



# Health and Safety Service Intervention Plan 2025-26

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**Orkney Islands Council**  
**Planning and Regulatory Services**  
**Environmental Health**

**Health and Safety Service Intervention Plan for 2025/26**

## Contents

Health and Safety Service Intervention Plan 2025-26 .....	1
Foreword .....	4
Background and purpose of this document .....	5
Role of the Council as a regulator .....	5
Interface between the Council as a regulator and employer .....	6
Key components of the Council's health and safety service intervention plan .....	8
Work activities and outcomes for the financial year 2024/25.....	10
Appendix 1. Extract from the Health and Safety (Enforcing Authority) Regulations 1998 .....	13
Appendix 2. Matters suitable for proactive inspections within Orkney .....	15
Appendix 3. Incident selection criteria .....	18
Appendix 4 – Work plan for priority topics during 2024/25 .....	21

## **Foreword**

Orkney Islands Council recognises the importance that local businesses play in connection with employment and the provision of activities and services to local residents and visitors.

Although the responsibility for managing risks arising from work activities rests with the persons who create those risks( eg business owners/employers)– the “duty holders” – the Council takes its responsibility as a health and safety enforcing authority seriously and commits to delivering a service which is appropriate to Orkney and meets the requirements in the mandatory guidance issued by the Health and Safety Executive to enforcing authorities.

This plan fits with and adds support to the Environmental Health Team plan, setting out the areas of priority work for 2025/26.

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## **Background and purpose of this document**

This document summarises how Orkney Islands Council (The Council) will meet its responsibilities as a health and safety regulator and how it will focus resources and activities according to risk and identified priority topics. It does not deal with the Council's duties as an employer under the Health and Safety at Work etc Act 1974.

The Council recognises its statutory role as a health and safety regulator and its legal duty to comply with mandatory guidance issued under section 18 of the Health and Safety at Work etc Act 1974. This includes producing a health and safety service intervention plan (this document) setting out the Council's approaches to targeted health and safety interventions for the year. The Council also acknowledges and accepts the statement of commitment between HSE and local authority regulators [Statement of commitment between: Local Authority and HSE Regulatory Services](#) and will work jointly with other regulators and employers to maintain and improve standards of health and safety at work.

## **Role of the Council as a regulator**

The Council has a statutory duty to make adequate arrangements for the enforcement of health and safety law and to legally appoint suitably qualified Inspectors to carry out the range of regulatory duties for which they have been appointed. Within the Council, officers from the Environmental Health team are appointed to carry out these duties. The term "adequate arrangements" is not defined, but it is understood that guidance may be issued this year to assist Local Authorities in assessing their compliance with this long standing statutory duty. Any assessment against this guidance will be brought to the attention of the Council's Corporate Leadership Team

Businesses and organisations are responsible for identifying and managing the risks they create to workers and the public who might be affected by their work activity. This applies to all businesses and work activities, no matter how large or small.

The role of the Council as a health and safety regulator is to support, encourage, advise and where necessary hold to account businesses to ensure that duty holders effectively manage the occupational health and safety risks they create. As a regulator the Council is expected to ensure best use of resources and to help improve the effective management of work-related health and safety risks in a proportionate way.

The Council will achieve this proportionately through choosing the most appropriate way of influencing "risk creators" and by targeting interventions, including inspection, investigation and enforcement activity, on those businesses and sectors that represent a higher level of risk to the health and safety of workers and the public.

Enforcement of health and safety law is split between Health and Safety Executive (HSE) and Local Authorities as set out in the Health and Safety Enforcing Authority

Regulations 1998 and 2025 marks 50 years of this “co-regulatory partnership”. This means, within the county of Orkney, the Council will be the enforcing authority for premises where the main activity is set out in schedule 1 to the regulations, as summarised in appendix 1, except if the Council is itself the duty holder for these activities. The HSE are generally responsible for enforcement in relation to all other activities, although there are a number of specialist regulators for particular hazardous activities

The HSE are national co-regulator, operating on a UK wide basis and have recently re-organised into an “inspection division” and an “investigation division”. The HSE do not have offices in Orkney and following discussions and given the location of Orkney it is recognised that it is not unreasonable to expect informal approaches from the HSE for Council officers to assist with local knowledge and instigating local contacts, as and when the need arises.

