

## Draft HSC/E Simplification plan 2006

This simplification plan draws together a number of strands of HSE's commitment to better, smarter regulation. The Plan is rooted in HSC's Strategy for workplace health and safety in Great Britain to 2010 and beyond, providing new impetus to the four strategic themes:

### **Developing closer partnerships**

The initiatives set out in the plan will help us work effectively in partnership with business, workers and other stakeholders to improve health and safety outcomes.

### **Helping people to benefit from effective health and safety management**

Better, smarter legislation:

- is easy to understand and comply with,
- maintains and improves levels of worker and public protection, and
- helps to secure stronger commitment and compliance from businesses.

### **Focusing on our core business and the right interventions**

The plan includes initiatives to target consistent, proportionate enforcement activity where it will have the greatest impact and deal effectively with non-compliance.

### **Communicating the vision**

Providing clearer, simpler advice and information, particularly for small businesses, will encourage greater compliance.

*"Better regulation helps to deliver the outcomes we are trying to achieve. It is about regulating in a way that is proportionate to the risks we need to manage."*

### ***The Strategy in Action***

***Report from the Health and Safety Commission to Ministers on the second year of the HSC Strategy***

March 2006

## **Executive summary**

1. Legislation over the last 30 years has helped secure significant improvements in health and safety in the workplace (such as a reduction in fatalities of nearly two thirds). The Health and Safety Executive (HSE) deals with many areas of the economy where strong regulation and enforcement are key to public confidence (e.g. the civil nuclear industry).
2. However, no-one (businesses, safety representatives, the public) wants unnecessary paperwork or bureaucracy. Therefore the Health and Safety Commission (HSC) and its Executive have given a commitment to work towards a 25% target reduction in administrative burdens (see paragraphs 26 to 37) on the basis that none of the changes will result in a reduction in worker or public safety.
3. HSC/E's key simplification initiatives are:

<b>Initiative title</b>	<b>Summary description</b>	<b>Detail No.</b>
Sensible Risk Management	Increase compliance and simplify guidance. Encourage proportionate risk assessment and management	1
Gas Safety (Installation & Use) Regulations	Review of the gas safety regulatory regime. Review landlords' gas safety check	2
Forms projects	Three projects looking to reduce the amount and burden of HSE forms	3
Lifting Operations & Lifting Equipment and Provision & Use of Work Equipment	Produce new guidance to clarify thorough inspection requirements. Research to support a review of the regulations	4
Health and Safety Information for Employees Regulations	Consider the approved health & safety poster and investigate delivery options for the information on it	5
Construction Regulations	Simplify the process for checking contractor's competence and consolidate four pieces of legislation into one.	6
Control of Substances Hazardous to Health	Rationalise guidance to make it more accessible and focus on key 'how to' information for employers	7

4. In addition HSC/E's wider better regulation priorities are:
  - Effective enforcement, targeted and with the right penalties
  - Better advice and support, especially for small and medium-sized enterprises (SMEs)
  - Effective and efficient mergers with the other regulators proposed by the Hampton Review, and other rationalisation of the regulatory landscape
  - Influence within the European Union to encourage and maintain the drive towards better regulation.
5. To do these things successfully HSE needs to work in partnership with all its stakeholders<sup>1</sup>, such as the Local Authorities, businesses and other dutyholders<sup>2</sup>, trade bodies and the trade unions.
6. This is a living document and it will be updated and amended over time to reflect progress and to include new projects as they are developed.

<sup>1</sup> Stakeholders are: organisations or individuals who have an interest in and can have significant influence on occupational health and safety.

<sup>2</sup> Dutyholders are: those who have duties under health and safety legislation.

## **Introduction**

7. The Health and Safety Commission and its Executive, together with Local Authorities<sup>3</sup>, are responsible for the regulation of almost all the risks to health and safety, arising from work activity, in Britain. Our mission is to protect people's health and safety by ensuring risks in the changing workplace are properly controlled.
8. HSC and HSE are committed to protecting people's health and safety in the workplace. As part of this commitment we are constantly reviewing what can be done better.
9. Better, smarter legislation is easier to understand and apply. This can help secure stronger commitment to compliance from business and so improve health and safety results; simplification will not reduce protection for workers or the public. It also supports our risk based, targeted approach to enforcement.
10. Wider promotion of health and safety using non-legislative routes to improvement, especially in lower risk areas, has a vital complementary role, not least in reaching small- and medium-sized enterprises (SMEs). It also helps build understanding that well-managed health and safety brings business benefits.
11. In general this plan does not propose changes to regimes affecting the high hazard industries, although HSE will consider where guidance may be improved.
12. Over-arching elements within the plan, linking to HSC's Strategy and aiming to improve health and safety outcomes, while reducing costs to dutyholders, include:
  - Simplification for both employers and employees to help them concentrate on improving outcomes rather than bureaucratic processes. We are making a commitment to simplify guidance on risk assessment; and working towards reducing the administrative burden of our legislation by 25%.
  - Focussing our efforts on real risks, those which can cause frequent and/or serious harm, through promoting a clearer approach on risk assessment, working with the Cabinet Office Better Regulation Executive (BRE) and others to achieve a more effective penalty regime, including tougher penalties for the worst offenders, challenging policy proposals to ensure alternatives to regulation are considered, and rebalancing interventions with more emphasis on advice and prevention.
  - Simplifying existing legislation including: proposals on management of construction projects which impact on a wider range of businesses across sectors; a more customer-focused approach to reporting injuries and ill-health and removing the need to be licensed for the removal of asbestos-containing textured decorative coatings.
  - Joined up enforcement including: more effective partnership with Local Authorities (LAs) to secure a consistent, targeted approach; and new arrangements for dealing with large organisations to ensure interactions are coordinated and consistent with agreed priorities for improvement across the organisation.
  - Improving advice, guidance and information especially to smaller firms, building on our initiatives like Infoline, new Health and Safety Awareness Officers and Workplace Health Connect.
13. In developing this plan, we recognise the important role Local Authorities play in providing both advice and support to businesses, and consistent, effective enforcement. This is reflected in the plan by a number of the wider better regulation initiatives, such as the Local Authority Partnership itself and the Large Organisation Partnership Pilot. As part of our work with Local Authorities we will develop further the

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<sup>3</sup> Local Authorities have responsibility for enforcing health and safety law in many business premises including shops, retail and wholesale distribution, catering establishments and residential care homes.

part they will play in delivering more consistent and effective advice on better, simpler ways of complying with legislation, whoever businesses turn to for help.

14. The HSC/E simplification plan therefore consists of:

- A narrative section outlining: what HSE has achieved in better regulation; how HSE consulted on the plan as it developed; the cross-government administrative burdens measurement exercise and how it feeds into the plan; an overview of HSE's key initiatives; an outline of other simplification work going on; a summary of wider better regulation work, such as HSC/E's response to the Hampton review; influence within Europe to apply better regulation principles; and how the plan will be monitored, reviewed and kept up to date over time.
- A detail table, containing all the current or planned individual projects and initiatives, to deliver both simplification and wider better regulation in HSE.
- Annex 1, tabling new regulatory changes that have come into force since May 2005 - the cut-off date for the administrative burdens measurement exercise.
- Annex 2, listing the simplification suggestions received from stakeholders between October 2005 and June 2006.

15. HSC/E cannot change the health and safety landscape alone. Success in better regulation also depends on stakeholder groups and businesses playing their part to ensure better compliance, through simpler guidance and a proportionate response to risk.

