roles and responsibilities of key personnel should be clearly defined so that employees are aware who is tasked with specific health and safety functions within the organisation, whilst the health and safety arrangements should effectively communicate organisational operational procedures. Where an employer has five or more employees, the health and safety policy must be written down and effectively communicated to employees.

Of the 27 businesses visited, **3 (11%)** were not able to provide a documented health and safety policy at the time of the Officer's initial visit; all within the Cardiff area. **20** (**74%**) premises were able to provide a documented health and safety policy that was considered to be adequate, **Bridgend (8), Cardiff (8) and Vale of Glamorgan (4) -** see **Figure 2** below.

Two (2) businesses, both within the Bridgend area, employed less than 5 employees so were not required to produce a written health and safety policy in law.

Two (2) businesses closed following the initial visit so Officers were unable to accurately verify what documented health and safety management systems were in place.

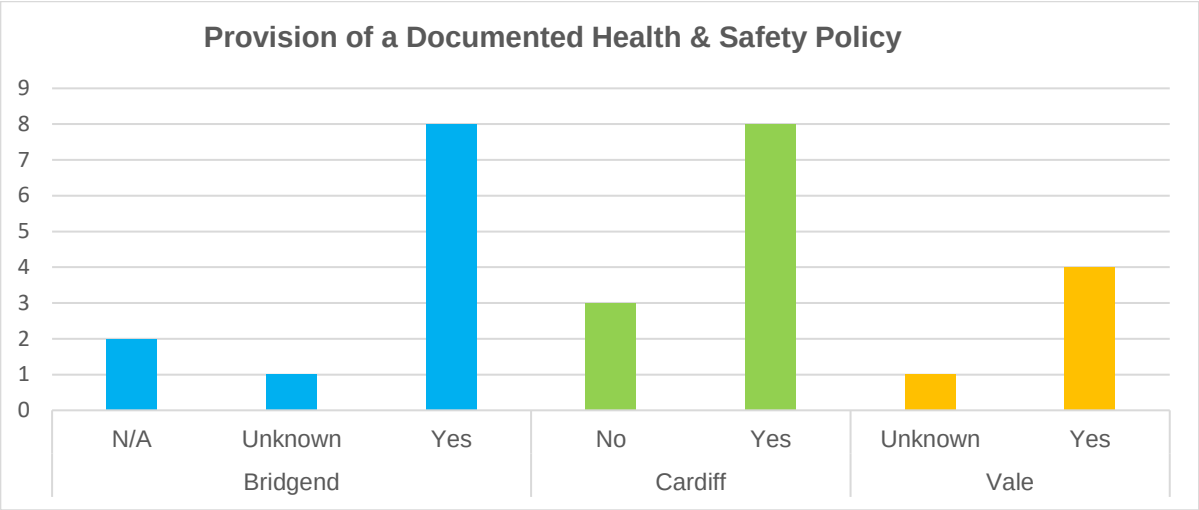
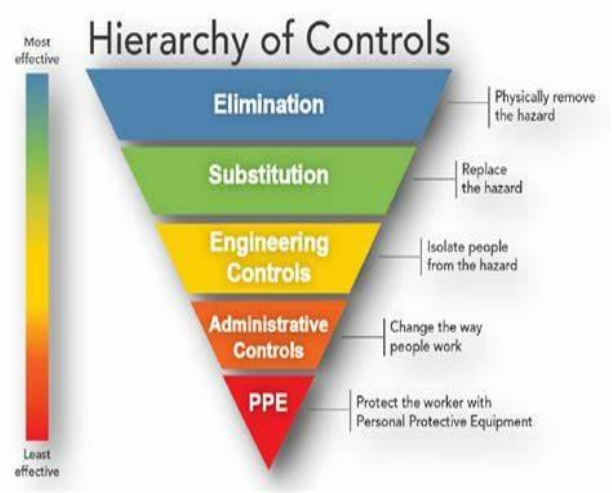


Figure 2

- **Risk Assessments**

Regulation 3 of the Management of Health and Safety at work Regulations 1999 requires every employer to undertake a suitable and sufficient risk assessment of workplace activities to identify hazards and significant risks to employees and others. Where 5 or more people are employed, these assessments must be documented.



By following the hierarchy of controls principle (as illustrated in **Figure 3**), significant risks must either be removed, through elimination or substitution, or effectively mitigated through the implementation of suitable, and effective, control measures. All safe systems of work developed from risk assessment findings must be robustly implemented and routinely monitored to ensure they remain appropriate and effective.

Figure 3

Of the 27 businesses visited, **19 (70%)** premises - **Bridgend (8), Cardiff (8) and Vale of Glamorgan (3) -** were able to provide evidence of documented risk assessments during initial Officer visits that were considered to be suitable and sufficient. Of the remaining 8 premises, 2 were found to be closed during follow up visits, so Officers were unable to verify the existence and adequacy of risk assessments, whilst 4 businesses were not required to produce documented risk assessments since less than 5 persons were employed - **Bridgend (2), Cardiff (1) and Vale of Glamorgan (1)**.

The remaining **2 (7%)** premises in Cardiff had not produced documented risk assessments and were subject to formal action by Officers - see **Figure 4** below.

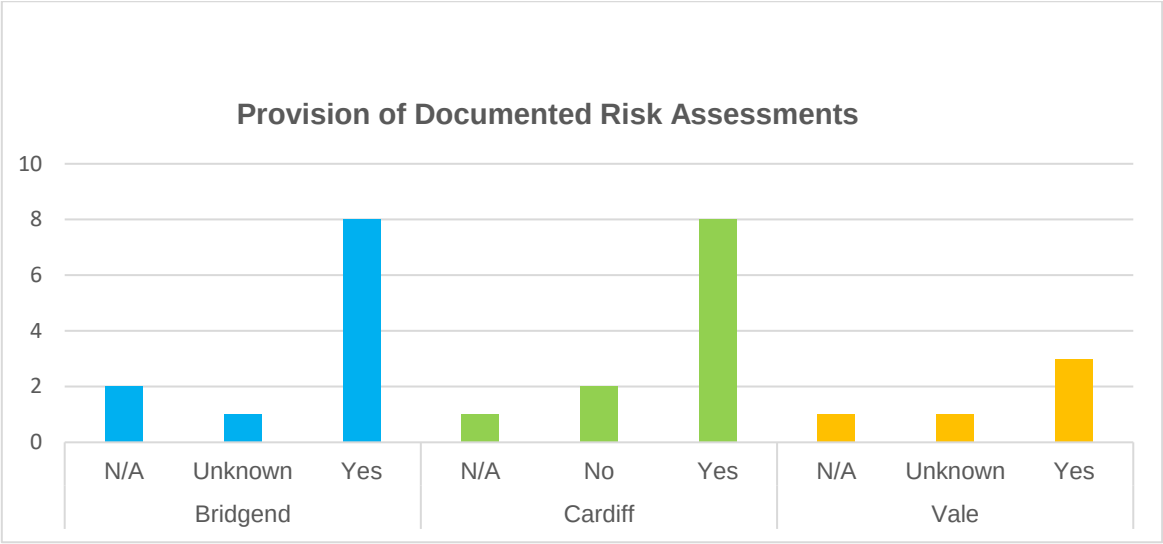


Figure 4

- **Staff Training**

Everyone at work needs to know how to work safely and without risk to their own health and safety, or that of others. When allocating work to employees, employers must ensure that demands of the job do not put employee health and safety at risk, or increase the risk of injury to others who may be impacted by that work activity. Employers should take account of employee capabilities based on their existing levels of training, knowledge, and experience; something of particular significance for new recruits or existing staff changing roles or assuming additional responsibilities. Equally, managers must be conversant with relevant legislation and be competent to undertake their delegated health and safety responsibilities effectively. All employee competencies should be subject to regular review, with additional and refresher training provided as necessary.