The Council also has other roles in connection with local businesses aside from health and safety regulation, and subject to data protection, such roles may assist in identifying and managing risk. Example roles include being the Licensing Authority, the Food Law Authority, a Category 1 responder for the Civil Contingencies Act, Trading Standards Authority, Local Housing Authority, and the Local Planning Authority. Therefore, the Council’s work can have an impact on wider public health outcomes, reduction of health inequalities, and contributing to delivering the growth agenda. Council officers can therefore provide invaluable advice to receptive new business through either specific advice, visits or signposting.

As a regulator and in line with the enforcement policy [General Enforcement Policy](#), (available on the Council website) the Council can use a full range of “interventions” from advice and guidance through to formal enforcement action to influence behavioural change in the way a business manages or undertakes its work and complies with health and safety law. Fundamentally this means targeting interventions on those work activities that give rise to the most serious risks or where the hazards are least well controlled. Proportionality is key and it is our policy that the Council will not invest limited resources on matters of comparatively low risk unless, of course, they are matters of evident concern.

As a regulator, the Council recognises the responsibilities of duty holders to comply with the law and in this regard it is not the role of the Council as a health and safety regulator to review, validate or verify paperwork on behalf of duty holders. Local Authority Inspectors (like HSE Inspectors) are not in a position to authorise or approve an event organiser’s safety plan, or give an opinion on compliance with safety related licensing conditions so the contribution of Local Authority Inspectors should not be inferred by any Safety Advisory Group, Event Planning Group or any event organiser as sanctioning their methods of controlling risk.

### **Interface between the Council as a regulator and employer**

As Orkney Islands Council is also an employer and therefore a duty holder for health and safety legislation as well as a regulator, particular care will be taken to avoid any

perceived or actual conflicts of interest arising from these two roles. To help manage this, the Council will:

- Recognise that conflicts of interest could be real or perceived and unless managed properly they can undermine health and safety regulation and the Council's reputation.
- Provide clarity in the enforcement policy showing how potential conflicts of interest are to be practically managed.
- Put in place organisational and procedural systems which enable the Council's regulatory team (Environmental Health) to demonstrate that they can and do act as an independent enforcing authority in connection with inspection, investigation or enforcement.
- Maintain a managerial culture in which senior managers and Elected Members are unable to influence regulatory officers to act in a way which is contrary to the law or enforcement policy.
- Recognise the personal independence of officers by enabling Inspectors (and the legal officers providing support to them) that are (or are potentially) involved in investigations to not be involved in giving corporate health and safety advice, including to Council contractors and arm's length organisations.
- Where officers from the Council's Safety and Resilience team and environmental health team engage in dialogue and discussion on safety topics, being open and transparent about the different roles of regulator and duty holder.
- Be proactive, open and transparent in communicating how the Council deals with conflicts of interest with all interested parties.
- Ensure all opportunities for staff development and training are prioritised and welcome a "just culture" whereby staff are empowered and encouraged to raise any concerns or issues that they may perceive with senior management or directly to the relevant regulator if they feel this is warranted

The Council recognises it is expected to maintain a strong deterrent against those businesses who fail to meet their health and safety obligations and put their employees or the public at material risk thereby also deriving an unfair competitive advantage.

## Key components of the Council's health and safety service intervention plan

In order to prioritise resources, comply with mandatory guidance and protect the public, whilst recognising that businesses and organisations who create risks are best placed to identify and manage them, the Council will:

