

West Suffolk Joint Health and Safety Panel

Title of Report:	Health and Safety Offences, Corporate Manslaughter and Food Safety and Hygiene Offences - Definitive Guideline	
Report No:	HSP/JT/16/03	
Decisions plan reference:		
Report to and date/s:	West Suffolk Joint Health and Safety Panel	22 February 2016
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Purpose of report:	To receive and note a summary of the new sentencing guidance for Health and Safety Offences, Corporate Manslaughter and Food Safety and Hygiene Offences	
Recommendation:	The Panel are requested to NOTE the summary of the guidance that came into force on 1 February 2016 as contained in Appendix A to Report No HSP/JT/16/03.	
Key Decision: (Check the appropriate box and delete all those that do not apply.)	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<i>The key decision made as a result of this report will be published within 48 hours and cannot be actioned until seven working days have elapsed. This item is included on the Decisions Plan.</i>		

Consultation:	<ul style="list-style-type: none"> The guidance has been discussed at various Joint Health & Safety Group meeting the latest being 10 January 2016 		
Alternative option(s):	<ul style="list-style-type: none"> N/A 		
Implications:			
Are there any financial implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> If found guilty of an offence the fine is likely to be more severe 		
Are there any staffing implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> If individuals are found guilty of an offence there is a greater likelihood of the fine and or a custodial sentence 		
Are there any ICT implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> . 		
Are there any legal and/or policy implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> . 		
Are there any equality implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> . 		
Risk/opportunity assessment:			
<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Legal non compliance	High	Compliance with the Health and Safety at Work etc.. Act 1974 through policies, risk assessments and safe working practises	Low
Ward(s) affected:	All		
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	N/A		
Documents attached:	Appendix A – Health and Safety Offences, Corporate Manslaughter and Food Safety and Hygiene Offences- summary note		