At the time of the initial visits to the 27 businesses, **22 (81%)** of duty holders - **Bridgend (8), Cardiff (10) and Vale of Glamorgan (4) -** had provided staff with adequate training on the main topic areas included in this intervention: manual and mechanical handling, working at height and workplace transport. See **Figure 5** below.

3 duty holders visited were self-employed, not all of which could evidence the completion of relevant health and safety training.
Of the remaining 2 businesses, 1 closed shortly after the initial visit so the Officer was unable to fully verify staff training arrangements, and actions remain on-going with the remaining business to determine the adequacy of staff training.

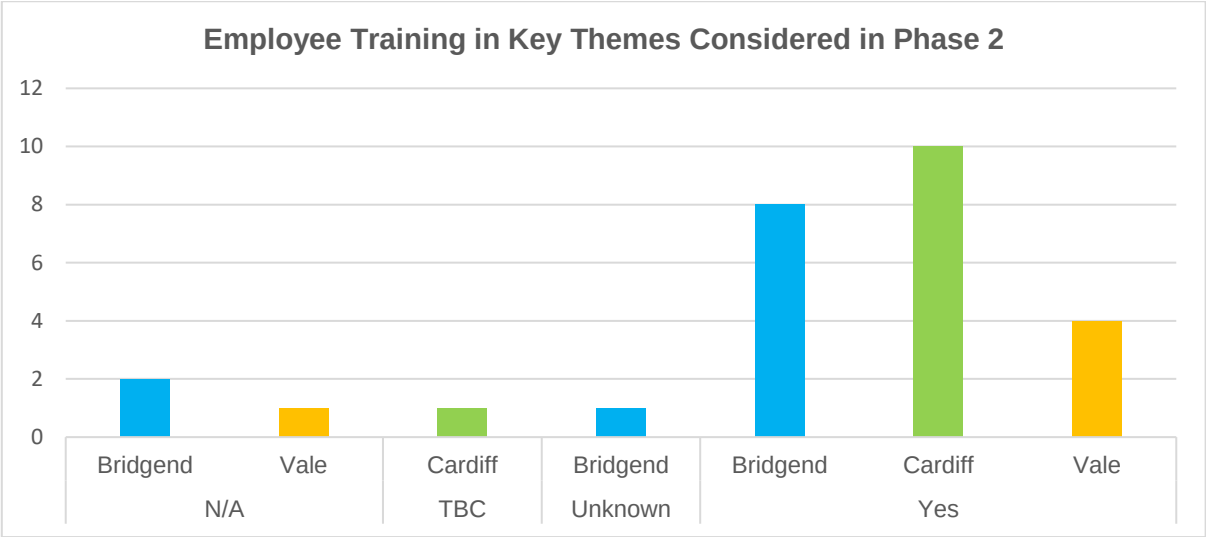


Figure 5

***N/A** – Self-employed no employees

***Unknown** – Premises closed following initial intervention

***TBC –** Further action on-going to confirm employee training

Mechanical Handling Equipment (MHE)

Mechanical Handling Equipment (MHE) was found in **24 (89%)** of the 27 businesses visited in Phase 2. Whilst not an exhaustive list this equipment included sack trucks, pallet trucks, fork lift trucks (FLTs) and pallet hoists; all used as aids for the movement of goods around the workplace, the loading and unloading of delivery vehicles and the loading and unloading of items onto racking and other storage areas such as mezzanines.

Examples of MHE's viewed during interventions are shown in **Pictures 1 & 2** below:

Picture 1: Reach FLT and pallet truck

Picture 2: Counterbalance FLT

HSE data shows FLTs are involved in about a quarter of all workplace transport accidents, (www.hse.gov.uk/statistics). These accidents not only lead to personal injury, but often physical damage to both the fabric of buildings and equipment, particularly racking systems.

Duty holders in **15 (63%)** of premises using MHE - **Bridgend (4), Cardiff (9) and Vale of Glamorgan (2)** - were able to demonstrate to Officers at the time of their initial visit that MHE was undergoing formal, proactive daily checks in the form of documented checklists - See **figure 6** below. The types of MHE being subject to daily checks included FLTs, pallet hoists and mechanised pallet trucks.

These documented systems enabled duty holders to evidence that safety devices such as warning lights, audible alarms and personal restraints were operating correctly; fluid levels were correct; and signs of wear and tear or damage to tyres, forks and chains were being identified in a timely manner.

A total of **3 duty holders (13%)** using MHE which should be subject to daily checks, failed to have any formal system of proactive maintenance in place - **Cardiff (2) and Bridgend (1)** - See **figure 6** below. These duty holders were subject to formal action by Officers.

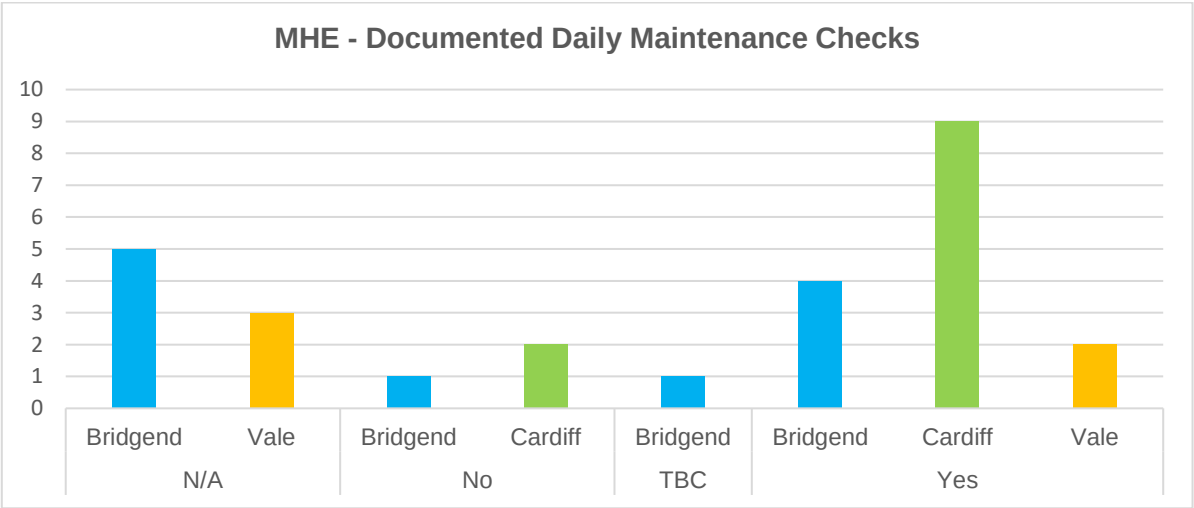


Figure 6

***N/A** – No MHE in use or equipment did not require daily checks

***TBC –** Further intervention ongoing to confirm daily checks in place

- **Lifting Operations and Lifting Equipment Regulations (LOLER) 1998**

Under these regulations duty holders are required to ensure any lifting equipment is subject to a thorough examination, and evidence is available on site to confirm the date when it was last completed, and the frequency it must be carried out *(as determined by law or by a suitably competent person).*

Of the 24 premises visited which used MHE, **17 (71%)** businesses used lifting equipment, such as fork lift trucks, that would require thorough examinations under LOLER.

