



1.0 Coordination of Stakeholders Internal and External- ALEHM- CIEH PUBLIC HEALTH OPSS POLICE (e.g. Situational awareness, Coordination of activity, links to other groups or forums)

POSITIVES

- * OPSS (info, guidance and opportunity to influence government actions); sector groups (ALEHM, food group, H&S group, LTS) - consistent coordination across London groups
- * Marshal training and enforcement support worked well; Showed good coordination, referral forward of central information, duplication ok, meant issues not missed.
- *Over-all there was good coordination with the Police. Whilst resources varied monthly there was also good engagement.

ISSUES

- * Support from police was not always forthcoming (what was said/done differently) particularly for coordinating public compliance and supporting LA enforcement activity (e.g., took a lot of work in Haringey to enforce gym rules). Mask wearing etc wasn't supported by police, so referrals were made to LA's but it wasn't a LA issue to resolve.
- * Constant changing of legislation/guidance, updating guidance docs - issue, not enough resource to do this efficiently/effectively
- *some overlaps / duplication of work - e.g., Construction sites (us- EHOs? who would do what and refer to HSE) - had to work through some of this because it was new, and we worked through it, but the lack of clarity with the legislation didn't help
- *covid compliance issues - street trading, licensing, so there is some overlap with BAU
- *opportunity to discuss issues with OPSS and TS, good influence on Govt. Has resulted in better partnership within the regulatory network which is likely to continue.
- * Coordination v response. Lots of coordination. Emergency response set up quickly – Gold/silver/bronze controls etc., Regular and good coordination with Police but huge question as to where it stood in terms of their priority. (Place below). More due to operational priorities...caused some frustration.

* Police protocol was signed to share responsibilities between LAs and police. Police tended to shadow LA officers when asked, but did not intervene to deal with issues within their remit. Eg. the ability to deal with gatherings without effective police support was a problem in some areas.

Poor coordination at times with the HSE. Workplace Covid controls are still not clear.

Police – Involved in joint response at Borough Market - a focussed operation, and they raised engagement. Launched on the back of good NTE connections. However, routine dealing with issues such as non - isolaters or not wearing masks were not a priority for the Police. Cross agency working at the right level was more difficult to establish and make operational. Police v Fire service who did what? Differing priorities made it more challenging for LA's. Depleted resources impacted responses.

How can this be improved going forward? to respond to complaints quickly!

- Weekly task meetings with Police were helpful but the level of response was dependent on resources. Role - shadowing only. Could have had basic engagement whilst out with our officers. The police role seemed to be down to their level of briefing.
- Training awareness, use of their own powers.
- Variable! HSE and PHE conversation outcomes - PH problem/concern unless specific to the workplace, however, responsibility for drafting guidance not shared with LA's. Many queried who was speaking to them on our behalf?

Actions:

- **Arrange a high-level meeting with UKHSA (formerly PHE) and HSE to ensure the local authority joint public health and health and safety enforcement role is adequately represented at any discussions on policy and proposals that affect local authority activity.**

2.0 Communications- Engagement between groups and Business (e.g. Media campaigns, signposting of information, method, style and frequency of communications) *Within London and Nationally*

POSITIVES

* working with public health re: surge testing and identifying tenants in HMOs, sharing that information

* Approved 'Covid Safe accreditation schemes' provided opportunity to engage with businesses to ensure they had access to available support packages. Also provided a visual presence and driving home message. Effective but resource intensive.

* Comms moved to trusted voices in the Community - Charity and Faith groups. Great engagement and support. Helped to overcome 'distrust'Covid Champions gave good insight to improve messages. Avoids Comms fatigue.

*Visual presence on the street from day one. Immediate guidance on regs to ensure compliance. Lots of materials and resources shared with businesses. Demanding but effective messaging. Received positive feedback from MOTP. EH were very present and engaged with high level dialogue with PHE, Licensing. Positively positioned to influence and be effective. AIM - to maintain the message of our importance in comms and compliance!