- Prepare an annual risk-based service intervention plan focussed on proportionality and tackling specific risks (this document);
- When considering the risks that need to be addressed, utilise the whole range of available interventions to target those specific and highest risks;
- Recognise the different roles the Council undertakes, and provide clarity on the separation of such roles, particularly where one business has contact from more than one Council service area in relation to a particular topic;
- Reserve unannounced proactive inspection only for the activities and sectors that are nationally agreed (see appendix 2) or where intelligence suggests risks are not being effectively managed;
- Use national and local intelligence to inform work priorities;
- Have sufficient trained and competent officers who can exercise professional judgement to:
  - Differentiate between different levels of risk or harm;
  - Decide how far short a business has fallen from effectively managing the risks it creates;
  - Apply proportionate decision making in accordance with the Enforcement Policy, HSE's Enforcement Policy Statement [HSE - Enforcement policy statement](#) and the national Enforcement Management Model [HSE - The Enforcement Management Model](#)
  - Identity personal Continuous Professional Development (CPD) needs in order to keep themselves up to date and competent, having regard to the nature of their work and regulatory risk portfolio of the Council's jurisdiction
  - Are free and enabled to raise any concerns or issues which they may identify without fear or favour.
- Use nationally developed incident selection criteria to determine which incidents will be selected for investigation (see appendix 3);



- Work with the Police, Crown Office/Procurator Fiscal Service and others to ensure a joined up, coordinated and proportionate approach to work related fatalities;
- Use a risk-based approach to complaint handling;
- Publish successful enforcement action;
- Keep records and complete the annual LAE1 return

Details of how to make a complaints about regulatory service activity (either by HSE or Local Authority Inspectors) are provided on the HSE website: [Complaints about regulatory activity](#) . Complaints can also made through the Orkney Islands Council online feedback process [Complaints, Compliments and Feedback](#)

## Work activities and outcomes for the financial year 2024/25

This section sets out the work activities which the Environmental Health team will undertake during 2025/26 as a health and safety regulator. It is informed by the National Local Authority Code - [National Local Authority \(LA\) Enforcement Code - HSE and LAs Working together - HSE](#) and Local Authority Circular 67/13

### **1. We will undertake proactive inspections/visits only where there is reason to do so.**

Proactive visits or inspections have long been a key component of health and safety regulation, however they are resource intensive and can be counterproductive if they do not focus on real and genuine risk. Therefore, the Council will reserve proactive inspections for health and safety compliance to:

- a) Specific projects/ programmes of inspection identified at a national level for attention.
- b) Nationally identified high risk premises/activities in the LA enforced sector
- c) Locally identified potential poor performers where specific local intelligence indicates that a business is failing to effectively manage risk.

The areas deemed suitable for proactive visits are shown in appendix 2, however in all cases the Council Inspector has the right to determine if a proactive visit is needed.

### **2. We will select incidents and complaints for investigation.**

The law requires certain incidents to be reported to the Council as an Enforcing Authority, and from time-to-time employers or workers may refer information to the Council. However, there is not a legal duty placed on the Council to investigate incidents or safety related complaints. We will use the criteria in appendix 3 to determine whether or not a work-related incident should be investigated (regardless of whether or not it was correctly notified).

### **3. We will raise awareness of national issues of concern.**

In accordance with LAC 67/2 2025/2026 the national priority issues of concern for 2025/26 are:

- Occupational lung disease
- Legionella
- Work related stress
- Violence and aggression
- Musculoskeletal disorders
- Noise in the workplace
- Visitor attractions with animal contact
- Planned preventative maintenance
- Inflatable amusement devices
- Trampoline parks
- Safety in motorsport
- Provision of licensable adventure activities

Our specific approaches to dealing with these topics are set out in appendix 4 and informed by the guidance in LAC 67/2 2025/2026 and our knowledge of the local business portfolio.

#### **4. We will take appropriate enforcement action where required and monitor "matters of evident concern" and "matters of potential major concern" identified during advisory or other regulatory activities**

Matters of evident concern (MECs) may be defined as matters "that create a risk of serious personal injury or ill-health and which are observed (i.e., self-evident) or brought to the inspector's attention". Matters of Potential Major Concern (MPMCs) are those which "have a realistic potential to cause either multiple fatalities or multiple cases of acute or chronic ill-health".

We will take appropriate enforcement action where required and monitor MECs or MPMC's dealt with during advisory or other regulatory visits to identify potential local issues. Any MECs or MPMC's identified which may have national significance or relate to new or emerging issues that may have a national significance will be reported to the HSE local authority unit.