Only **14 of the 17 (82%) duty holders** using fork lift trucks were able to demonstrate to Officers during initial visits that MHE was subject to thorough examination on an annual or 6-monthly basis. - **Bridgend (4), Cardiff (9) and Vale of Glamorgan (1)** - see **figure 7** below.

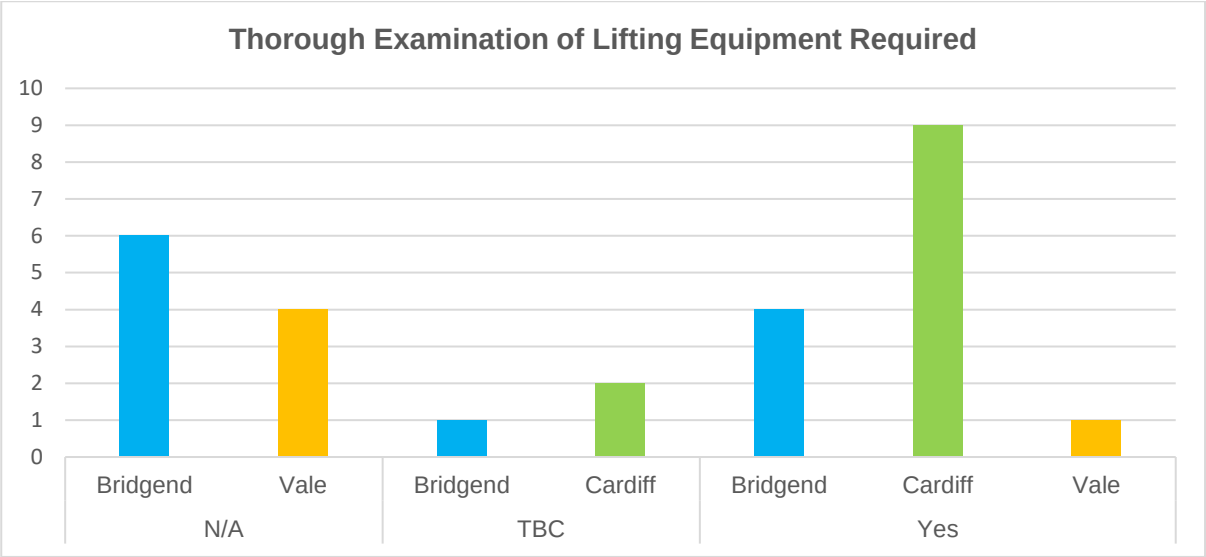


Figure 7

***N/A** – No MHE in use or equipment in use not captured by LOLER

***TBC –** Further intervention on-going to confirm thorough examinations are undertaken

- **Training of Fork Lift Truck Operators**

'Every employer shall ensure that all persons who use work equipment have received adequate training for purposes of health and safety, including training in the methods which may be adopted when using the work equipment, any risks which such use may entail and precautions to be taken'.

***Regulation 9,* Provision and Use of Work Equipment Regulations 1998**

All employers must ensure that lift-truck operators are trained to the standards outlined in the L117 ACOP, whether using in-house trainers or external training providers. Training should always include 3 stages:

- Basic training: the basic skills and knowledge required to operate a lift truck safely and efficiently.
- Specific job training: knowledge and understanding of the operating principles and controls of the lift truck to be used and how it will be used in their workplace.
- Familiarisation training: applying what has been learnt, under normal working conditions, on the job.

14 (82%) of duty holders - **Bridgend (4), Cardiff (9) and Vale of Glamorgan (1)** – where MHE requiring specialist training was in use, were able to demonstrate to Officers during initial visits that Fork Lift Truck (FLT) operatives had received an appropriate level of training. See **figure 8** below. Further formal actions have been taken with those either failing to provide an appropriate level of specialist training, or where this has yet to be confirmed.

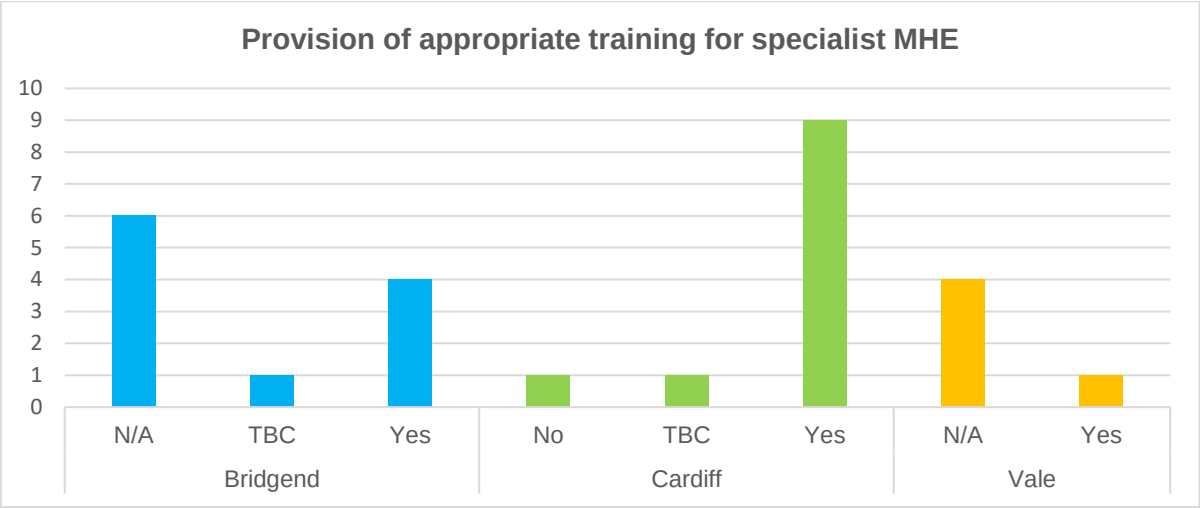


Figure 8

***N/A** – No MHE in use or MHE equipment in use did not require specialist training for employees

***TBC** – Further investigation on-going to confirm appropriate specialist training in place

Arrangements to prevent the use of FLTs by unauthorised staff was considered as part of the Phase 2 site visits. As illustrated in **Pictures 3 and 4** (below), some duty holders failed to ensure that keys were removed from FLTs when not in use, thereby failing to adequately mitigate the risk of untrained people using MHE.

Picture 3

Picture 4

Working at Height

- **Use of Mezzanine Floors**

Mezzanine floors are often installed to increase storage capacity and available workspace in buildings. To prevent the risk of people and goods falling from a height, it is critical that mezzanine floors are fitted with appropriate edge protection, a safe means of access and egress is provided, and workers are aware of (and adhere to) safe working loads.

Of the 27 businesses visited, **14 (52%)** of premises - **Bridgend (5), Cardiff (6), Vale of Glamorgan (3) -** had mezzanine floors on site.

Of these 14 businesses, all 14 **(100%)** - **Bridgend (5), Cardiff (6), Vale of Glamorgan (3) -** had safe means of access to the mezzanine area.
In 4 of the 14 premises **(29%) - Cardiff (3), Vale of Glamorgan (1)** – mezzanine floors were not marked with Safe Working Loads and Duty Holders were unaware of their load capacity - See **figure 9** below.

