

January 2019

Happy new year. Welcome to the latest edition of the energy health and safety bulletin, which is issued to all health and safety representatives in the sector.

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Distribution Network Operators: December DINs and SOPs

Each month, trade body the Energy Networks Association issues a briefing to its members that summarises dangerous incidents (DINs), suspensions of operational practice (SOPs) and national equipment defect reports (NEDeRS) reported by DNO businesses. This briefing outlines the seven incidents reported in December 2018 and actions for members and reps.

[Download the briefing](#)

Parliamentary launch for Prospect's push on renewable energy

Prospect members, MPs and industry leaders attended an event in the House of Commons on 18 December to launch a new Prospect pamphlet supporting the renewable energy sector. Prospect is calling on the government to act on five key recommendations, including working with unions and industry to tackle the energy skills crisis and ensuring the highest standards of health and safety across the sector.

[Find out more about the event and download the pamphlet](#)

Download the new Prospect guides

Don't forget to download your copy of the new guides which Prospect has recently published on [the menopause](#) and [preventing workplace stress](#).

Study identifies ingredients of successful MHFA programme

A new study for health and safety practitioners' body IOSH has identified the active ingredients and barriers to success for employers running a mental health first aid (MHFA) programme.

However, researchers warned that the approach does not address underlying organisational issues contributing to mental ill health, such as work organisation or job design.

Researchers from the University of Nottingham and London South Bank University interviewed 19 MHFA-trained staff from six organisations about their experiences and attitudes towards MHFA. The findings may prove useful for reps whose employers have, or intend, to introduce a MHFA programme – ideally as a result of carrying out a full stress risk assessment.

The three ingredients for successful workplace MHFA were:

- clear rationales for introducing training
- well-motivated MHFA coordinators, who can provide support to MHFAers, deal with issues and concerns and lead MHFA networks, and
- the existence of MHFA networks, allowing experiences to be shared and problem-solving to take place.

Barriers to the success of the MHFA programmes included:

- challenges around measuring impact and success due to the difficulties in establishing and recording when people are successfully acting as a MHFAer;
- work and time pressures, including management reservations about the time needed for staff to attend the course, concerns about whether MHFA responsibilities may be too onerous and difficulties faced by individuals in balancing the role with their job;
- lack of boundaries and safeguards within the role of the MHFA-trained person; employers should provide clarity around roles, responsibilities and remits; and
- how staff members identify trained MHFAers and how the role is promoted.

[Read the full study](#)

New figures show 42% drop in fire safety audits

Audits carried out by fire services in England have fallen by 42% since 2010/11, according to figures published by the Home Office in October.

In 2017/18 fire services carried out 49,423 audits, according to the figures. In 2010/11, services carried out 84,575 audits.

[A report](#) by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) released in December, which flagged the figures, said that a lack of resources and capacity was hampering inspections.

HMICFRS, which inspects all fire and rescue services in England, released the report following its first tranche of assessments of 14 services. It graded the standard of fire safety regulation as "good" at five; eight services require improvement; and one was judged as inadequate.

Legal responsibility for fire safety in buildings in England and Wales sits with a "responsible person", such as the owner or managing agent. Fire services have responsibility for checking whether the responsible person has complied with their legal duties, such as whether they've carried out a fire risk assessment.

The HMICFRS report said there were common features across services graded as inadequate or requiring improvement. "Many do not have enough qualified inspectors to carry out their inspection programmes," it said.

"Many of the protection teams we spoke to describe themselves as understaffed and under-resourced. All too often, fire and rescue services are not matching resources to the risks identified in their risk-based inspection programme."

The number of audits carried out by fire and rescue services in Wales has remained fairly steady for the past four years, around 3,300 a year according to data from the Welsh Government, released in September. Fire safety in Scotland is governed by a separate legislative system.

Council safety inspections fall for eighth consecutive year

Local authority (LA) health and safety inspections have fallen for the eighth consecutive year, prompting the HSE to warn that dwindling visits by council environmental health officers and declining resources pose a risk to the regulatory system.

HSE board papers, submitted to its meeting in December, detail how the executive has drawn up a statement of commitment to try to halt the decline. HSE will encourage senior council leaders to adopt the statement which commits them to targeting and prioritising regulatory resources to meet their legal duties.

Councils – which enforce health and safety law in around two million business premises – carried out 73% fewer inspections in the last financial year than in 2009/10.

Additional figures gathered by Prospect show that the decline has been even more severe in the longer term: visits have reduced by 88% since 1995/96.

Council health and safety inspectors made 52,400 visits in 2017/18. The figure was 196,000 in 2009/10 and 450,000 in 1995/96.

This has coincided with an increase in the number of premises for which LAs have enforcement responsibility, causing the annual rate at which businesses are visited to plummet.

Councils visited 348 out of every 1,000 premises in 1995/96. This fell to 26 last year – meaning that the average LA-enforced business can expect a visit once every 38 years.

Several regulators share responsibility for enforcing health and safety in workplaces, with specialist agencies for sectors such as rail, air, nuclear and maritime. But enforcement activity for most workplaces is split between the HSE and LAs.

Typically, around 33% of major or specified injuries and 10% of work-related fatalities and reported occupational disease occur in LA-enforced sectors.

LA health and safety enforcement is carried out by environmental health officers, who are also responsible for other regulatory areas including food safety, housing and environmental nuisance.

The long-term decline in the number of environmental health officers working on health and safety regulation continued last year. In 1995/96 there were 1,520 full-time-equivalent inspectors. Last year there were just 500.



The last decade has seen the enforcement regime switch from predominantly preventative to heavily reactive. Before 2011/12, around 60% of LA visits were planned in advance. Since then, however, proactive inspections have fallen substantially to form just a small part of LA activity – 16% in 2017/18.

LAs have a statutory duty under the Health and Safety at Work etc Act to provide “adequate arrangements for enforcement”, but the board paper warns that there may come a point where this is no longer met if the decline in resources and activity continues.

The finance and resource constraints are a “possible risk” to the operation of the co-regulatory model, the document states. “If HSE took no action in such circumstances, we could expect this to result in a failure to enforce against those that flouted the law/caused harm. That could result in a loss of confidence in the GB health and safety system and escalation into a general lack of compliance, with resulting increases in harm and incidents.”

LA-enforced sectors include: accommodation, care homes and catering; beauty, leisure, entertainment and cultural facilities; retail and wholesale; childcare and nurseries; warehousing and metal stockholders; most garages; offices; and petrol stations.