## What HSC/E have already achieved

16. HSC/E has a strong track record and a good reputation with those it regulates. Since it was established in 1974 the number of fatal injuries has fallen by 76%, a risk-based approach is firmly embedded in the regulatory framework and a modern approach to control of major hazards is in place.
17. Since 1974, HSC/E has reduced its legislative stock (all the legislation it is responsible for) by over 55%. In the early 1990s, and more recently in 2004, reviews led to major reforms of the legislative programme reflecting new priorities and better regulation principles. Today HSC/E's stock of primary and secondary legislation stands at 227 items. From Autumn 2006 a list of this legislation will be available on HSE's website with links to the regulations themselves where possible.
18. Since the early 1990s, HSC/E has followed the principles of good regulation; proportionality, accountability, consistency, transparency and targeting. These are integral to our enforcement policy statement, which formed the basis of the Government's Enforcement Concordat. Our approach to a cost benefit analysis in policy development is now built into the Government's Regulatory Impact Assessment process. HSE now has a mature body of legislation and in the main, changes to this originate from EU requirements.
19. In recent years HSC/E has:
- started to explore alternatives to regulation, for example the Stress Management Standards, a non-mandatory approach to tackling stress at work launched in November 2004; e-COSHH Essentials, a simple, electronic, risk-based tool for carrying out chemical risk assessments; and in 2006, Workplace Health Connect, a national telephone advice line and expert visits service,
  - built on its established approach to wide consultation by engaging directly with small and medium-sized enterprises (SMEs),
  - adopted the Government's policy on the use of Common Commencement Dates, and
  - put in place a robust internal policy challenge process, with a strong small business focus.
20. In striving to become a truly modern regulator, HSC/E has been working closely with Local Authorities and other regulators to ensure a consistent, proportionate and targeted approach to enforcement.

### **Since 1974...**

*...fatal injuries have fallen by over 70%*

*...the number of reported non-fatal injuries has fallen by two thirds*

*...HSE has cut the amount of regulations by over 50%*

*Chief Executives, workers and citizens all overwhelmingly agree that health and safety requirements are a cornerstone of a civilised society.*

*More than 70% of Employers and 90% of CEOs rate HSE favourably.*

*More than 75% of CEOs believe health and safety requirements benefit their company in the long term.*

MORI polls 2004, 2005, 2006

## Consultation on the simplification plan

21. HSE has engaged its stakeholders in consultation on the plan throughout its development. A first draft was posted on the HSE website in November 2005 and views on its contents were encouraged from stakeholders. In his speech to the CBI that month the Prime Minister announced “DEFRA, the DTI and the HSE are publishing simplification plans which will commit them to a 25% reduction in the administrative burden”.
22. The plan was presented to and discussed with HSE’s Small Business Trade Association Forum (SBTAF) for their views. The forum was asked to consult their member businesses both on the draft plan and to ask for any suggestions for simplification that might be included.
23. HSE set up a Monitoring Group to oversee the administrative burdens measurement exercise (see paragraph 26, below). This group was made up of representatives from business (large and small), the charitable sector, local authorities, trade unions and HSE staff. The Monitoring Group has also been consulted on the Simplification Plan and given their input during the course of its development.
24. The Cabinet Office also set up a web portal through which stakeholders could submit proposals for regulatory simplification, which could then be distributed to the relevant Department(s) for consideration. The government committed to responding within 90 working days. Where appropriate these proposals are or will be included in the plan. The proposals included in the plan at this stage were suggested by:
- Babergh District Council
  - Electrical Contractors Association
  - National Farmers Union
  - Federation of Small Businesses
  - GlaxoSmithKline
25. The majority of issues raised were detailed, industry-specific points (such as notification requirements under regulations on dangerous substances, and joint working between regulators on radiation policy). However, a consistent thread running through many of the suggestions was the level of uncertainty and complexity experienced by dutyholders, in particular SMEs, when trying to understand all the regulations and guidance that applies to them. Tackling this problem is a key feature of the simplification plan and is addressed in initiatives such as the Sensible Risk Management project and the forms projects.

*“The emphasis within the draft simplification plan on reducing the complexity and burdens of compliance is very welcome and PCG hopes that the final delivery of the reform will live up to its promise.”*

Professional Contractors Group  
response to draft plan  
January 2006

## **The Administrative Burdens Measurement Exercise (ABME)**

26. A government-wide exercise has been carried out to provide Departments with an indication of the amount that each regulatory administrative burden puts on industry. External consultants measured the cost associated with complying with administrative tasks (form filling, record keeping, etc) and have estimated the total annual administrative cost contained in all legislation in force before May 2005. A list of health and safety legislation that has been introduced subsequently is attached in annex 1.
27. The ABME provided HSE with an estimated baseline figure, which we will use as an indicator for monitoring our progress towards success in reducing the administrative burden on dutyholders of complying with health and safety legislation.
28. The ABME total included costs for some activities that businesses would do anyway irrespective of legislation - 'business as usual' costs. As these are not costs imposed by regulation, HSE took part in a cross-departmental process developed by the Cabinet Office and agreed with business stakeholders to identify those activities within our total baseline figure that might be classified as 'business as usual'. The costs estimated for these activities were then subtracted from the total.
29. In total, for all health and safety regulations that place an administrative burden on dutyholders, the ABME indicated an annual cost of £2.03 billion following the removal of 'business as usual' costs.. .
30. HSC/E have given a commitment to work towards a 25% target reduction in administrative burdens by May 2010 where it is not constrained by EU directives and to a longer timeline (yet to be defined) where European negotiation will be necessary.
31. The exercise therefore estimated a reduction of £508 million if we are to meet our 25% target.
32. The ABME identified ten sets of regulations that account for 77% of HSE's total annual costs figure. Many of the largest burdens are driven by large populations, e.g. the requirement applies to all businesses, or the record must be kept for all employees.
33. The 10 regulations are:

<b>Regulation</b>	<b>Top costing administrative elements</b>
Management of Health & Safety at Work Regulations 1999	Risk management and risk assessment.
Gas Safety (Installation and Use) Regulations 1998	Landlords' gas safety check
Lifting Operations & Lifting Equipment Regulations 1998	Checking and recording examinations of equipment
Control of Substances Hazardous to Health Regulations 2002	Risk assessment Employee training and maintaining records of training
Manual Handling Operations Regulations 1992	Risk assessment Information to employees
Health and Safety at Work etc Act 1974	Health and safety policy statement Health and safety information to employees
Control of Asbestos at Work Regulations 2002	Compiling information on emergency arrangements for the emergency services
Safety representatives and Safety Committees Regulations 1977	Providing information to safety representatives to enable them to fulfill their functions
Construction (Design and Management) Regulations 1994	Preparing rules for management of health and safety for construction jobs. Updating the health and safety file and delivering it to client on completion of job
Provision and Use of Work Equipment Regulations 1998	Checking and recording examinations of equipment

34. In many cases the highest costing element is a requirement to keep a record. In most cases HSE regulations do not specify how, or in what format the record should be kept.
35. In reaching this target reduction, HSE will also take into account any additional costs created by new legislation that comes into effect over the period of the plan (listed in annex 1 on page 40). This will ensure that this is a net reduction in the total cost by the end of the process and reduced costs in one area have not just been replaced by new costs in another.
36. HSC/E's simplification plan is a rolling programme, which will be updated as it progresses, with new initiatives being added and old ones coming to an end. Currently the plan details projects that are designed to address at least 60% of our target for administrative costs reduction. If these initiatives are successful this could be significantly higher.
37. Some of the elements listed above include the cost of providing information to third parties, such as employees, as an administrative burden. Giving sufficient information to others to help them look after their own health and safety is a fundamental element of health and safety policy in the UK. In general a required format for delivering this information is not set out in regulations, instead, HSE has adopted a goal-setting approach, requiring the dutyholder to provide suitable and sufficient information, not dictating how they provide it.

The following sections explain the types of work HSE is engaged in to deliver simplification and the better regulation agenda to 2010. For clarity this has been laid out under three headings, which reflect the breakdown in the detail table of the plan. These headings are:

- Overview of the key initiatives making a significant impact
- Other simplification initiatives
- Wider better regulation initiatives

### **Overview of the key initiatives making a significant impact**

38. To make a significant difference to dutyholders as quickly as possible, HSE has focussed in this plan on those initiatives that:

- Address the highest cost requirements as shown in the ABME
- Remove/reduce forms requirements
- Affect the largest numbers of dutyholders
- Address stakeholder proposals where appropriate
- Can quickly and easily simplify HSE's stock of regulation and guidance

39. The elements in the key initiatives section of the plan are:

<b>Initiative Title</b>	<b>Summary description</b>	<b>Detail No.</b>
Sensible Risk Management	To develop the culture of health and safety at work - providing accessible, useable advice and guidance, encouraging effective risk management through proportionate risk assessment	1
Gas Safety (Installation & Use) Regulations	A review of the gas safety regulatory regime including reviewing the landlords' gas safety check in line with risk based principles	2
Forms projects	Three projects looking to reduce the amount and burden of HSE forms	3
Lifting Operations & Lifting Equipment and Provision & Use of Work Equipment Regulations	Initially producing new guidance to clarify what is required. Followed by a scoping review of the regulations to consider other simplification measures	4
Health and Safety Information for Employees Regulations	Proposed by Babergh District Council. Consideration of the usefulness of the approved health & safety poster and investigation of delivery options for the information on it	5
Construction Regulations	To simplify the process for checking contractor's competence and to remove four pieces of legislation to produce one key set of consolidated regulations	6
Control of Substances Hazardous to Health Regulations	Rationalising guidance, making it more accessible and focusing on key 'how to' information for employers	7

40. The most significant of these key initiatives are:

#### **Sensible Risk Management** (detail table item 1)

41. Risk assessment and management is one of the underpinning principles of the Health and Safety at Work Act 1974 and the regulations that support it; assessing and then managing the risks created by a work activity so far as is reasonably practicable.