A key matter to resolve during the coming year is establishing the arrangements for making reports to the Crown Office/Procurator Fiscal Service, should the need arise. Work is underway in this regard but clarity regarding internal processes is still required and is actively being addressed

## 5. We will provide advice and guidance (especially for new businesses)

We will do this by using the following methods:

- Council website
- Provision of advice and guidance as part of promotions and campaigns
- Specific visits, upon request and subject to resources and priorities
- Signposting duty holders to further sources of advice, for example through industry bodies, HSE website and other specialist resources.

In July 2025 Orkney will host the International Island Games seeing athletes from island nations from across the world converging on Orkney for a week of competition. To support this event, we will engage with the event organisers, the significant venues being used for games purposes which fall to the Council for health and safety regulation and continue to contribute to the Safety Advisory Group (SAG). We will also work with colleagues to continue to ensure that any conflicts of interest arising from the Council being involved in the organisation of the games or as a venue owner and a health and safety enforcing authority are identified and mitigated.

The Council recognises the potentially wide scope of section 3 of the Health and Safety at Work etc Act 1974 which imposes duties upon employers to persons not in their employment. Given the wide scope of this duty, and overlaps with other legislation designed to ensure public safety, the Council recognises and affirms the HSE policy statement regarding section 3 [HSE - Section 3 of the Health and Safety at Work etc Act 1974 - HSE Policy](#) Therefore the Council recognises the importance and primacy of other relevant pieces of law, for example public entertainment licensing, to protect and promote *public* safety.

The Council and its partners have set up a Safety Advisory Group and it is recognised that this is a key mechanism for engagement with event organisers at the planning stage of events, however it is not the role of the Council to approve any event safety management documentation and the responsibility for organising and running a safe event rests with the event organiser.

## Appendix 1. Extract from the Health and Safety (Enforcing Authority) Regulations 1998

Note this appendix is a summary and needs to be read in conjunction with the full regulations.

Main activities which determine whether local authorities will be enforcing authorities.

1. The sale of goods, or the storage of goods for retail or wholesale distribution, except—

(a) at container depots where the main activity is the storage of goods in the course of transit to or from dock premises, an airport or a railway;

(b) where the main activity is the sale or storage for wholesale distribution of any substance or preparation dangerous for supply;

(c) where the main activity is the sale or storage of water or sewage or their by-products or natural or town gas;

and for the purposes of this paragraph where the main activity carried on in premises is the sale and fitting of motor car tyres, exhausts, windscreens or sunroofs the main activity shall be deemed to be the sale of goods.

2. The display or demonstration of goods at an exhibition for the purposes of offer or advertisement for sale.

3. Office activities.

4. Catering services.

5. The provision of permanent or temporary residential accommodation including the provision of a site for caravans or campers.

6. Consumer services provided in a shop except dry cleaning or radio and television repairs, and in this paragraph “consumer services” means services of a type ordinarily supplied to persons who receive them otherwise than in the course of a trade, business or other undertaking carried on by them (whether for profit or not).

7. Cleaning (wet or dry) in coin operated units in launderettes and similar premises.

8. The use of a bath, sauna or solarium, massaging, hair transplanting, skin piercing, manicuring or other cosmetic services and therapeutic treatments, except where they are carried out under the supervision or control of a registered medical practitioner, a dentist registered under the Dentists Act 1984(1), a physiotherapist, an osteopath or a chiropractor.

**9.** The practice or presentation of the arts, sports, games, entertainment or other cultural or recreational activities except where the main activity is the exhibition of a cave to the public.

**10.** The hiring out of pleasure craft for use on inland waters.

**11.** The care, treatment, accommodation or exhibition of animals, birds or other creatures, except where the main activity is horse breeding or horse training at a stable, or is an agricultural activity or veterinary surgery.

**12.** The activities of an undertaker, except where the main activity is embalming or the making of coffins.

**13.** Church worship or religious meetings.

**14.** The provision of car parking facilities within the perimeter of an airport.

**15.** The provision of child care, or playgroup or nursery facilities.

## Appendix 2. Matters suitable for proactive inspections within Orkney

These are based on LAC 67/2 2025/2026 and local business profile.