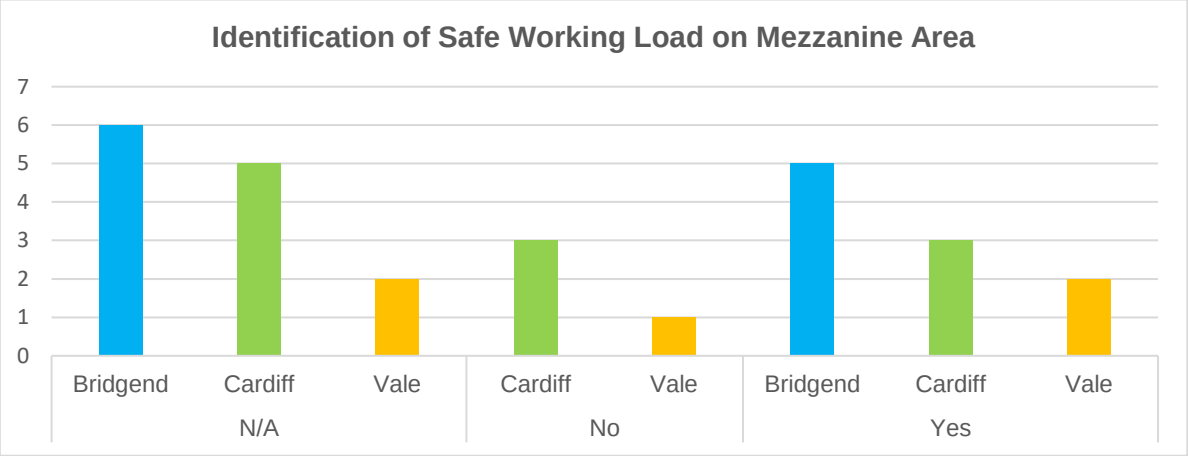


Figure 9

***N/A** – No Mezzanine on site

In 3 of the 14 premises with mezzanine floors **(21%) - Cardiff (2), Vale of Glamorgan (1)** – mezzanine floors were not provided with suitable edge protection, for example guard rails and toe boards, increasing the risk of both persons and goods falling from a height - See **figure 10** below.

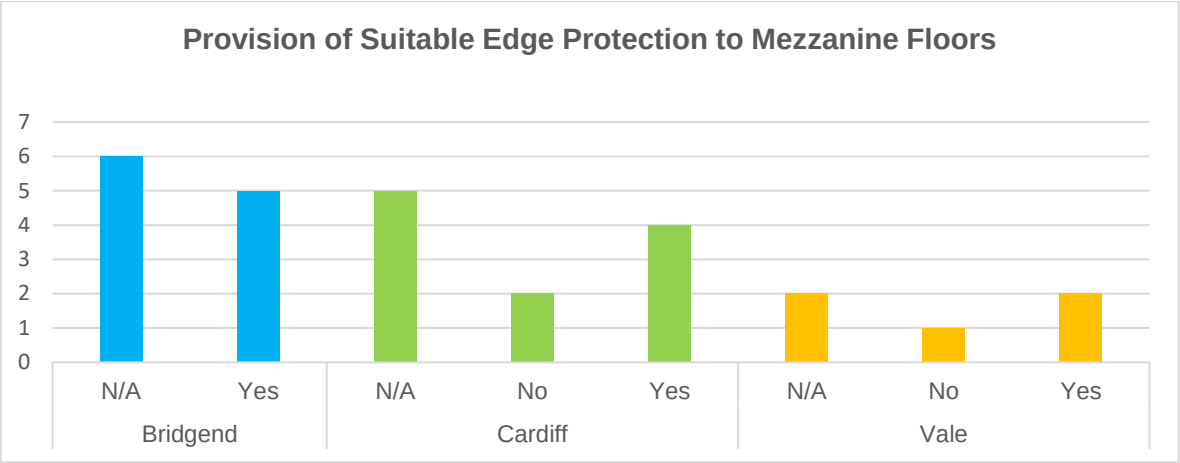


Figure 10

***N/A** – No mezzanine storage area on site

Picture 5

Picture 6

Picture 7

Picture 5 highlights a number of the requisite safety features required on a mezzanine storage area, including suitable edge protection and a safe means of access.

Picture 6 shows a mezzanine area fitted with a mezzanine pallet safety gate.

Picture 7 illustrates an alternative type of mezzanine gate commonly found in use.

- **Pallet Collapse Procedures**

In the event of a pallet collapse within a high level storage area, it is crucial for businesses to have a safe system of work, or emergency plan, which details how workers will safely access the load. This plan should include controls such as: restricting access to the area, use of safety "buffer" zones

when using mechanical lifting equipment, use of specialised machinery that may need to be brought in to facilitate the safe retrieval of collapsed stock.
Of the 27 businesses visited, **10 (37%)** - **Bridgend (7), Vale of Glamorgan (3)** – either did not have palletised stock or did not store palletised stock at a high level - See **figure 11** below.
Of the remaining 17 businesses that did hold palletised stock, **10 (59%)** - **Bridgend (2), Cardiff (7), Vale of Glamorgan (1)** - had suitable systems in place for managing pallet collapse at high level - See **figure 11** below.

Of the remaining 17 businesses that did hold palletised stock, **5 (29%)** - **Cardiff (4), Vale of Glamorgan (1) -** were found to have no suitable systems in place which required Officers to take action during visits - See **figure 11** below.

The remaining 2 businesses closed shortly after the initial intervention visits and Officers were unable to substantiate safe working practices.

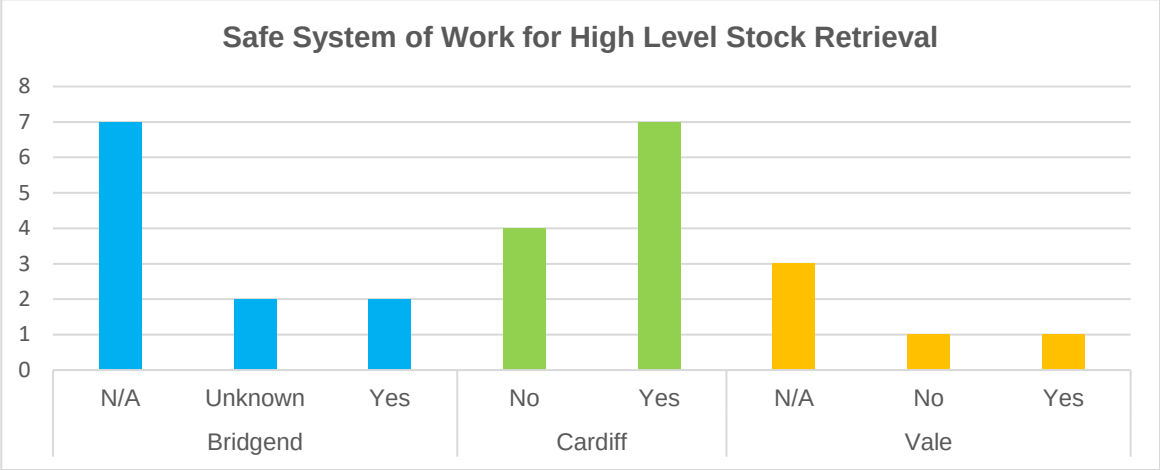


Figure 11

***N/A** – No pallets or no high level palletised storage

***Unknown** - Premises closed following initial intervention or unable to confirm work procedure to-date

Racking and Storage Systems

The industry best practice standards for racking systems in the United Kingdom are designed by the Storage Equipment Manufacturers' Association (SEMA) who promote a number of criteria to ensure a racking system is safe and remains so throughout its lifetime. Racking systems should be to a safe design, be safely installed and be regularly inspected and maintained whilst in use. SEMA advocate a Green, Amber, Red traffic light system as part of their racking inspections, with defects identified as Red requiring immediate attention and stock removal. Amber defects require corrective action within one month.