*“We will simplify the concept of risk assessment to make it relevant and available to all and to ensure a sensible approach to risk management. We will make it clear that risk assessment is a simple, relevant and effective tool.”*

*HSC Strategy to 2010 and beyond*

42. The significance of risk assessment and management was underlined in the ABME where the Management of Health and Safety at Work Regulations, which provide the overarching requirement for risk assessment, came out as HSC/E's largest single administrative cost and make up 29% of the indicative total (shown in paragraph 29, above).
43. HSE has already put in place the Sensible Risk Management project to increase compliance with risk management requirements and raise standards of health and safety in the workplace by making advice and guidance more accessible and easier to understand. HSE propose to build on and develop this project over the period of the plan, getting businesses to focus on practical risk management and less on documentation for its own sake. If we are successful this will significantly reduce the amount of paperwork businesses produce and so reduce administrative burdens. HSE intends that this initiative will reduce the costs of compliance by up to a third and so contribute two fifths of HSC/E's target for administrative burdens reduction.

#### **Gas Safety (Installation & Use) Regulations** (detail table item 2)

44. The annual check of gas appliances by residential landlords was also indicated by the ABME to place a high cost on dutyholders. This was, in part, due to the large number of such appliances throughout the domestic rented accommodation sector. However, this requirement is not currently risk-based and is uniform across all appliances irrespective of age, type or evidence of level of risk. Therefore research is now underway considering whether a risk-based approach to these checks can be developed to ensure that the costs are proportionate to the level of risk.
45. The work on the gas safety check is linked to a larger review of the whole domestic gas safety regime. This review includes consideration of the registration and competence requirements for installers in the context of simplifying the gas regime while maintaining and where possible improving levels of safety. It is therefore possible that broader changes to the regime as a result of the review might also contribute to reducing burdens on landlords under the Gas Safety (Installation and Use) Regulations.

#### **Forms projects** (detail table item 3)

46. The removal of forms which are outdated, unnecessary or which duplicate information gathered elsewhere was a recommendation in the Hampton review. To facilitate this HSE undertook a zero-based review of all its forms and concluded that 54% of the current stock forms could be removed quickly as they are no longer in use and are not required by law. Whilst this will not result in a significant cut in costs to business, it signifies HSE's determination to remove old and outdated bureaucracy and will reduce the potential for confusion and error. In addition a smaller number of forms that are required by the regulations are to be reviewed with a view to simplification or removal. Some of these are used in larger numbers, such as the F9 form which companies

setting up new factories must submit, and where possible remove them, subject to consultation, which could have a positive impact on new/expanding businesses.

47. The table above (paragraph 39) mentions a construction initiative. In addition to this, during the life span of the plan HSE will also be exploring better integration possibilities between the Construction (Design and Management) Regulations 2007 and the building control and planning regimes. This will be carried out in consultation with the Department for Communities and Local Government (DCLG).
48. There are a small number of requirements that the ABME indicated imposed high costs on business but which do not appear in the current version of the plan. This is because we envisage that these will be addressed at a later date and will be considered for inclusion in a future iteration of the plan as it is updated each year of its four-year lifespan. Examples of these include: drafting a policy statement as required by the Health and Safety at Work Act; providing information to employees on manual handling as required by the Manual Handling Operations Regulations; and creating an emergency plan under the Control of Asbestos at Work Regulations.

#### **Timescale for making an impact**

49. Many of the requirements in HSE's regulations are European and so, there are significant limitations on HSE's ability to amend this legislation, especially in the short-term. Therefore, the key initiatives to address the costs associated with the requirements considered in the simplification plan are non-legislative, at this stage. These projects look to clarify and simplify what dutyholders need to do to comply with legislation rather than aim to change to the regulatory requirements themselves.
50. This type of 'culture shift' (such as encouraging dutyholders to keep risk assessment fit for purpose and not to produce documentation for its own sake) will take time to evolve into new ways of working. This will require, consistent work to ensure simple, accessible guidance gets to those who need it to produce substantial change, and so deliver cost reductions over the lifetime of the plan. This will be kept under review and if the expected cost savings are not materialising we will consider the need for legislative change, probably through Europe, though this would be to the longer timescale.
51. A large number of the simplification initiatives will come to an end between Autumn 2006 and Summer 2007, but it is only after this that their impact will start to be felt as the work embeds. More changes are timetabled to be in place by 2008, again taking time to take root. Overarching these changes will be the work on risk assessment and management, which is on-going throughout the lifetime of the plan to have a growing effect; building year on year, from changes already put in place in July 2006 to end of the plan's lifecycle in March 2010.

## **Other simplification initiatives**

52. In addition to the key initiatives outlined above, there are a number of other projects either planned or underway that address one or more of the criteria laid out in paragraph 38.

53. The elements in this section of the plan are:

<b>Title/Initiative</b>	<b>Summary description</b>	<b>Detail No.</b>
Asbestos regulations	Consolidating three sets of regulations and removing the licensing requirement from work with textured decorative coatings	8
RIDDOR (reporting of injuries, and diseases)	New initiative to improve the reporting process and the way it is communicated to business, particularly SMEs	9
Nuclear reactors decommissioning	Develop a more flexible & proportionate approach to decommissioning projects	10
Offshore installations	Three-year safety case resubmissions replaced by five-year reviews	11
HSE-endorsed pre-qualification criteria	Proposed by Electrical Contractors Association (ECA) to streamline the number of health and safety pre-qualification schemes for electrical contractors and create one core criterion	12
Dangerous Substances (Notification & Marking of Sites) Regulations	Proposed by National Farmers Union (NFU) to reduce duplication in notification requirements	13
Health & Safety Regulations list	Proposed by Federation of Small Businesses (FSB) to list all HSE's regulations on the internet	14
Radiation Policy Delivery	Proposed by GlaxoSmithKline (GSK) for HSE and Environment Agency (EA) to work together harmonising regulatory requirements with the aim of joint inspections	15
Health and Safety Information for Employees Regulations	Proposed by Babergh District Council. This is a key initiative considering the usefulness of the approved health and safety poster, see table at paragraph 39.	5

## **Current policy work**

54. During 2005/06, HSE had legislative projects underway that simplify regulations. Two are still progressing and two came into force on 6 April 2006. These are not expected to have the impact across the business community of those in the previous section, but they demonstrate HSC/E's commitment to considering simplification options in any policy development initiative taking place.

55. One of these initiatives, the review of RIDDOR, reported the outcome of its first stage to HSC in July 06. This stage of the review examined enforcing authority needs, stakeholder views, costs to business and the scope for change. There were a number of changes that could be made to simplify and modernise requirements, but stakeholder views were divided on the merits of change. Business representatives in particular expressed concern that efforts to streamline would, in practice, impose significant extra costs to compliant businesses (e.g. changing systems, briefing staff) without securing radical simplification to ensure those costs of change were offset by the benefits of a major reduction in burdens and substantial improvements in compliance. HSC therefore agreed with HSE not to change the legislation, but to raise the profile of the simpler and quicker methods of reporting, particularly for SMEs. This will include making the most of the existing, user-friendly telephone reporting facility to replace form-filling and removing the need for small businesses to be aware of any more than 'if there has been an accident, ring this number'.

## **Stakeholder proposals**

56. Stakeholders have had the opportunity to suggest simplification initiatives through either the Cabinet Office web portal (a website set up to encourage suggestions for simplification from businesses), direct to departments, or other stakeholder groups that HSE are engaged with.