Business activity	Area of focus for risk management	Local business profile
Indoor firing ranges and gun clubs	Lead poisoning arising from ineffective air extraction, poorly managed cleaning procedures and inadequate handwashing facilities	Believed to be no indoor firing ranges within Orkney
Open farms, visitor attractions involving animals and animal visits and demonstrations	Lack of suitable control measures for microorganisms	Orkney is a farming community with a few animal visitor attractions linked to working farms.  A few visitor/tourism sites are accessible through fields with livestock roaming.
Premises built between 1950 to 1980 where intelligence suggests risks are generally not being adequately managed	Asbestos and mesothelioma arising from exposure to asbestos fibres or suspected poor management of asbestos risk	A significant number of premises fall under this category
Retail outlets cutting stone or high silica content manufactured "stone" such as worktops and memorials	Silicosis from exposure to respirable crystalline silica	Orkney has a three commercially operating quarries and Aggregate premises but these will fall to HSE for enforcement.

Hot cutting work eg in steel stockholders	Occupational lung disease including cancers caused by exposure to welding fume	It is believed there are no relevant premises within Orkney
Instore bakeries and retail craft bakeries	Occupational lung disease including asthma linked to exposure to flour dust	There are several companies within Orkney, but they are manufacturers and therefore will fall to HSE for enforcement
Residential care homes and provision of social care	Musculoskeletal disorders arising from moving and handling persons	The provision of care homes and social care within the community is provided by Orkney Islands Council.
High volume warehouses and distribution	Lack of effective management of manual handling risks	There are several warehouse premises, but they would not constitute "high volume" within the usual meaning of the term
Industrial, retail, wholesale and leisure premises	Occupational deafness arising from exposure to excessive noise	There are several premises that would meet this definition, including a new nightclub which is due to open during 2025
Commercial catering premises using gas appliances	Carbon monoxide poisoning resulting from poorly installed or faulty appliances, lack of suitable ventilation and/or inadequate extract system	There are several premises that fall into this category



Commercial catering premises using solid fuel appliances	Carbon monoxide poisoning resulting from inadequate ventilation and/or unsafe appliances	It is believed there are few premises falling into this category
Hospitality venues with outdoor facilities	Electric shock/electrocution caused by inappropriate equipment, lack of maintenance/inspection, inadequacy competency of installer, failure to protect from water ingress.	There are several premises that fall into this category
Catering establishments	Explosion caused by leaking LPG arising from unsafe appliances, poor installation, unsafe use of LPG cylinders and cartridges.	There are several premises that fall into this category as LPG is the only source of gas within Orkney
Violence at work	Arising from lack of suitable security measures for lone working, night working, cash handling and where local intelligence suggests this is an issue.	There are several premises that fall into this category.
High volume warehousing and distribution	Fatalities and injuries arising from being struck by vehicles, amputations, falls from height as a result of poorly managed workplace transport risks, use of cutting machinery, lifting equipment and working at height.	There are premises within Orkney, but they are unlikely to meet with usual definition of "high volume". Work at height in relation to workplace transport has been identified locally as a matter of concern.

### **Appendix 3. Incident selection criteria**

This *operational appendix* gives guidance to officers appointed as Inspectors under the Act, it will also be of interest to employers, employees, trade union safety representatives and legal advisors. It takes account of the HSE revised incident selection criteria [incidselcrits \(hse.gov.uk\)](https://www.hse.gov.uk/incidselcrits)

#### **Preliminary**

Officers will need to discern if the matter in question falls to the local authority for health and safety regulation or if it should be referred to another appropriate enforcing authority.

Not every incident reported will require investigation after initial enquiries have been made. Incidents may also come to light that should have been reported, and the criteria below can be used to determine if any such incidents should be investigated, keeping in mind it is an offence and potentially an indicator of poor safety management to not notify and incident in accordance with the regulations.

The criteria for selecting incidents suitable for further investigation are detailed below.