- **Racking Installations**

Of the **17 businesses visited** which had racking installations present, duty holders in **6** (**35%)** premises were able to demonstrate to Officers that racking systems had been installed by a competent SEMA affiliated company - **Bridgend (2), Cardiff (3) and Vale of Glamorgan (1)** - See **figure 12** below.

The remaining **11 (65%)** of premises were unaware who had installed their racking systems - **Bridgend (2), Cardiff (8) and Vale of Glamorgan (1)** - See **figure 12** below.

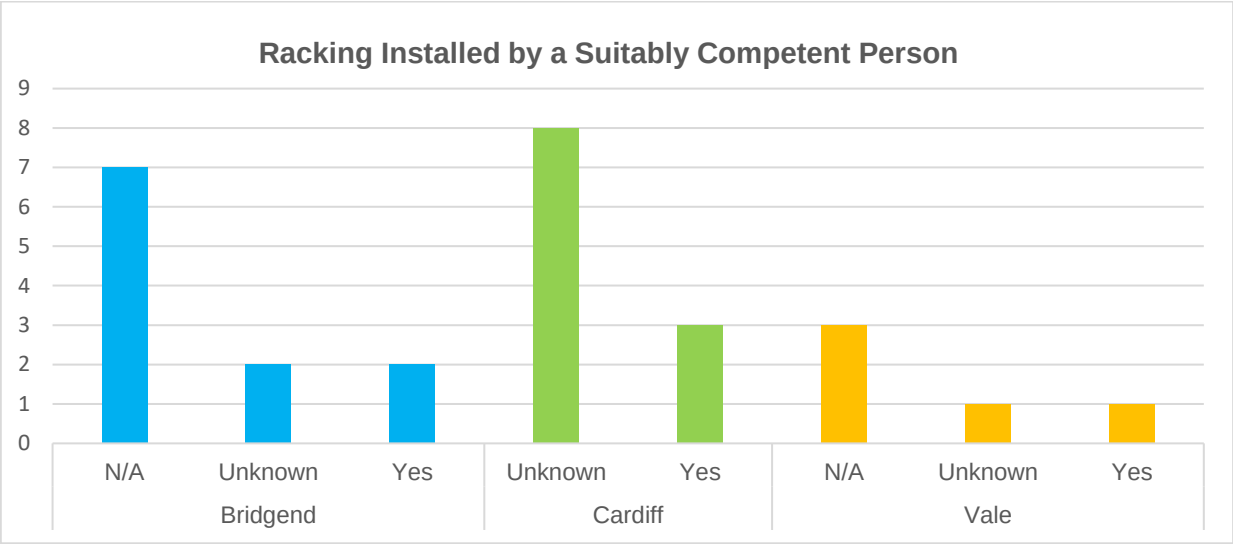


Figure 12

***N/A** – No High level racking on site

***Unknown** – Duty Holder unable to confirm installation details

- **Racking Inspection**

Initial inspection visits identified that **6 (35%)** premises with racking - **Bridgend (1), Cardiff (4) and Vale of Glamorgan (1)** - were undertaking formal inspections of their storage systems via a competent third party or competent in-house inspector. See **figure 13** below.
9 (53%) premises - **Bridgend (3), Cardiff (5) and Vale of Glamorgan (1) -** were not undertaking formal inspections of their racking. See **figure 13** below.

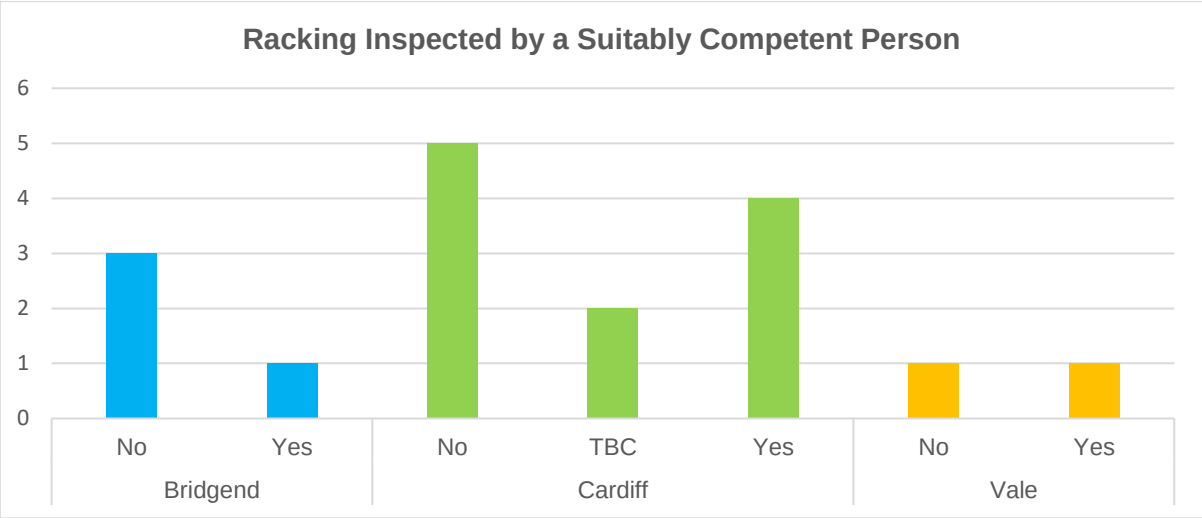
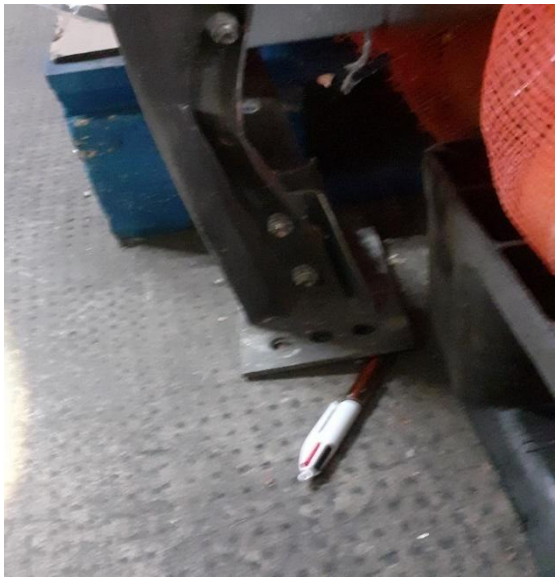


Figure 13

***TBC –** Further action on-going to confirm appropriate inspections being undertaken



Picture 8 (adjacent) illustrates an example of damaged and unsecured racking found in use by Officers during site visits.

Picture 8

- **Provision of Safety Features**

During visits Officers visually inspected all racking systems for the presence of relevant safety features such as: display of Safe Working Load (SWL) information, suitable means of anchorage, presence of locking pins, and installation of column guards to protect against mechanical impact.
15 (88%) of the 17 premises with racking installations were found to have a suitable means of anchorage - **Bridgend (4), Cardiff (9) and Vale of Glamorgan (2).** See **figure 14** below.

