



HUMBERSIDE FIRE AND RESCUE SERVICE

# HEALTH, SAFETY & ENVIRONMENT

---

## HEALTH AND SAFETY EXECUTIVE INSPECTORS

<b>Owner</b>	<b>Director of Service Improvement</b>
<b>Responsible Person</b>	<b>Head of Health and Safety</b>
<b>Date Written</b>	<b>May 2018</b>
<b>Date of last review</b>	<b>July 2018</b>
<b>Date of next review</b>	<b>July 2021</b>

## CONTENTS

1. [Introduction](#)
2. [Equality and Inclusion](#)
3. [Health & Safety Executive and Local Authority Inspectors](#)
4. [Possible Enforcement Actions by Inspectors](#)

## **1. INTRODUCTION**

Health & Safety Executive and Local Authority Inspectors (Inspectors) may visit Humberside Fire and Rescue Service (HFRS) following an incident, complaint or to inspect premises. The aim being to ensure duty-holders are managing health & safety effectively.

HFRS personnel are to give them every assistance to carry out their duties. All personnel are to be made aware of the powers of Inspectors as detailed below.

Although it is unlikely that Inspectors will arrive unannounced at any Service premises, they do have the right to do so.

If an Inspector arrives at any HFRS site, then personnel must first ask to see identification and establish the purpose of the visit. They must then contact the Health, Safety & Environment (H, S & E) Section who will send a representative immediately to liaise directly with the Inspector (subject to availability). This duty may be allocated to a Flexible Duty System Officer.

The Duty Group/Area Manager will be notified by the HS&E representative or the nominated FDS Officer.

## **2. EQUALITY AND INCLUSION**

HFRS has a legal responsibility under the Equality Act 2010, and a commitment, to ensure it does not discriminate either directly or indirectly in any of its functions and services nor in its treatment of staff, in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants, employees and service users.

## **3. HEALTH & SAFETY EXECUTIVE AND LOCAL AUTHORITY INSPECTORS**

Section 20(2) of the **Health and Safety at Work Act 1974** bestows certain authority upon Health & Safety Executive and Local Authority Inspectors to enquire into circumstances of accidents and inspect premises. Such powers are set out below:

- a. At any reasonable time enter premises to which the Act applies.
- b. Take with him/her a constable if he/her anticipates being obstructed.
- c. Take with him/her any other person and any equipment or materials necessary for the purpose for which he is entering.
- d. Make such examination and investigation as may be necessary.
- e. Direct that the premises (or part of) or anything therein be left undisturbed so long as is reasonably necessary for the purpose for which he is entering.
- f. Take such measurements, photographs and recordings as considered necessary

- g. Take samples of articles, substances or atmosphere.
- h. In the case of any article or substance which appears to the Inspector to have caused or be likely to cause danger to health or safety, cause it to be dismantled or subjected to any process or test without damaging or destroying it.
- i. Take possession of any article or substance as mentioned in (h) to:
  - I. Examine it.
  - II. Ensure that it is not tampered with before his/her examination is Complete.
  - III. Ensure that it is available as evidence in any proceedings.
- j. To require any person whom the Inspector has reasonable cause to believe to be able to give information to answer such questions as the Inspector thinks fit to ask and to sign a declaration of the truth of the declaration.
- k. The persons being questioned may nominate a person to be present at the interview. The Inspector may allow any persons he/she thinks fit to be present at the interview.
- l. Require production of and copy statutory documents or books and any other books or documents necessary for the examination or investigation.
- m. Require any person to afford the Inspector such facilities and assistance with respect to any matters or things within that person's control or in relation to which that person has responsibilities as are necessary to allow the Inspector to exercise his/her powers.
- n. Any other power necessary for the purpose of his/her visit.

#### **4. POSSIBLE ENFORCEMENT ACTIONS BY INSPECTORS**

If the Inspector(s) are satisfied that health and safety is being managed effectively then no further action will be taken.

If they believe improvements are required, they may issue the following enforcement action:

- Offer duty-holders information and advice (face to face or in writing)
- Serve improvement notice(s)
- Serve prohibition notice(s)
- Withdraw approvals
- Vary licence conditions or exemptions
- Issue simple cautions
- Prosecute

**HEALTH, SAFETY & ENVIRONMENT  
HEALTH AND SAFETY EXECUTIVE INSPECTORS**

For more information on HSE and Local Authority inspections and enforcement see the HSE's Enforcement Policy Statement.

**If you require further guidance on this document, please contact the  
Health, Safety & Environment Section**