#### **General**

When determining if an incident (either notified, notifiable or workforce/trade union complaint) should be selected for investigation, Officers will generally have regard to the following:

- severity and scale of potential or actual harm;
- seriousness of any potential breach of the law;
- duty holder's known past health and safety performance;
- enforcement priorities;
- practicality of achieving results; and
- wider relevance of the event, including serious public concern, including its status as a priority topic [within the context of LAC 67 rev]

#### **Incidents that will always be selected for investigation**

Fatalities (Work-related deaths):

- All work-related accidents which result in the death of any person, including non-workers. "Accident" specifically excludes suicides and deaths from natural causes.
- Other deaths arising from a preventable work-related cause, where there is a likelihood of a serious breach of health and safety law, and where it is appropriate for enforcing authorities to investigate.

This will be undertaken in accordance with the Work Related Death Liaison Protocol and working with the COPF, Police Scotland and other enforcing authorities as appropriate.

All work-related accidents resulting in a "Specified Injury" as described in regulation 4(1) of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) to any person, including non-workers, that meet any of the following conditions:

- Serious multiple fractures (more than one bone, not including wrist or ankle);
- All amputations other than amputation of digit(s) above the first joint (eg fingertip);
- Permanent blinding in one or both eyes;
- Crush injuries leading to internal organ damage, eg ruptured spleen;
- Any burn injury (including scalding) which covers more than 10% of the surface area of the body or causes significant damage to the eyes, respiratory system or vital organs;
- Any degree of scalping requiring hospital treatment;
- Loss of consciousness caused by head injury or asphyxia;
- Any injury arising from working in an enclosed space which leads to hypothermia or heat induced illness, or requires resuscitation or hospital admittance for more than 24 hours.

### **Cases of Occupational Disease:**

The following notifications of cases of occupational disease, other than those arising from circumstances or situations which have already been investigated:

- All reports of cases of occupational disease which are reportable under RIDDOR Regulations, specifically:
  - Carpal Tunnel Syndrome,
  - cramp in the hand or forearm,
  - occupational dermatitis,
  - hand arm vibration syndrome,
  - occupational asthma,
  - tendonitis or tenosynovitis in the arm or forearm,
  - any cancer attributed to an occupational exposure to a known human carcinogen or mutagen,
  - any disease attributed to an occupational exposure to a biological agent.
- Other reports of cases of occupational disease with the potential to cause death or a "serious health effect" as defined in the Enforcement Management Model (EMM), and which arise from working practices that are likely to be ongoing at the time the report is made.

### **Serious incidents**

Incidents which indicate a likelihood of a serious breach of health and safety law:

This includes any incidents considered liable to give rise to serious public concern, where, from the facts known, the application of the EMM would give rise to an initial enforcement expectation of a notice or a prosecution.

For any mandatory incident that is not investigated, a decision record should be completed to explain the reasons for non-investigation. A senior manager should be involved in any decision with the Inspector.

The grounds for not investigating incidents that would normally be investigated may include:

- where an investigation is impractical, eg unavailability of key witness(es), key evidence is no longer available;
- no reasonably practicable precautions available to prevent the incident/accident or its recurrence;
- investigating the accident will mean the Local Authority will be acting ultra vires;
- there is a conflict of interest between the LA as a regulator and duty holder, in which case the appropriate enforcing authority should be notified, or
- inadequate resources due to other priorities.

### **Discretionary investigations**

Those incidents not falling into the above criteria for mandatory investigation may be investigated at the local authority's discretion when taking into account the following factors:

- the incident may not have caused a RIDDOR defined major injury but is either in accordance with HSE's national guidance to LAs on targeting interventions ([LAC 67/2](#)) or one which arises from a specific health and safety initiative that may be contained within the Local Authorities Service Plan;
- the poor health and safety track record of the duty holder and whether or not there has been a history of similar events;
- the incident has the potential for high public profile/media attention or has received considerable media attention leading to reputational risk through inaction/perceived inaction;
- the incident may give rise to complaint(s). Depending on the circumstances, this should be dealt with as a normal complaint procedure and not necessarily require a full incident investigation unless found to be appropriate, or any incident that has been identified as being useful for –
  - enhancing sector good practice/technical knowledge or
  - training and developing of staff/trainee inspectors.