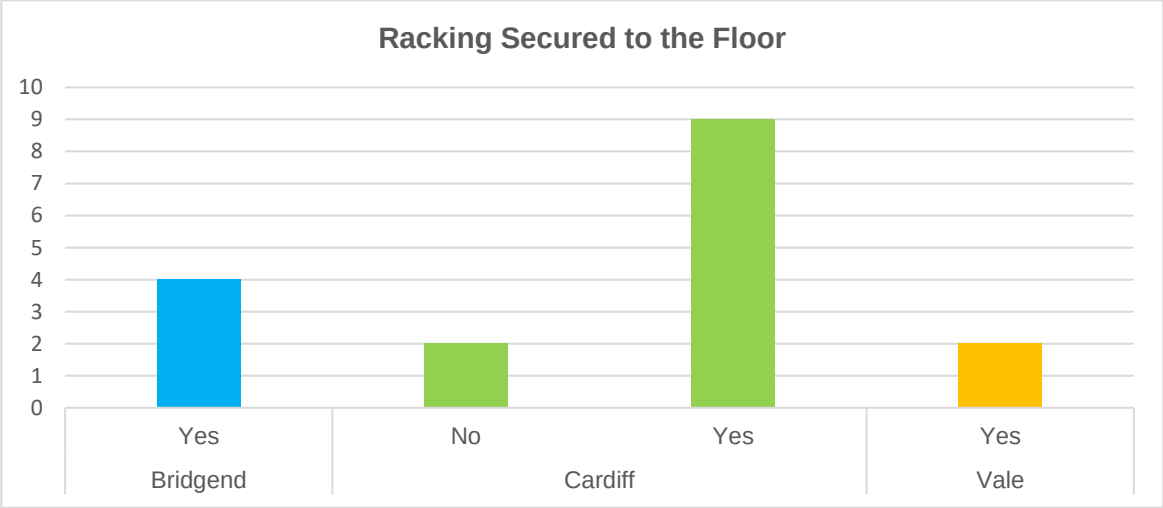


Figure 14

Picture 9

9 (53%) of installations were found to have column guards in place to offer suitable mechanical protection to the racking installation in areas where MHE was in use - **Bridgend (2), Cardiff (7).** See **figure 15** below.

8 (47%) of installations did not have column guards in place, resulting in mechanical damage to critical parts of the racking installation – as illustrated in **Picture 9** (adjacent).

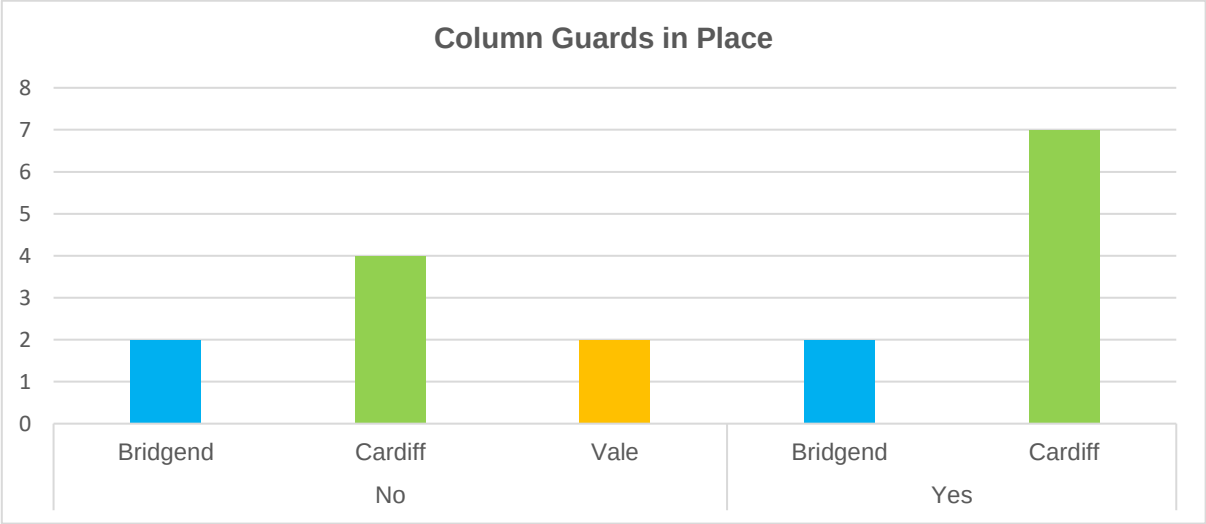


Figure 15

Picture 10

14 (82%) of racking installations were found to have their locking pins in place - **Bridgend (4), Cardiff (8) and Vale of Glamorgan (2).** See **figure 16** below.

3 (18%) premises had racking installations without locking pins in place, as illustrated in **Picture 10** (adjacent)

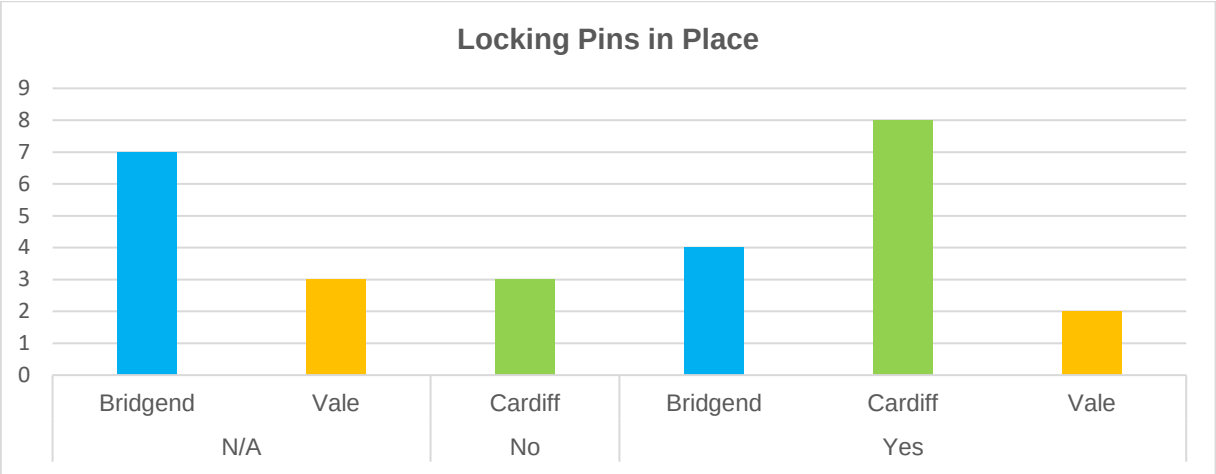


Figure 16

***N/A** – No high level racking

Of the 17 premises with racking installations, only **10 (59%)** businesses had racking marked with its safe working load (SWL) - **Bridgend (2), Cardiff (7) and Vale of Glamorgan (1).** See **figure 17, pictures 11 and 12** below.

