



## Risk control

Staying Ready - An Insight into  
Health and Safety Regulators Plans  
and Priorities



In partnership with



# Risk Control

## Staying Ready – An Insight...

### Introduction

Great Britain is one of the safest places to work in the world. The standards of health and safety over the last five decades have improved significantly. A key part of this is how health and safety is both legislated and regulated. Health and safety law places legal duties to manage risk on both employers and those who have control over non-domestic premises made available as places of work. Fundamentally, these are set out under the Health and Safety at Work etc. Act 1974<sup>1</sup> but have since been expanded on by several Regulations. They are made to ensure that employees and those others who can be affected by an organisation undertaking are protected from harm so far as is reasonably practicable.

### Shared Responsibilities

To ensure employers discharge these duties, Great Britain has a national health and safety regulator, the Health and Safety Executive (HSE)<sup>2</sup>. Under Section 18 of the Health and Safety at Work etc. Act 1974, the HSE share health and safety regulatory responsibilities with Local Authorities (LAs). Both regulators play a pivotal role in ensuring that organisations across Great Britain remain safe, compliant and well informed about how to apply sensible and proportionate risk management practices. The Office for Nuclear Regulation and The Office for Rail and Road are also responsible for the regulation of health and safety in their respective fields.

The shared responsibilities between the HSE and LAs are stipulated in Schedule 1 and Schedule 2 of The Health and Safety (Enforcing Authority) Regulations 1998<sup>3</sup>. In general terms, the HSE is the enforcing authority of activities relating to construction, agriculture, manufacturing, nursing homes and manufacturing. LA's being responsible for activities relating to the sale of goods, consumer services, the storage of goods, wholesale distribution, offices, catering and residential care homes.

### Enforcing Health and Safety Law

Both HSE inspectors and LA officers have a variety of options for enforcement action under the Health and Safety at Work etc. Act 1974 to deal with non-compliant organisations<sup>4</sup>. They will use these in a proportionate, consistent, transparent and targeted manner to ensure organisations are treated fairly. Where material breaches are identified, inspectors and officers can issue a verbal or written warning, serve notices and in more serious cases, prosecute organisations and individuals. They also have powers available to them under Section 20 of the Health and Safety at Work etc. Act 1974 to be able to inspect and investigate if health and safety law is being complied with.

However, it is also important to recognise that regulators offer a wealth of information to support organisations with compliance and raise awareness of key, new and emerging health and safety issues.

### Staying Ready

It is important that organisations remain compliant with all health and safety legislation. Morally, this is the right thing to do for your employees and those others that rely on your services as this will generally mean you are doing everything you should be to keep them safe. Legally, non-compliance can lead to enforcement action being taken, which can harm the reputation of the organisation and have significant financial implications. This may also result in civil action being pursued separately by those adversely affected by your undertakings. Staying ready is therefore the best place to be in.

To make compliance and staying ready more straightforward, the HSE publish lots of useful information. This includes health and safety guidance, industry specific accident and ill health statistics, cases of enforcement action, what organisations can expect from health and safety regulators as well as laying out their regulatory priorities for the coming years. Let's now explore some of these to understand how they can assist your organisation with staying ready:

- 1. Protecting People and Places HSE Strategy 2022 to 2032** – This document sets out the HSE's longer-term strategic objectives<sup>5</sup>. The current version gives priority to reducing work-related ill health, with a specific focus on mental health and stress in the workplace. This is in recognition of the sheer number of lost-time cases each year relating to stress related illness in the workplace. The HSE also set out their commitment to support a safe transition to net zero and recognise the health and safety challenges that organisations face during this movement and in developing new technologies. The document also pays tribute to Great Britain's track record of being one of the safest places to work and how the focus is now improving health in the workplace.
- 2. HSE Business Plan 2025 to 2026** – This publication sets out shorter-term priorities for the HSE. The document is published in recognition of current challenges of tackling ill health, accidents and injuries in the workplaces across Great Britain<sup>6</sup>. In its current version, the HSE set out their commitment to addressing both physical and psychological ill health caused by work. Again, particular focus is given to reducing stress, depression and anxiety as well as tackling the prevalence of musculoskeletal disorders and occupational breathing and lung-related illnesses in the workplace. In some cases, the HSE will also support these plans with campaigns.