57. 22 suggestions have been received to date;

- Nine have been accepted so far – five appear as separate items on the plan
  - three are part of work HSE is already undertaking
  - one is part of a Small Business Service project (already underway),
- Seven others are either: awaiting further information from the stakeholder that proposed them; will be included in a future review of the relevant legislation; or are still under consideration.
- One could not be addressed immediately because it relates to European requirements, but these are currently being reviewed within the European Union.
- Five have been rejected, because they relate to a misunderstanding of the requirements in the regulations.

58. The full list of suggestions are included in annex 2.

## **The Regulatory Simplification Project**

59. This was set up to ensure that HSE's stock of regulation and other policy initiatives were reviewed in order to feed viable and effective simplification initiatives into the rolling simplification plan at appropriate times.

60. The project also considered the potential for restructuring the regulatory framework to make it simpler for stakeholders; in particular giving consideration to the simplification of generic provisions (like the risk assessment requirement) spanning the Management of Health and Safety at Work Regulations 1999 and other relevant EU-derived sets of regulations. The conclusion reached was that while this was feasible and could bring some simplification benefit, restructuring would not have a real effect on the requirements placed on business but could have a detrimental effect by confusing stakeholders already used to the law as it now stands. It was therefore decided at this stage to concentrate resources on other elements of the plan.

61. The project developed a prioritisation system for commissioning initiatives, taking into account the results of the administrative burden measurement exercise, external simplification proposals received, forms review project results and organisational priorities and resources.

62. Regulatory simplifications identified by the Project that HSE will be undertaking in the next two to three years include:

- a consolidation of the Biocidal Products Regulations and their amendments
- a review of the requirements in the Control of Explosives Regulations looking to reduce overlap between the explosives certificate and firearms certificate regimes and take 8-10,000 gun owners (shooters) out of the scope of the explosives certificate requirement
- revised guidance to resolve some inconsistencies/interpretation issues relating to the Ionising Radiation Regulations
- the removal of defunct mines legislation, for example 47 special mines regulations (regulations relating to specific, named mines which no longer exist)
- updating guidance to provide clarity and keep pace with fast-moving technology in the Genetically Modified Organisms (Contained Use) Regulations

63. The project has identified an additional 17 potential simplifications. However, these will not significantly contribute to the reduction of unnecessary administrative costs and are not a priority at this stage (given the criteria outlined in paragraph 38). Therefore whether and when work on these possible projects takes place will be considered in the context of HSE's priorities for delivering improved health and safety in the workplace.

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## **Wider better regulation initiatives - responding to the Hampton review**

64. Projects that address the wider better regulation agenda, such as responses to the recommendations of the Hampton Review, will not directly simplify legislative requirements. However, they are included here to provide a complete picture of HSE's commitment to being a modern regulator.

65. The elements in this section of the plan are:

<b>Title/Initiative</b>	<b>Summary description</b>	<b>Detail No.</b>
Recording contact details of businesses new to HSE	Simplifying and shortening the process HSE uses to log the details of businesses HSE becomes aware of	16
Common commencement dates	All new legislation to come into force on either 6 April or 1 October each year	17
HSC Small Business Trade Association Forum	To ensure the voice of small business is heard by HSC/E	18
HSE challenge panel	All policy proposals will be tested against better regulation principles and challenge the need for regulation	19
Large Organisation Partnership Pilot	A coherent relationship with large companies for better management of regulatory interventions	20
HSE advice and guidance	A number of initiatives to provide better targeted, more accessible guidance: Workplace Health Connect Health and Safety Awareness Officers Stakeholder-led guidance Why HSE staff visit business Review of HSE publications	21 21a 21b 21c 21d 21e
Mergers with other regulators	Detailed implementation plans for mergers with other regulators have been finalised and are moving forward	22
The Enforcement Programme	Working to deliver enforcement activity that is better targeted and more efficient	23
Penalties	Considering the potential for a wider variety of enforcement tools available to enforcers resulting in increased efficiency of the enforcement and judicial system.	24
Targeting Inspections	Directing HSE's resources to areas that will have the biggest impact on improving health and safety outcomes focusing on HSE's priority topics.	25
Working with Other Regulators	Changes to our inspection regime working to reduce the burdens of duplicated and un-coordinated inspection	26
Local Authorities Partnership	HSE and the LAs working locally and nationally, to common objectives and standards, also focusing resources on agreed priorities.	27

66. In 2005 Phillip Hampton published the report of his review *Reducing administrative burdens - effective administration and enforcement*. The recommendations he made include: a risk-based approach to regulation, inspection and enforcement; mergers of a number of enforcement bodies to relieve burdens; the need for strong penalties; working with other regulators; and the need for improved consistency, especially in inspections. Much of this was consistent with the approach HSE was already taking, notably our efforts to ensure targeted, risk based enforcement and improving consistency of approach.

67. HSE's response to the recommendations of the Hampton report are also included in the plan (see detail table: Wider Better Regulation Initiatives, page 30), although it is not possible to quantify the cost savings to business in the same way as legislative

simplification measures. These have been included to ensure that the plan is as complete as possible, laying out for public scrutiny all the work HSE is doing to minimise the burdens placed on law-abiding businesses by regulatory activity.

68. HSE has also developed a number of wider initiatives that support better regulation. Whilst these will not directly simplify legislative requirements they are part of HSE's commitment to create a culture of policy development where better regulation principles and the drive to minimise the administrative cost of requirements are intrinsic parts of the process.
69. More generally, in taking all the work detailed in the plan forward, we will pay close attention to some overarching principles within the plan:
- **Working with other regulators** will include regional/local schemes, continuing and developing work with the Environment Agency and the Large Organisation Partnership Pilot, where HSE is working with Local Authority regulators to provide companies with a strategic approach to frontline activities.
  - We will **reinforce our focus on the needs of small businesses**, for example providing clearer, simpler information, focusing on practical steps to achieve legislative goals and non-regulatory approaches to encouraging compliance. HSE will work with its Small Business Trade Association Forum to maintain this focus.

### **Influencing policy development in the EU**

70. HSE will continue the work of the 2005 UK Presidency in influencing the drive towards better regulation in the EU. In conjunction with Austria, Finland and Germany (holding the EU Presidency until 2007), HSE is working to place better regulation at the heart of the new European Occupational Safety and Health Strategy to run from 2007. The Strategy is likely to be agreed by the end of 2006.
71. A large proportion of the administrative burden of health and safety legislation originates in Europe. It is therefore vital to see real change in EU regulatory development and this will require a central government lead to maintain momentum and progress.
72. We are also actively engaging with the Davidson Review; a cross-government initiative to review any over-implementation of EU legislation in the UK. The Review was set up to look at how the UK implements European legislation and how this affects the competitiveness of the UK economy.
73. HSC/E has systems in place to ensure there is no over-implementation of EU requirements and we have not identified any specific measures for simplification at this stage. However, in its "Summary of responses to call for evidence" published in July 2006, the Davidson Review identified two allegations of over-implementation; the application of EU health and safety legislation to the self-employed, and the Control of Major Hazards Regulations. The Davidson Review will publish its final report in December 2006 and this may highlight additional issues for HSC/E to consider in future plans.

## **How the plan fits within the government's better regulation agenda**

74. HSC/E's plan can be seen within the context of the Government's programme of regulatory reform, facilitated by BRE. This programme involves all the elements outlined above such as:

- measuring the cost of regulation (and setting targets to reduce it),
- simplifying regulation e.g. considering non-regulatory options and assessing the cost of new regulations,
- streamlining inspection and enforcement by taking forward the recommendations of the Hampton review
- [legislating for reform, the Legislative and Regulatory Reform Bill is aimed at making it quicker and easier to remove regulatory bureaucracy where burdens are uncontroversial]
- regulation in Europe, how European legislation is applied in the UK.

## **Monitoring, reviewing and updating the plan**

75. HSC/E is committed to the better regulation agenda and working to meet its 25% target reduction in administrative burdens whilst improving or maintaining worker and public safety.

76. The plan published here is a summary of the HSC/E's current plans for simplification and wider better regulation initiatives. These initiatives will be regularly monitored to ensure that real progress is made and that milestones outlined in the plan are reached according to timetable.

77. In its entirety the simplification plan project is designed to cover the timeframe May 2005 to May 2010. The plan is a rolling summary of initiatives, developing over time as work is progressed and as new projects are developed.