### **For further information**

LAC 22-13

Work related death protocol for liaison

HSE Enforcement Guide (Scotland)

LAC 22-10

## Appendix 4 – Work plan for priority topics during 2025/26

Topic	National focus	Local business profile	Intended activity
Duty to manage asbestos	In premises likely to contain asbestos (i.e. built before 2000) LA health and safety regulators should draw dutyholders' attention to their duty to manage asbestos.	There are businesses built before 2000 that are within the LA enforced sector within Orkney	<ol style="list-style-type: none"> <li>Where a visit is made to a relevant premises discussion will take place with the dutyholder (or their representative) focusing on: <ol style="list-style-type: none"> <li>how they are implementing the proactive duty (including the guidance on a yearly review)</li> <li>checking duty holder is aware of where ACM exists and how they make persons who need to know aware of its presence</li> <li>What survey work has been undertaken before any construction work commences</li> </ol> </li> </ol>
Respirable silica dust	Dust creating harmful silica can be generated during common operations such as cutting, chasing and working material. LA inspectors may come across minor works that give rise to a matter of evident concern		<ol style="list-style-type: none"> <li>If during visits minor construction work that is generating significant quantities of silica dust gives rise to a MEC then poor standards will be addressed with dutyholders and any enforcement action taken in accordance with the Enforcing Authority Regulations 1998, collaborating with HSE where appropriate, using normal channels</li> </ol>
Legionella - Spa pools and hot tubs in the holiday sector	There has been a number of cases of Legionnaires' disease associated with spa pools and hot tubs in the holiday rental sector. Whilst some of the larger organisations are likely to	There are a number of commercial premises (including short term lets) who provide hot tubs.	<ol style="list-style-type: none"> <li>Where we are consulted on a STL licence application and it reveals potential for hot tub(s) then we will reminder duty holder of statutory obligations and signpost to L8. We will not approve or sign off RAs</li> </ol>

	manage the risk well, smaller concerns may not have the same level of awareness of the risks and the requirements to manage those risks.		2. We will contact our major hotels to see if they provide hot tubs for guests.
Legionella - Cooling towers located in built-up areas	In the last year there was a significant Legionnaires' disease outbreak associated with a cooling tower on the roof of a 5-star hotel. Cooling towers can have the potential to spread aerosol several hundred metres from the source, which in a built-up area, can potentially expose very large numbers of persons offsite.	The current "cooling tower" register shows 2 premises with cooling towers, and these are both manufacturing premises so do not fall to the LA for regulation.	<ol style="list-style-type: none"> <li>1. We will review our process and procedure for updating the register of cooling towers and evaporative condensers</li> <li>2. We will review and refresh the guidance on the council website for duty holders, making particular reference to ACoP L8</li> <li>3. As there are only 2 entries on the register we will check other likely premises and confirm current entries are correct.</li> </ol>
Work Related Stress (WRS)	the national priority covers 2 aspects of linked work, the continued awareness raising of the work related stress and mental health campaign 'Working Minds' with businesses and a new angle of intelligence gathering.	A number of businesses would be in scope.	<ol style="list-style-type: none"> <li>1. We will review and refresh the information on the Council's website relating to the "working minds campaign" to ensure it covers the five Rs approach.</li> <li>2. Where possible at every visit we will complete the national intelligence gathering online return.</li> </ol>
Violence and aggression	Retail sales and social care staff are in the top 5 risk professions	There are premises in Orkney in scope	<ol style="list-style-type: none"> <li>1. We will highlight to duty holders the importance of suitable and sufficient risk assessments to identify hazards and control the risks</li> <li>2. We will include this awareness raising in the work of the Licensing Standards Officer and raise the matter at the Licensing Forum.</li> </ol>