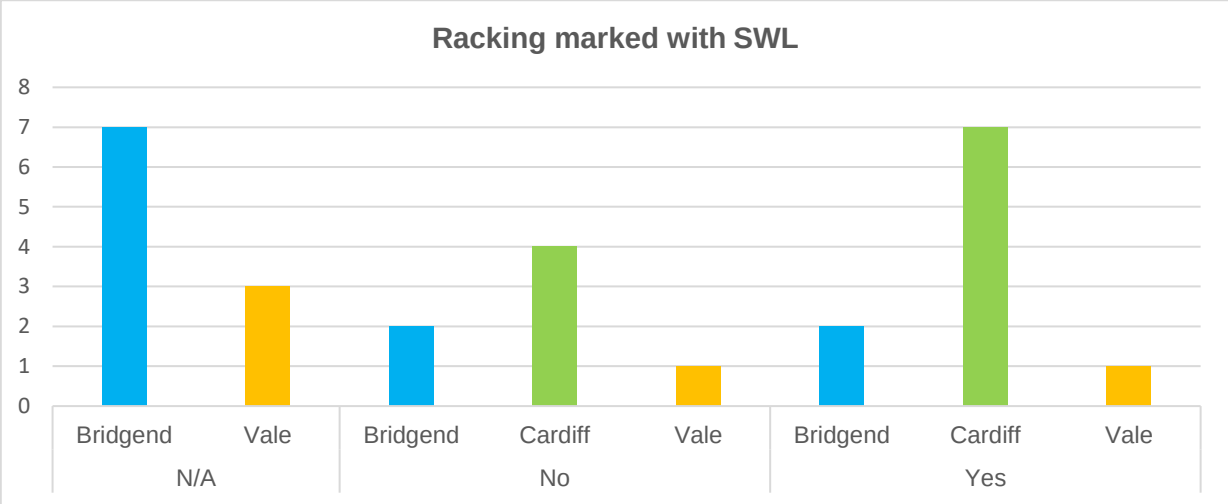


Figure 17

***N/A** – No high level racking

Picture 11

Picture 12

- **Safe Storage of Loads**

Of the 17 businesses visited who were storing loads on racking, **15 (88%)** premises were found to have stock securely stored on racking systems - **Bridgend (4), Cardiff (9) and Vale of Glamorgan (2)**. See **figure 18** below.

Concerns about the security of loads were identified in 2 premises in the Cardiff area and duty holders were instructed by Officers to implement immediate corrective actions.

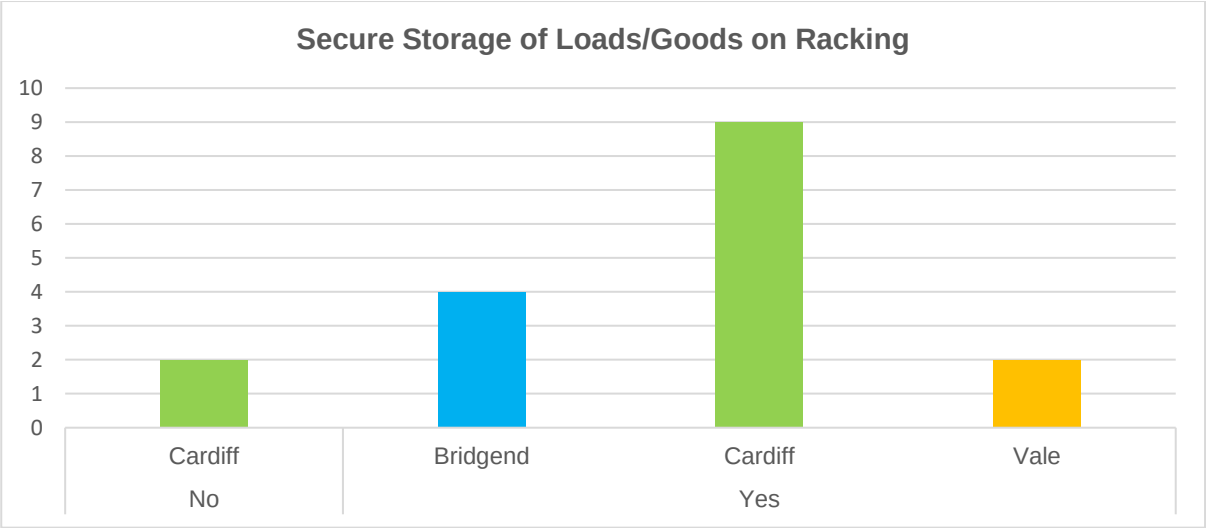


Figure 18

Pictures 13, 14 and 15 (adjacent & above) illustrate examples of poor load security on racking observed during site visits.

Matter of Evident Concern

- **Electrical Safety**

Of the 27 businesses included in the phase 2 intervention, up-to-date Electrical Installation Condition Reports (EICRs) were only available for inspection at **19 (70%)** premises during initial visits - **Bridgend (9), Cardiff (7) and Vale of Glamorgan (3)**. See **figure 19** below.

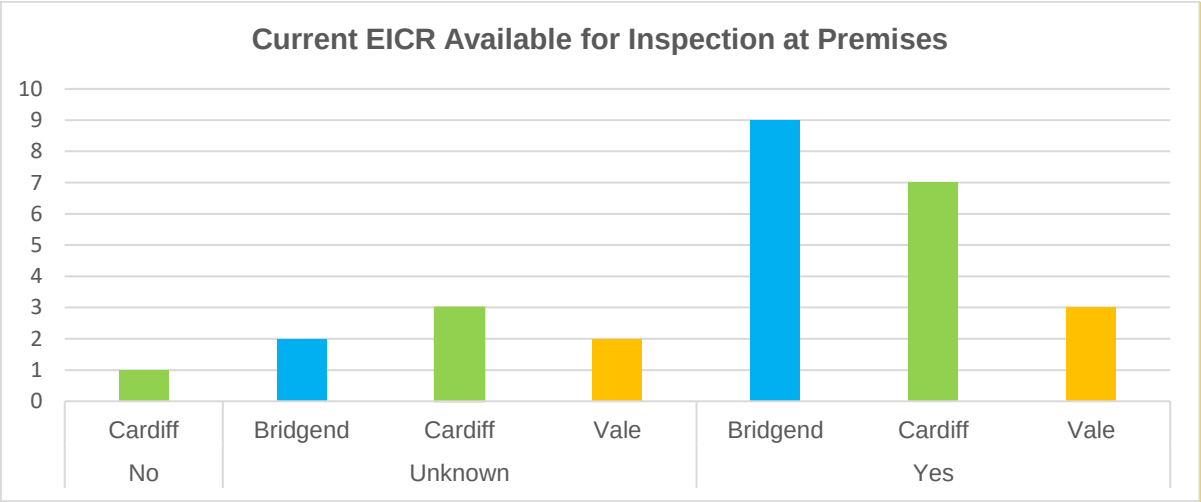


Figure 19

***Unknown –** Further intervention on-going to confirm EICR in place or premise closed following initial visit

Officers noted that whilst a significant proportion of landlords and managing agents were responsible for providing copies of EICR certificates to tenants, many duty holders had not received relevant documentation for the units they occupied.

Commonplace defects identified by Officers during visits included missing protective covers on IP66 rated socket boxes, as illustrated in **picture 16** (adjacent).

Enforcement Action Taken

Where necessary, duty holders were sent a formal written warning post-visit to confirm what legislation had been breached and what actions were necessary to secure the required level of compliance. In accordance with the Compliance and Enforcement Policy of Shared Regulatory Services, legal contraventions and Officer recommendations were clearly differentiated in written communications. Duty holders were either required to provide a detailed action plan to confirm how issues would be resolved by a prescribed deadline, or were subject to an Officer revisit after a specified period.