78. The plan will be updated every year to take account of the progress made by the initiatives included in it and as a method of reporting on HSC/E's overarching progress towards its administrative burden reduction target.

79. As part of updating the plan, new initiatives will be added as they are developed. These will take account of new proposals from stakeholders, projects scheduled into HSE's work plan and initiatives developed as a result of research currently underway.



## Key Initiatives making a significant impact

Title/ Policy/ Area/ Measure/ Initiative	Type of Burden	Description of simplification measure	Outcome (incl. sector/s to benefit)	Estimated cost savings: Admin or Policy	Milestones/deadlines for delivery/ dependencies
<b>(1) Sensible Risk Management (SRM)</b>					
<p><b>a) The current SRM project includes:</b></p> <p>(i) A campaign tackling excessive reactions to risk assessment requirements.</p> <p>(ii) A revised version of the '5 steps to risk assessment' guidance.</p> <p>(iii) Example risk assessments.</p> <p>(iv) Work with stakeholders such as health and safety practitioners on providing balanced advice.</p>	Policy and administrative	<p>(i) Publication and promotion of a set of principles of sensible risk management.</p> <p>(ii) To emphasise what does not need to be done as well as what does.</p> <p>(iii) Sector-specific examples to help SMEs understand that relatively little needs to be recorded in low risk areas.</p> <p>(iv) Encouraging health and safety professionals to give balanced advice and to draw attention to excessive risk aversion.</p>	The start of a culture-change whereby dutyholders will feel able to undertake proportionate risk assessment and effective risk management.	This project is part of the longer Sensible Risk Management initiative. See 1b, below for costings of the initiative as a whole.	<p><b>Completed:</b> House of Lords launch, research, sensible risk principles drafted, guidance redrafted and tested.</p> <p><b>11 July 06:</b> Launch to promote new guidance and publication of 4 sector-specific example risk assessments.</p> <p><b>Aug 06:</b> Research report to be finalised, launch of sensible risk principles.</p> <p><b>Autumn 06:</b> Promotion to stakeholders, opinion formers &amp; practitioners.</p> <p><b>July - Dec 06:</b> Evaluation.</p>

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>b) Building on the SRM</b> in order to address the perceived burden of the requirements of the Management of Health and Safety at Work Regulations.</p> <p>A 4-year internal &amp; external culture-shift initiative on risk assessment and risk management to make it more accessible in the perception of dutyholders, in particular SMEs.</p> <p>Continue to develop sector-specific example risk assessments.</p>	<p>Policy and administrative</p>	<p>Continuing to tackle excessive reaction to risk assessment requirements, whilst improving compliance and standards.</p> <p>Engaging with insurers, health and safety professionals, dutyholders, etc.</p> <p>Support development of guidance dealing with risk assessment to emphasise what does <u>not</u> need to be done as well as what does. Key messages of a balanced, proportionate approach: creating practical steps to manage risks that cause real harm and suffering, not bureaucratic form filling.</p> <p>Further sector-specific example risk assessments are designed to help SMEs understand that relatively little needs to be recorded.</p>	<p>A shift in the culture of health and safety at work - providing accessible, useable advice and guidance, encouraging effective risk management through proportionate risk assessment.</p> <p>Simpler, quicker risk assessments undertaken by lower risk businesses and risk assessments that focus on effective risk management, not bureaucracy.</p> <p>If we are successful we will:</p> <ul style="list-style-type: none"> <li>• Improve compliance</li> <li>• Improve standards of health and safety</li> <li>• Encourage involvement of dutyholders and their staff in the process of risk management</li> <li>• Reduce dependence on external consultants for low risk activities</li> <li>• Reduce paperwork.</li> </ul>	<p>This is the largest cost estimated by the ABME at approximately £600 million per year.</p> <p>If this initiative is successful we are aiming that it will contribute two fifths of HSE's 25% target reduction: up to £200million.</p>	<p>This initiative is currently being developed but is a long-term project as is expected to last until 2010.</p> <p>Continued development of sector specific risk assessments July 06 - July 2008.</p>

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>c) Restoring a sensible approach to risk management in education.</b></p> <p>This will involve close working with key stakeholders in higher, further and school education, including the DfES.</p>	Policy	<p>A project working with the Education sector to develop the 'principles for sensible risk management' to show how they can be applied in the school and higher, further education context.</p> <p>It will include the development of example risk assessments for schools and further and higher education establishments.</p>	Succinct, straightforward risk assessments that identify the real risks and the practical solutions to control them.	See 1b, above, but this project mainly affects the public sector.	Currently preparing discussion paper to: set out the issues in more detail; map the stakeholders across and within each part of the sector; and suggest an initial plan of engagement with a timetable for deliverables, to be completed by [date].
<p><b>d) Intermediaries and the Supply chain</b> Working with large organisations, insurers, and other intermediaries to influence their contractors, clients, etc.</p>	Policy	<p>Working with health and safety consultants on good practice guidance to encourage delivery of good, proportionate advice.</p> <p>Working with large companies requiring proof of health and safety systems by SMEs bidding for contracts with them (e.g. ECA proposal, see item 11).</p> <p>Working with insurers to develop understanding of what is 'enough' as required by the regulations.</p>	Consistent messages from insurers, regulators, prime contractors, etc. concerning risk assessment and management.	See 1b, above.	As individual initiatives are developed timetables, deadlines and goals will be established.

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>(2) Gas Safety (Installation and Use) Regulations</b></p> <p>A review of the domestic/consumer Gas Regulatory Framework particularly focusing on the Gas Safety (Installation and Use) Regulations.</p> <p>This includes consideration of the landlords' gas safety check and the CORGI registration scheme.</p>	<p>Policy and administrative</p>	<p>Review of the requirements under the regulations, to include:</p> <p>i) The statutory registration scheme for installers (CORGI). Options for simplifying the registration and competence requirements for installers are being considered.</p> <p>ii) The requirement for landlords' to provide an annual safety check certificate to their tenants of all gas appliances. Research is underway to measure levels of carbon monoxide (CO) in domestic premises and to investigate whether a more risk-based approach to the gas safety check is possible.</p>	<p>i) Outcome of this measure will depend on the results of the independent review being delivered by stakeholder engagement.</p> <p>ii) As an example, if the research showed that a certain type of appliance required checking only every other year, this would reduce the cost of the gas safety check for all landlords with properties containing that kind of appliance.</p>	<p>Cost savings to landlords and other businesses using CORGI registered gas fitters.</p> <p>ABME estimated the cost of the landlords' gas safety check to be £236 million p.a.</p> <p>Quantification will only be possible after the results of the research are available.</p>	<p>Research into CO levels has been commissioned and initiated. To report <b>Oct 06</b>.</p> <p>Review on statutory scheme to report at stakeholder conference <b>Oct 06</b>.</p> <p>1<sup>st</sup> stage research into the risks associated with domestic gas appliances commissioned and initiated. To report <b>Oct 06</b>.</p> <p>2<sup>nd</sup> stage research to be initiated <b>Oct 06</b>.</p> <p>Changes to regulation expected <b>2008-9</b>.</p>
<b>(3) Forms projects</b>					
<p>a) <b>Removal of approximately 45% of HSE forms</b></p>	<p>Administrative</p>	<p>Removal of all unnecessary forms, not required by legislation.</p>	<p>Although most of these forms are rarely used and therefore not costly to business, their removal will provide clarity and reduce the risk of confusion and error.</p>	<p>According to the ABME estimates this project will save businesses £250,000 per year.</p>	<p>By the <b>end of 2006</b>.</p>