ISSUES

* campaign for safe businesses "Do the right thing- Covid safer" - timing was a challenge as went back into lockdown.

* Open space that didn't fall within the enforced law regime - increase of tables in parks / in public space / possible road closures - coordinated and balanced approach to use of space was tricky

* Mixed messages and unclear comms from central Govt. e.g. messages with regards to High St - regen v warnings with regards to face coverings. Difficult! With High Street management - Task force groups formed. Will now be permanent! Value both ways. "Do more! but what...?" limited by change in guidance or repeat of messages. Clarity on messages...!! (Push by Members and Leaders at times.)

Businesses welcomed advice and support but also did not want too many visits, e.g. Islington set up a red/amber/green assessment scheme and businesses visited too frequently did not welcome the visits.

3.0 Compliance - Use of Marshalls, Law, Enforcement

POSITIVES

* Covid marshals generally worked well and could be used in future for other areas of work.

One central inbox for triaging / coordinating responses worked well (RAG code). Continuity of evidence to take enforcement action e.g. contemporaneous notes etc., Keeping up with the changing regulations!

* On street triaging too. *HASAWA - clear steer from Govt. Sec 20 powers

*ALEHM - coordinated discussion on this. * Marshalls good *Engagement great for triaging.

***Enforcement of FPN's - good results in terms of payments. Pushed for in other regimes – such as Food enforcement. Payment of FPNs was reasonably high.**

* Operated Accreditation scheme. Lots of work on the Street. Allocated some key tasks to other teams e.g. Licensing.

* Noted that all boroughs present confirmed that compliant business generally remained compliant and those that had a history of non-compliance generally had poorer levels of covid compliance. Generally observed by a few LA's.

Action: Future focus of activity should be chronically non-compliant businesses

ISSUES

*Expectation v reality. Restriction regs changing often.. Standards, less clear...e.g WFH message guidance, complaints ER requested individuals to come into work...Our duty??

*HASAWA - not designed to deal with PH issues. Employee focussed. Clear cut issues are ok to act with but ... less effective on broader issues.

* Ever changing picture with decline in Covid cases.

* difference in messages centrally and locally (Govt.)

*Construction sites - lack of understanding - Noise and dust complaints. Working till 21.00 - still challenging! Bonfires - discouraged due to respiratory impacts, but they still occurred during lockdown! Happened on Construction sites too. Support from PH unavailable (financial). Field work to share messages. Parties in parks and car parks! BAU with regards to noise etc, less engagement by officers. Cases peaked as Officers WFH. **Limited enforcement as not accessing properties...not able to do SN assessments.** Supported enforcement in areas outside EH jurisdiction. Ltd police resources to deal with Noise!

*RA led to visits continuing throughout lockdown. Would do public nuisance assessment as necessary. OOH Service continued! Visits internally continued. No resistance by officers. RA on a case by case basis. **Consistency of advice on risk across London.** Unlicensed Music events (UME's)- had specific cover on a week by week basis.

*Extracts, re-opening of businesses - increased complaints. Construction - extended hours had a heavy impact on residents. Approx 40% increase in complaints!

* Installation of NME- where possible. Improved pre-screening of residents, no car sharing, correct ppe...considered and organised by Managers. Had appropriate office space. Service by phone. Successful. Early intervention worked well!

Issues with UMEs widespread.

Action: Review use of FPNs for other areas of legislation

4.0 Governance (Internal within Borough and External) (e.g. Structure, membership, role & scope, meeting frequency, values, key deliverables,)

POSITIVES

- * RAG approach worked well in some Boroughs
- * Good flow of meetings - EH present, but...

ISSUES

- * Too many groups?
- * Better representation
- * Updating became a task in itself

5.0 Legislation and Guidance which laws worked well; what did not; other laws that worked

POSITIVES

- * Suite of comprehensive new legislation
- * Roadmap - very helpful! Encouraged early awareness and prep by businesses and regulators
See Quote!! HM ICFRS = "widespread confusion in relation to the status of Government announcements and statements by ministers. Ministers asserting that their guidance – which had no higher status than requests – were in fact "instructions to the British people" inevitably confused people Ministers may create criminal offences only if authorised by Parliament to do so; they may not do so by the simple expedient of demanding action from a podium or behind a lectern.