Musculoskeletal disorders	Raising awareness in retail sales and residential care premises	There are retail premises within Orkney that are in scope, however residential care premises are operated by the Council.	1. we will raise awareness with duty holders in retail premises of the need to undertake suitable and sufficient risk assessments for manual handling activities.
Noise in the workplace	Any premises falling to the LA for enforcement where it is noted hearing protection is in use.	There are premises in Orkney that are within scope.	1. We will participate in the hearing health inspection campaign which means where we see ear protection in use (and are satisfied it is required) we will check the condition and use of the PPE provided and check the duty holder is providing health surveillance.
Visitor attractions prevention/control of ill health arising from animal contact	Preventing infection from contact with animals (especially E.coli and cryptosporidium in children)	A few businesses in scope but also a number of agricultural shows/events take place each year (which have elements that fall to the LA for regulation)	<ol style="list-style-type: none"> <li>1. We will undertake a joint visit with the Council's animal welfare officer as part of the routine licensing visit and focus on this topic.</li> <li>2. As part of event planning for the annual agricultural shows we will raise awareness of this risk with the event organisers.</li> <li>3. We will review and update the information on the council website, ensuring signposts to HSE guidance and industry codes of practice.</li> </ol>
Planned Preventative Maintenance	Planned preventative maintenance (PPM) of work equipment is essential to the reduction of serious injuries and fatalities in the workplace and a new British Standard (BS14200	Premises such as golf courses, sports centres, retailers and caravan/camping	1. We will raise awareness with all duty holders of the need to comply with PUWER and LOLER and consider local intelligence to see if it is appropriate to target specific businesses.

	“maintenance of machinery”) has been published to work alongside the statutory requirements in PUWER, LOLER and PSSR. LA health and safety regulators are asked to raise awareness, with all of their local dutyholders, of their statutory duties and signpost to relevant guidance material	sites are likely to be in scope	
Inflatable amusement devices	There has been a number of serious incidents where inflatable amusement devices have collapsed or blown away in windy conditions	A number inflatable amusement devices (outside of a fairground) are used throughout Orkney	1. This will be a focus for inspections at shows/events (where not in a fairground) and will also be addressed a meetings of the SAG
Trampoline Parks – improved information provision and supervision of users	There has been an increase in the number of accidents occurring at the parks, involving both children and adults, which resulted in a specified major injury (fracture) as well as a small number which resulted in life-changing injuries. Analysis of RIDDOR reports suggests a lack of user understanding of the risks accompanied by reckless, unchallenged behaviour plays a factor in the number of injuries reported by this sector. LA health and safety regulators are asked to highlight, with their local dutyholders, the importance of ensuring that there are suitable	Local intelligence suggests there are no such premises within Orkney	No proactive actions intended, we will raise this issue should such premises open/ intend to open within Orkney.



	and sufficient standard operating procedures in place to ensure the safety of users, spectators, employees, and others		
Safety in the Motorsport and Motor Leisure Industries	The motor leisure and motorsport industries are adrenaline/high energy activities (karting, track days etc.) and can place members of the public in proximity of risks which if not controlled can lead to serious incidents and injury, including fatalities. In 2023 HSE issued a safety notice EPD03-2023 Motorsport/Leisure Track Safety: trackside vehicle restraint barriers This notice is about the selection of trackside vehicle restraint barriers and the need for duty holders to justify their selection of those selected at site. LAs are asked to ensure that those circuits with a history of public use, e.g. track days and karting centres, are aware of and have acted upon the notice where necessary.	Information suggests there is at least one venue potentially within scope, although it is not clear to what extent it is work activity.	<ol style="list-style-type: none"> <li>1. Engagement has taken place when a copy of the safety information notice was shared with the venue operator</li> <li>2. We will follow this up with the venue operator as necessary</li> </ol>
Provision of licensable adventure activities without an AALA licence	The Adventure Activities Licensing Regulation 2008 (as amended) 1989 requires anyone who provides facilities for adventure activities to under 18s in return for payment to hold a	A search of the AAL database reveals only one organisation is licensed within Orkney	<ol style="list-style-type: none"> <li>1. We will refer any concerns to the AALA about potentially unlicensed activities that we may come across.</li> </ol>

	<p>licence. Local authority enforcement officers are asked to be alert to providers in their local area who may be operating without a licence, and to take appropriate action.</p>		
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