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>b) Consideration of Removal of the F9 and OSR1 forms</b>, which are currently required for registering new factories and new offices, shops or railway premises.</p> <p>An HSE initiative. The West Midlands Health and Safety Liaison Group also proposed removal of the OSR1.</p> <p>7 other forms required under the Factories Act and the Offices, Shops and Railway Premises Act will be considered for removal.</p>	Administrative	<p>These forms are being considered for removal as their use across HSE and the Local Authorities is patchy and inconsistent. HSE will explore whether the data they contain is used and whether it can be obtained through other means.</p>	<p>Benefit to new and expanding businesses as, if it is possible to remove these forms, they will no longer be required to register new businesses or premises with HSE/LAs.</p>	<p>When these forms are removed, the ABME estimates it could save businesses in the region of £13 million per year.</p>	<p>Estimated timetable to remove the forms would be 12 –18 months -<b>Dec 2007</b>.</p> <p>If this project was taken forward as part of a wider project to repeal the Factories Act and the Offices, Shops and Railway Premises Act, the timetable would be 2-2.5 years i.e. by Sept 2008.</p>
<p><b>c) The Business On-line project</b> is looking to transfer all HSE's remaining 55 forms from paper to electronic format.</p>	Administrative	<p>All forms required by HSE will transfer to electronic format to be available to complete and submit electronically in addition to current paper options.</p> <p>The project is also researching which of these forms can be pre-populated with data from previous submissions.</p>	<p>Much greater accessibility and flexibility for all businesses required to fill in HSE forms. Significant time resource savings if submission can be electronic and if forms can be pre-populated.</p>	<p>The total ABME estimated annual cost for all the forms included in this project is £40 million. This project is expected to make a substantial impact on this cost.</p>	<p>Analysis of pilot form in preparation for transfer <b>June - Dec 06</b>.</p> <p>Development phase for pilot form <b>Jan - May 07</b>.</p> <p>General conversion of all forms to pdf format (stable environment) <b>Apr - May 07</b>.</p> <p>Development of full timetable for transfer implementation <b>May 07</b>.</p>

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>(4) Lifting Operations &amp; Lifting Equipment Regulations and Provision &amp; Use of Work equipment Regulations</b></p> <p>(LOLER &amp; PUWER)</p> <p>Addressing concerns over a lack of clarity and possible overlap in the requirements of these two sets of regulations.</p> <p>HSE's staged response allows us to consider the effectiveness of the previous stage in refining the next one.</p>	<p>Policy and administrative</p>	<p>Stage 1: Preliminary investigation into stakeholder views on: having 2 sets of regulations, their ease of understanding, and fitness for purpose.</p> <p>Stage 2: Provision of new web guidance on thorough examination for categories of fork lift truck (FLT).</p> <p>Stage 3: New guidance on inspections/examinations of lifting equipment to clarify legal requirements.</p> <p>Stage 4: Scoping review of PUWER/LOLER. The review will consider whether the complexities/ ambiguities/ difficulties for dutyholders have been addressed by the guidance or whether further action is necessary.</p>	<p>Guidance will make it clear for dutyholders when and how often examinations or inspections of any equipment are needed.</p> <p>The review will allow HSE to decide whether it is necessary and productive to undertake further action, such as working through Europe to simplify the regulations.</p>	<p>If all stages are successful, we are aiming for reductions in the cost of compliance (ABME estimate totalled approx £177million) in line with the HSE overall target of 25%.</p>	<p>Stage 1: Started in <b>May 06</b>. Completed by <b>Sept 06</b>.</p> <p>Stage 2: FLT guidance in place by <b>Oct 06</b>.</p> <p>Stage 3: New guidance in <b>2007/08</b>.</p> <p>Scoping review to be commissioned following embedding of the guidance to feed into Review, which is to be completed by <b>end 2008/09</b>.</p> <p>If regulatory action through Europe is needed, this would be to a longer timescale.</p>
<p><b>(5) Health and Safety Information for Employees Regulations</b></p> <p>Proposed by Babergh District Council to review the requirement for dutyholders to purchase and display an HSE approved poster.</p>	<p>Administrative</p>	<p>Looking at whether it is appropriate to amend or remove the requirements to purchase and to display an approved health and safety poster. And to consider alternative ways of providing information to employees.</p>	<p>This can only be determined by the policy development process, but we would expect it to result in a less costly, more accessible method of providing information to employees.</p>	<p>If the requirement to purchase and display an HSE approved poster is removed, according to the ABME estimates this will save businesses £16.7million per year.</p>	<p>Review of this legislation will begin in 2007/08 with any changes coming into force in 2008/09.</p>

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>(6) Construction regulations</b></p> <p>The measure simplifies the process for checking contractor's competence and removes four sets of construction legislation to produce one key set of consolidated regulations.</p>	<p>Administrative, policy and quantity of legislation</p>	<p>To make real progress in changing attitudes and raising health and safety standards in the construction industry. The aim is to streamline regulatory requirements, eliminate unnecessary ones and simplify paperwork.</p>	<p>Benefit in reduced bureaucracy to construction sector.</p> <p>Consolidating the regulations should also make it much easier for dutyholders to understand what they are required to do. This measure should reduce the burden on all dutyholders (particularly small businesses).</p>	<p>Administrative cost savings (from simplified competence checking) are calculated in the RIA to be between £10 million and £64 million annually.</p> <p>Better attention by clients, designers and contractors to the planning, managing and monitoring of construction projects should lead to a reduction in costs to business.</p>	<p><b>31 Aug 05:</b> Consultation ended.</p> <p><b>20 July 06:</b> proposals to HSE's Construction Industry Advisory Committee for clearance.</p> <p><b>17 October 06:</b> proposal to Minister.</p> <p><b>Jan 07:</b> Guidance issued.</p> <p><b>April 07:</b> In force.</p>
<p><b>(7) Control of Substances Hazardous to Health Regulations</b></p> <p>To reduce the stock of COSHH related guidance and address accessibility on the web-based information.</p> <p>This work would align with the Sensible Risk Management project (1b, above) and the review of HSE guidance project (21e, below).</p>	<p>Policy and administrative</p>	<p>Rationalising the stock of almost 200 items of guidance.</p> <p>Making guidance on COSHH through the web more accessible and easier to use, focusing on key 'how to' information for employers undertaking risk assessments of substances at their workplaces.</p>	<p>Significant reduction in the confusing plethora of guidance.</p> <p>Simpler, quicker access to easy-to-use help will mean more effective, proportionate risk assessment, risk management and staff training.</p> <p>Savings to business from gaining access to the right information more quickly.</p>	<p>We are determined to make a significant impact of the costs of risk assessment and training for staff on COSHH, however it is not possible at this stage to estimate how much. ABME estimated these elements of COSHH cost businesses £65million per year.</p>	<p>Rationalisation of guidance by <b>April 2007</b></p> <p>Revision of COSHH web pages completed by <b>April 2007</b></p>

## Other Simplification Initiatives

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>(8) Asbestos regulations</b></p> <p>Consolidating three sets of regulations into one and reducing 2 Approved Codes of Practice (ACoP) in to one consolidated text.</p> <p>Taking asbestos-containing textured decorative coatings out of the scope of the licensing regime.</p>	Administrative	<p>Simplification measure will consolidate regulations and reduce the number of guidance publications relating to asbestos.</p> <p>The amendments to the regulations will also remove the requirement for companies working with textured decorative coatings - common ceiling coverings in domestic premises - to have an asbestos licence, and in turn remove the requirement to notify.</p>	<p>Consolidating the regulations and having fewer separate ACoPs should make it much easier for dutyholders to find what requirements apply to them and so make compliance easier.</p> <p>Removing the licensing requirement from work with textured decorative coatings will significantly reduce the cost of doing this work both for the contractor and, therefore for the building-owning clients.</p> <p>Particular benefits will be accrued by Local Authorities and Housing Associations, which own large stocks of domestic premises.</p>	<p>Annual saving to business is expected to be in the region of £6 to £10 million.</p> <p>This includes the cost savings for client businesses of removing these asbestos materials. Indicative estimates of the reduction to the cost of a day's work removing a coating containing asbestos are around 38% (from £900-£2000 to £500-£1300). The average number of work-days per year is 21,400.</p> <p>Cost savings to HSE are included in the above figures – around £50k pa from handling lower numbers of notifications. There should be a similar cost saving for businesses.</p>	<p><b>Nov 05 – Feb 06:</b> public consultation</p> <p><b>July 06:</b> proposal went to HSC.</p> <p>Implementation expected by <b>end 2006</b>.</p>