ISSUES

- * Lack of sharing of good practice

HSE did not develop their support to assist LAs e.g. fine if business has no ventilation, no risk assessment but how do you deal with inadequacy within HSE enforcement framework? Although we were provided with more targeted powers, when trying to deal with specifics, the legal framework was too clumsy to be practical or deal with local issues. Government messaging re use of H&S legislation to control non-compliance didn't accord with powers. EH deals with risk and framework is not appropriate.

*Strayed from the point on occasions; overloading of OPSS; data may not have influenced Govt. direction and decisions!

* Late guidance; Not comprehensive - Car washes! not an essential journey!!! OPSS clarified the guidance!

* Extension of Reg 3 beyond 27/9 confirmed as now extended to 24/03/2022

* undermined by 'Pavement licensing' approach as the system was already in place to a degree. Pressured by time. Sometimes unhelpful to us as regulators.

*PoE (Power of entry) not strong, or clear. Used ASB notice to close some premises - gym. Gaps in legislation.

*Part 2a order, action PHA 1984 - anyone used it? Used CIEH toolkit - successful.

*Direction Orders - require London-wide consultation - but....usefulness?

Action:

- **Look at extent of Direction orders and how useful they were as a deterrent**
How can we better share best practice? Identify practical sharing platform

6.0 Data & Analysis (e.g. Reporting templates/forms, modelling, information sharing, reports produced)

POSITIVES

* Shared stats via Chief Execs group. Useful.

*Local contact tracing meetings really went well!!! **Could ALEHM get involved??**

ISSUES

*Several Places reported and lack of sharing (in terms of approaches to achieve compliance)
Have our own platform/forum to share problems and solutions on a weekly/monthly basis.

* use of more digitalised methods for data capture and data sharing; use of central dashboard –

*internal requirements varied slightly but were demanding!!! Time intensive!!

*Manual process of inputting and handling data: Difficult to achieve when regs changed so often. How meaningful was the info? Why was the data wanted - Outcome of funding? Update Members? (Not just about the numbers!!)

Action: Ensure that data collection is part of the initial emergency planning

7.0 Finance and Resources (Requirement)Cash, Staff

POSITIVES

*Govt funding.. Having access to COMF monies to support enforcement.

ISSUES

* Limitations of the workforce: Suitability as well as calibre. Justification of additional resources, everyone recruiting from the same pool

Flow of money came too late

Issues around lack of usual income (e.g. registrations) has exacerbated financial situation

Demonstrate that with adequate resources we can deliver and deal with everything.

Asked for business recovery plans. Frustrations internally as LAs balance backlogs and catching up with long term recovery and supporting businesses.

8.0 Other? (e.g. Any feedback that does not align to the categories already identified)

* BAU has been affected by COVID priorities - expectation to meet both demands, and COVID related activities have an ongoing lag / legacy. Food inspections!

* how recognition is perceived by front line staff: Internal processes limited access to funding in a timelier fashion i.e. funding first then HR agreement followed.

*Hit to income - devastating! Huge losses - Street Trading, Registrars.

* Additional funding showed broad ability to provide the services

Summary of Actions

ACTION	LEAD	DUE DATE
Arrange a high-level meeting with UKHSA (formerly PHE) and HSE to ensure the local authority joint public health and health and safety enforcement role is adequately represented at any	ALEHM	By February 2022 (review due Plan B)

discussions on policy and proposals that affect local authority activity.		
Future focus of activity should be chronically non-compliant businesses	All LA's	Ongoing
Review use of FPNs for other areas of legislation	All LA's	Ongoing
Look at extent of Direction orders and how useful they were as a deterrent	All LA's	Ongoing
How can we better share best practice?	ALEHM	March 2022
Identify practical sharing platform	ALEHM	March 2022
Ensure that data collection is part of the initial emergency planning	All LA's	Ongoing