In this document, the HSE lay out their plans to inspect businesses for the 2025 to 2026 period. Their objective is to deliver 14,000 proactive inspections and make clear that focus will be on enforcing:

- Preventive controls for occupational lung disease from exposure to respirable crystalline silica, dusty ingredients in bakeries and isocyanates
- Measures for avoiding exposure to radiation, lead and chromium
- Practical controls that prevent workers' exposure to issues causing work-related stress, such as violence and aggression
- Clear, established expectations to prevent legionella outbreaks, gaining assurance that duty holders are complying with the law

It is therefore prudent for organisations to be aware of this focus by the HSE and ensure they are managing these risks adequately.

- 3. Setting Priorities and Targeting Interventions Local Authority Circular (LAC)** – Each year, the HSE publish a LAC document setting out the focus of their health and safety enforcement resources to supplement local intelligence<sup>7</sup>. These take the form of specific projects/programmes of inspections identified by HSE for LA attention, high risk premises/activities within the specific LA enforced sectors and local intelligence of poorly performing businesses failing to effectively manage risk.

LACs are a great way for organisations that activities fall under LA jurisdiction to understand if their business activities are on the regulators radar for proactive inspection. This provides a great opportunity to review what they are currently doing to manage the risk. In its current revision LAC 67/2 (Rev 13), the HSE set out the focus of LA targeted inspections, here are a few focus areas:

- Occupational Lung Disease – in particular, from asbestos and respirable crystalline silica dust
- Legionella – in the spa pools and hot tubs in the holiday sector and cooling towers in built-up areas
- Work Related Stress – in SMEs in particular
- Violence and Aggression – in all workplaces, with focus on the sales and health and social care sectors
- Musculoskeletal Disorders – focus given to retail premises and residential care homes
- Noise in the Workplace – in all relevant workplaces

- High Volume Warehousing and Distribution – Manual handling, workplace transport and working at height

- 4. Prosecutions and Other Enforcement Action** – The HSE regularly publish prosecutions on their website<sup>8</sup>. They also hold a register of convictions and notices<sup>9</sup>. These are useful resources for organisations to pay attention to as it shows how the HSE will take enforcement action, including prosecution and what the action was taken for. It also gives real insight into the health and safety issues found by the HSE Inspectors and in some cases, what could have been done to address these and prevent the injury, ill health or fatal incident from occurring. It raises awareness and focuses the mind on key health and safety issues in Great Britain's workplaces and how, if the risks are not appropriately controlled, they can result in serious consequences. Organisations across the country can learn from these cases.

## Summary

It is important for organisations to understand the role of the health and safety regulator. It shows good organisational awareness and responsibility. As detailed in this guidance document, regulators provide a wealth of important information and resources to ensure organisations continue to meet their duties.

Although compliance with health and safety law should never just be in anticipation of a visit from the HSE or the LA, if organisations demonstrate compliance with health and safety legislation and strive for continuous improvement, they should be in a position where they are meeting their legal obligations which have significant wider organisational benefits.

## References

1. Health and Safety at Work etc. Act 1974, available at: [Health and Safety at Work etc. Act 1974](#)
2. Health and Safety Executive, available at: [HSE: Information about health and safety at work](#)
3. The Health and Safety (Enforcing Authority) Regulations 1998, available at: [The Health and Safety \(Enforcing Authority\) Regulations 1998](#)
4. Protecting people and places HSE strategy 2022 to 2032, available at: [Protecting people and places: HSE strategy 2022 to 2032](#)
5. Enforcement Action, available at: [HSE - Enforcement action](#)
6. HSE Business Plan 2025 to 2026, available at: [HSE Business Plan 2025 to 2026](#)

7. Setting Priorities and Targeting Interventions Local Authority Circular (LAC), available at: [Setting priorities and targeting interventions - HSE and LAs Working together - HSE](#)
8. Prosecution, available at: [Prosecution – HSE Media Centre](#)
9. Register of convictions and notices, available at: [HSE - Register of prosecutions and notices](#)

### Further information

For access to further RMP Resources you may find helpful in reducing your organisation's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

### Get in touch

For more information, please contact your broker, RMP risk control consultant or account director.



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