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>(9) Reporting of Injuries, Diseases and Dangerous Occurrences Regulations</b></p> <p>Following the RIDDOR Review and agreement from HSC, HSE is launching an initiative to improve the reporting process and the way it is communicated to business.</p>	<p>Administrative requirement to report and keep records of certain work-related harm to employees and the public.</p>	<p>A project to review current reporting processes and raise the profile of the simpler and quicker methods of reporting, particularly for SMEs. Make the most of the user-friendly telephone reporting facility to replace form-filling.</p> <p>Focus on small businesses knowing 'if there has been an accident, ring this number', aiming to achieve substantial simplification from the point of view of the dutyholder.</p>	<p>This initiative aims to make reporting easier for all businesses (SMEs in particular) to understand and do, without undue administrative costs. The system will become less bureaucratic and so reduce administrative burdens.</p>	<p>This project aims to have make a significant impact on the cost of these regulations. The current ABME estimated cost is £22 million.</p>	<p>To be assessed as the work is scoped more fully.</p>
<p><b>(10) Nuclear reactors (Environmental Impact Assessment for Decommissioning) Regulations</b></p> <p>Amending regulations</p>	<p>Policy costs</p>	<p>Improve efficiency of the arrangements around decommissioning part(s) of a nuclear licensed site and so reduce costs to those sites.</p>	<p>A more proportionate and flexible approach to the approval of changes to decommissioning projects.</p>	<p>Simplification cost savings: £7.9m - £26.6m over the course of a project (100 years).</p>	<p><b>31 Oct 05:</b> consultation ended. <b>17 Jan 06:</b> paper to HSC. <b>6 April 06:</b> amended regulations in force.</p>
<p><b>(11) Offshore installations</b></p> <p>Remove unnecessary burdens and enhance value of safety case to dutyholder.</p>	<p>Administrative</p>	<p>The new regulations change the current system of submitting offshore safety cases from resubmitting every three years to five-yearly reviews and resubmissions of safety cases.</p>	<p>Administrative costs reduced and more efficient, less time-consuming reviews.</p> <p>Frontline HSE staff used more efficiently, freeing up time for inspection previously spent processing safety cases.</p>	<p>Simplification cost savings to business: £9.2m -£55m over 10 years.</p> <p>The administrative cost savings per year are estimated to be £3m-£4.9m.</p>	<p><b>6 April 2006</b> - New regulations in force.</p>

## Stakeholder proposed initiatives

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>(12) Health and Safety 'core-criteria' for electrical contractors</b></p> <p>Proposed by Electrical Contractors Association (ECA) to address the problem of a proliferation of contractor health and safety pre-qualification schemes that currently work to different standards.</p>	Administrative	<p>ECA and Heating and Ventilating Contractors' Association (HVCA) will launch health and safety core-criteria to their members with HSE's support.</p> <p>Health and safety core-criteria, developed for inclusion in the proposed new Construction (Design and Management) Approved Code of Practice, create a common standard and aid recognition between various pre-qualification schemes.</p> <p>Guidance will be developed by industry bodies with HSE input and agreement.</p>	<p>This will reduce the variation in standards required of contractors and so help them comply with legislation, and improve the cost effectiveness of assessing and delivering a good health and safety performance.</p>	<p>Estimated administrative burden saving to ECA/HVCA members – £40,000 to £300,000 over first six months after launch.</p> <p>Further savings will be achieved across the electrical contracting industry following publication of the ACoP if the core criteria are included.</p>	<p><b>June/July 2006</b> - Production of ECA/HVCA leaflet.</p> <p><b>September 2006</b> - Pre-launch publicity.</p> <p><b>26 September 2006</b> - ECA/HVCA leaflet launch event.</p> <p><b>Spring 2007</b> - Publication of CDM ACoP.</p>
<p><b>(13) Notification requirements in the Dangerous Substances (Notification &amp; Marking of Sites) Regulations 1990</b></p> <p>Proposed by National Farmers Union to review the requirement to notify both HSE and the Fire Service of substances that are toxic, flammable and corrosive.</p>	Administrative	<p>HSE will explore the requirement to notify HSE under these regulations, with a view to simplifying notifications so that they only need to be made to the appropriate Fire Service.</p>	<p>Removing duplication of administrative requirement to submit notifications under these regulations.</p>	<p>ABME estimates indicate requirement applies to around 200 sites, costing approximately £39,000 per year. If notifications can be made to only one authority this cost will be halved.</p>	<p>The timetable for this work has not yet been drawn up but it is likely to start.</p>

Title/initiative	Type of Burden	Description of measure	Outcome	Cost savings	Deadlines
<p><b>(14) Full list of all Health and Safety Regulations published on the internet</b></p> <p>Suggested by Federation of Small Businesses to allow businesses to find easily what health and safety regulations are in force.</p>	<p>This stakeholder proposal is a wider, better regulation initiative not a simplification.</p>	<p>A full list of HSE owned regulations linked, where possible to electronic copies of the regulations themselves.</p>	<p>A quick, simple route to locating health and safety regulations for businesses.</p>	<p>Not applicable.</p>	<p>List to be published on HSE website by end August 2006.</p>
<p><b>(15) Radiation Policy delivery - joint working with EA</b></p> <p>GlaxoSmithKline raised the issue of radiation safety being controlled by two regulators - HSE and EA and suggested that this could be simplified.</p>	<p>Inspection/ Enforcement</p>	<p>EA and HSE are setting up a working group of officials to look at all the areas where the two organisations regulate non-nuclear radiation safety and consider if burdens on industry could be reduced without negatively impacting on management of risk.</p>	<p>If it is possible to harmonise the regulatory requirement or put in place other measures, leading to joint or co-ordinated inspection regimes. This may reduce the burden on dutyholders, making the system more efficient and straightforward.</p>	<p>Not yet quantified.</p>	<p>Working group first meeting Autumn 2006.</p> <p>Further information has been requested from stakeholder, which may affect future timeline.</p>

## Wider Better Regulation Initiatives

Title/initiative	Description of measure and outcome	Deadlines
<p><b>(16) 'New to HSE' contact procedure</b></p> <p>The process by which HSE gathers data on businesses has been significantly simplified.</p>	<p>A revised system for HSE to compile information about a business. The new scheme reduces the time needed to complete contact procedure (a form filled in over the phone) and no longer requires a senior staff level contact to carry out - reduced resource costs for both HSE frontline staff and businesses by up to 75%.</p>	<p><b>April 2006</b> - new procedure put in place.</p> <p>Use is on going.</p>
<p><b>(17) Common Commencement Dates (CCDs)</b></p> <p>All domestic legislation to come into force on 6 April or 1 October. HSE implemented in Feb 2005.</p> <p>Now extending to European legislation.</p>	<p>Reduced business time spent scanning for regulatory changes.</p> <p>6 out of 7 legislative proposals came into effect as planned on 6 April 05; one slipped to 26 April.</p> <p>3 proposals aligned with the 1 Oct 05 CCD of which 2 were EU requirements.</p> <p>5 domestic &amp; 2 EU aligned with Apr 06 CCD.</p> <p>2 domestic &amp; 3 EU aligned with Oct 06 CCD.</p>	<p>From <b>January 2006</b> all legislation is aligned to CCDs.</p> <p>Six-monthly: Publish statements of forthcoming legislation.</p> <p>Ongoing.</p>
<p><b>(18) HSC Small Business Trade Association Forum</b></p> <p>To ensure the 'voice' of small business is heard by HSC/E.</p> <p>Forum being used as a conduit for simplification suggestions feeding into the legislative review project.</p>	<p>Policy and legislation fully takes into account the impact on small and micro businesses. It aims to ensure that no legislative change had a disproportionate impact on small and micro businesses, by considering the impact of any proposed new or amended legislation and to ensure that consultations and communications are also targeting small businesses, when necessary.</p> <p>The Forum provides an opportunity for small business representatives to feed in the SME dimension during the policy making process. The Forum also acts as a conduit to obtain information from small businesses through their representatives. For example, it provides regular email distribution of press releases and an opportunity to place bulk orders for newly published free publications.</p>	<p>Meets 4 times a year.</p> <p>An external review of Forum effectiveness was undertaken at the end of the Forum's first year of operation. The review found that the forum had already influenced HSE/HSC and shaped implementation of policy. It also considered that there had been demonstrable benefits during the first year of operation in influencing communications with small business.</p> <p>HSE intends to build on the findings of the evaluation to ensure that the Forum continues to add value to the policy making process and acts as an effective vehicle for reflecting the specific needs of smaller businesses.</p>