Where duty holders failed to provide Officers with the requisite information, physical revisits have, and continue to be, undertaken to ensure improvements are implemented.
To-date, **x7** Section 21 Improvement Notices, **Cardiff (4) and Vale of Glamorgan (3)** have been served on duty holders in both Cardiff and the Vale of Glamorgan following **Phase 2** visits to secure the following improvements:

- Inspection of existing racking systems by a suitably competent person to evidence correct installation.
- Remediation of defects to existing racking systems by a suitably competent person.
- Maintenance of electrical systems to prevent the risk of danger.
- To assess the presence of asbestos containing materials and complete an asbestos management plan where necessary.
- Thorough examination of lifting equipment (FLTs).
- Provision of training for FLT operators.

At the time of writing this report, the Vale of Glamorgan duty holder has failed to comply with x3 Improvement Notices and has now been invited to provide representations under caution about a number of alleged health and safety offences.
By way of an update from **Phase 1** of this intervention, **x4** Section 21 Improvement Notices were subsequently served on an independent operator of a warehouse in Cardiff after the company failed to make adequate progress with:

- The preparation of suitable and sufficient risk assessments of work activities undertaken on site.
- Maintaining electrical systems to prevent the risk of danger.
- Engaging a suitably competent person to assess the condition of asbestos containing materials and complete an asbestos management plan.

- Effect suitable repairs and improvements to storage racking systems in use.

At the time of writing this report, the Cardiff duty holder has failed to comply with x2 of these Improvement Notices and has now been invited to provide representations under caution about a number of alleged health and safety offences.

Conclusion

The documentation used by Officers during the Phase 2 intervention was found to be fit for purpose and the method used to engage with duty holders was found to be appropriate.
The selection of premises to be included in Phase 2 would've benefited from an additional website check prior to the commencement of visits. A failure to do so resulted in 3 businesses being visited that were outside of the agreed scope of the intervention.

The current cost of living crisis did have an impact on businesses subject to this intervention, with several duty holders electing to cease trading after initial Officer visits.

Initial intervention visits identified that the majority of duty holders were discharging their health and safety management duties effectively, with only **11%** of duty holders failing to produce a suitable health and safety policy and **7%** failing to produce suitable and sufficient risk assessments. Notwithstanding these statistics, where managers were not on site at the time of the visit, or a temporary manager was in post, staff were not readily able to produce key documents at the request of the inspecting Officer. This suggests that internal communication and wider knowledge about health and safety management arrangements may still be lacking, even where policies and risk assessments have been produced.

82% of duty holders were found to be providing suitable training to employees on the main themes covered by this intervention, including appropriate training in the use of specialist mechanical handling equipment such as fork lift trucks (FLTs). Officers did, however, continue to find a number of unattended fork lift trucks with keys left in the ignition, thus increasing the opportunity for unauthorised use by both untrained employees and non-employees able to access these parts of the workplace.

Mechanical handling equipment (MHE) was identified in **89%** of premises visited, and of these, **63%** of duty holders were able to evidence the use of daily equipment checklists and equipment safety devices. For larger pieces of lifting equipment, such as FLTs, a significant proportion of businesses had elected to lease the MHE as opposed to purchasing it. Despite the leasing company being responsible for maintaining the lifting equipment and providing evidence of LOLER compliance, only **82%** of duty holders were able to demonstrate that lifting equipment in use within their undertaking had been subject to a thorough examination.

Mezzanine storage facilities were identified in **52%** of premises visited. Whilst all could be safely accessed by workers, almost a third of duty holders were unaware of the safe working loads for these areas, and a fifth of businesses failed to have suitable edge protection fitted to mitigate the risk of either persons or stock falling from a height.

Of those premises storing palletised stock on racking, only **59%** had safe systems of work in place for dealing with pallet collapse at a high level.

Only **35%** of duty holders could evidence that a suitably competent person had installed racking systems in use at their premises. Many small businesses had inherited the racking with the building, but without any documented evidence of its installation and subsequent inspection.

The engagement of a competent person to undertake on-going racking inspection and repair could only be evidenced by **35%** of duty holders.

Whilst **88%** of racking systems were fitted with a suitable means of anchorage, only **53%** were protected by column guards designed to maintain structural integrity in the event of mechanical impact. Locking pins were found in use on **82%** of racking systems but only **59%** of installations had their safe working loads identified.

The majority of premises visited were able to demonstrate safe storage methods and safe levels of stock held on site. Only a minority of duty holders were found to have unsatisfactory housekeeping arrangements where goods were obstructing MHE traffic routes or locations where workers would need to use ladders to access storage systems.

Current Electrical Installation Condition Reports were not available in **30%** of premises visited, with several duty holders either unaware of whether they or their landlord was responsible for undertaking these maintenance checks.

Recommendations and Future Work

Completion of the Phase 2 intervention during the 2024-25 work year has provided further evidence that health and safety standards in premises controlled by independent operators remain poor in some key areas.

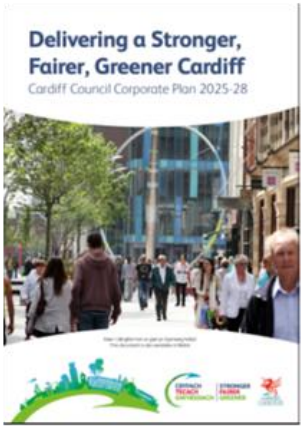
A continuation of focused work across the micro and SME warehouse sector would be justified, albeit in a targeted way to effectively prioritise finite Local Authority resources.
It is recommended that future interventions target the following themes in independently operated warehouse storage facilities:

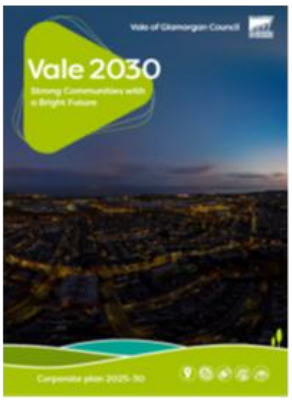
- Mezzanine safety with particular focus on edge protection and safe working loads.
- Racking safety – installation, inspection and provision of safety features.
- Safe systems of work associated with pallet collapse.
- Maintenance of electrical systems to prevent danger.
- Duty to manage asbestos.

Appendix 4

Corporate priorities and outcomes of partner Councils

Bridgend County Borough Council	Priorities	Outcomes/Aims
	• A County Borough where we protect our most vulnerable • A County Borough with fair work, skilled, high-quality jobs and thriving towns • A County Borough with thriving valleys communities • A County Borough where we help people meet their potential • A County Borough where people feel valued, heard and part of their community • A County Borough where people feel valued, heard and part of their community • A County Borough where we support people to live healthy and happy lives.	• Protect our most vulnerable • Fair work, skilled , jobs and thriving towns • Creating thriving valleys communities • Helping people meet their potential • Responding to the climate and nature emergency • Making people feel valued, heard and part of their community • Supporting people to be healthy and happy.

City of Cardiff Council	Priorities	Outcomes/Aims
	• 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 • One Planet Cardiff • Modernising and integrating our public services	• 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 • One Planet Cardiff • Modernising and integrating our public services

Vale of Glamorgan Council	Priorities	Outcomes/Aims
	• Creating great places to live, work and visit • Respecting and celebrating the environment • Giving everyone a good start in life. • Supporting and protecting those who need us. • Being the best Council we can be.	• Creating great places to live, work and visit • Respecting and celebrating the environment • Giving everyone a good start in life. • Supporting and protecting those who need us. • Being the best Council we can be.