Title/initiative	Description of measure and outcome	Deadlines
<p><b>(19) HSE Challenge Panel</b></p> <p>To test proposals against the principles of good regulation and promote best practice in policy development.</p> <p>To challenge the need for regulatory approach.</p>	<p>A panel to challenge policymaking and ensure that newly implemented legislation does not achieve its policy objectives imperfectly; considering whether the best approach to intervention either regulatory or non-regulatory is being taken when developing policy.</p> <p>The panel also tests new policy against the principles of good regulation: proportionality, accountability, consistency, transparency and targeting.</p> <p>Membership consists of senior HSE policy staff and a member of HSC representing SMEs.</p>	<p><b>July 05:</b> 1<sup>st</sup> meeting held.</p> <p>Meets 3/4 times a year.</p> <p><b>Autumn 06:</b> The effectiveness and membership of the Panel will be reviewed.</p>
<p><b>(20) Large Organisation Partnership Pilot (LOPP)</b></p> <p>A more coherent, customer-focused involvement with large organisations; better management of interventions by the regulator.</p> <p>13 companies are involved in this pilot project.</p>	<p>Initiative aims to ensure that firms' priorities are taken properly into account by regulators, and regulatory interventions better tailored to the firms' needs, avoiding interventions that are irrelevant or redundant. This, in turn, will lead to more effective and efficient use of regulators' resources.</p> <p>The Pilot has revealed scope for a significant freeing of resources arising from its coordinated, centralised approach. It is anticipated that the HSE and LA resources devoted to dealing with companies will be more than halved by adopting a strategy of sample inspections and centralised report-writing. There will also be a reduction in the need to make further visits in the longer term because national standards will have been agreed with the firm centrally. The freeing of HSE and LA resources through reduced contact will be mirrored by a similar effect on the firm's own resources.</p>	<p><b>Oct 06:</b> 12 month pilot reviewed.</p> <p>Following review, successful approaches determined through the Pilot will be rolled out to more large organisations.</p>

Title/initiative	Description of measure and outcome	Deadlines
<p><b>(21) HSE Advice and guidance</b> Building on HSE's good track record of providing advice and guidance, a number of initiatives are underway or being developed: to provide better targeting and accessibility of advice, to separate advice from the fear of enforcement (e.g. advice through routes other than inspectors), working through others encouraging and supporting external bodies in the production of their own health and safety guidance.</p>		
<p><b>(a) Workplace Health Connect</b> National telephone advice line. Problem solving workplace-focussed visit service in five regions. Together providing occupational health, safety and return to work support service for SMEs in England and Wales.</p>	<p>An alternative to regulation, designed to provide free, tailored, practical advice on workplace health and safety, for both managers and staff. It aims to transfer knowledge and skills direct to workers and employers, so they can tackle future issues themselves.</p> <p>All small firms and their staff will have easy access to free, consistent, high quality advice on creating and maintaining a healthy workplace.</p> <p>A pilot project offering free workplace visits to help improve workplace health and address return to work issues. Businesses benefits of a healthy workforce and less sickness absence are expected to be significant.</p> <p>At current rates of sickness absence, and assuming our interventions are 20% effective, Workplace Health Connect must provide its service to 220 people to avoid one case of ill health.</p>	<p>The Workplace Health Connect service launched on <b>23 Feb 2006</b>, and will run for two years.</p> <p>Evaluation report of the first year is expected <b>June 2007</b>.</p> <p>By <b>end of 2008</b> the target is to have generated benefits to firms from avoided reportable injuries of £8.7 million, including a reduction in the administrative activities associated with reportable injuries. This is based on assumption that targets are met and the service is 20% effective.</p>
<p><b>(b) Health and Safety Awareness Officers</b></p>	<p>Frontline staff providing tailored advice to businesses one step removed from an inspector visit and therefore from the fear of enforcement. This initiative provides a layer of support to businesses complementing the work of Inspectors.</p> <p>HSAOs visit businesses, especially SMEs, and provide advice and guidance face to face to help the business understand its legal obligations and how to protect the health and safety of its staff in an efficient and proportionate way.</p>	<p>Since <b>April 04</b>, front line staff, including health and safety awareness officers, has worked alongside inspectors in delivering advice on key health and safety areas.</p> <p>The role is on-going and its effectiveness is open to review.</p>

Title/initiative	Description of measure and outcome	Deadlines
<p><b>(c) Stakeholder-led guidance</b></p> <p>More guidance to be produced with or by stakeholders with HSE support and input.</p>	<p>Guidance developed with stakeholders is more tailored to industry needs and is more easily accessed, especially by SMEs.</p>	<p>On-going</p>
<p><b>(d) Why HSE staff visit business</b></p> <p>Short explanation, on the HSE website, of how risk determines which businesses are visited and what will be covered during a visit.</p>	<p>Businesses will better understand why they are selected for visits and the focus of those visits.</p>	<p><b>Sept 05:</b> Published on HSE internet site.</p> <p>HSE will review the business pages of its website by <b>April 07</b>, This will include considering number of hits on this page and considering feedback on its usefulness to SMEs.</p>
<p><b>(e) Review of publications project</b></p> <p>Two projects: to review all HSE guidance and to investigate making all HSE guidance available on the internet.</p>	<p>HSE is reviewing all currently available publications with a view to removing duplications and obsolete items, and amending to simplify where possible. This involves both working through old publications and instigating a three-year rolling programme of review for all guidance documents.</p> <p>A research project is underway investigating the viability of making the content of all of HSE's priced publications available free of charge through the HSE website.</p>	<p>Review of guidance started in <b>Summer 2005</b>, on-going on a 3-year cycle including working through backlog of older publications.</p> <p>A workplan, resulting from the research will be submitted to HSC in <b>September 2006</b> with a view to all guidance being available on the website during 2007/08.</p>
<p><b>(22) Mergers with other regulators</b></p> <p>Gangmaster Licensing Authority Adventure Activities Licensing Authority (AALA) Coal Authority (CA) Engineering Inspectorate (EI) Security Industry Authority</p>	<p>A reduction in the number of enforcing bodies leading to the reduction of administrative burdens on businesses via more efficient enforcement.</p> <p>Specific sectors to benefit: agriculture; coal extraction; outdoor activities; power generation &amp; supply.</p>	<p><b>June 05:</b> Began explorative work with the other regulators.</p> <p><b>Oct 06:</b> GLA detailed merger options paper submitted to HSC. Rresponsibility for the public safety role of the EI transfers to HSE.</p> <p><b>April 09:</b> All mergers completed.</p>

Title/initiative	Description of measure and outcome	Deadlines
<b>(23) The Enforcement Programme</b> Four work streams of this Programme support the Better Regulation agenda		
<p>Improving the efficiency and effectiveness of investigation and prosecution processes to make best use of public funds.</p> <p>Using communications more effectively to spread appropriate enforcement messages to stakeholders.</p> <p>Ensuring that enforcement is used appropriately in support of HSC/E's priorities which aim to target areas where there is a prevalence of work-related injury and ill health, reducing the burden to society from time lost, and medical expense.</p> <p>Take measures to identify and bring to account those who break the law, particularly for financial gain ('rogue traders'), thus addressing law abiding businesses' concerns that they have the burden of compliance yet their competitors can put people at risk for financial gain without fear of being caught and punished.</p>	<p>Ensuring enforcement activities are efficient and effective to bring those who break the law to account expeditiously.</p> <p>The maintenance of a credible level of enforcement.</p> <p>Consistent and targeted enforcement activities, in line with identified priorities to have the maximum affect on improving health and safety standards.</p> <p>Clarity for business about when, why and how enforcement action will be taken.</p> <p>Development of an enforcement communications strategy - the effective use of publicity will be used to provide a ripple and deterrent effect.</p>	<p><b>Jan 06:</b> Initial proposals to improve efficiency and effectiveness of HSE's investigation and prosecution processes. Recommendations to align enforcement to support reduction in time lost caused by work related incidents.</p> <p><b>April 06:</b> Implementation plans for the above. Enforcement communications strategy prepared.</p> <p><b>Autumn 06:</b> draft final report drawing together actions taken and additional implementation and ownership proposals.</p>

Title/initiative	Description of measure and outcome	Deadlines
<p><b>(24) Penalties</b></p> <p>Hampton considered that any penalty system should ensure effective deterrence, such as large financial penalties, and identified possible shortcomings in current arrangements. Following the Hampton Report, a cross-government review of penalties by Professor Richard Macrory was launched on 7 December 05 by the BRE.</p> <p>This work in HSE will determine HSC/E's input to the review and response to any recommendations, which emerge.</p>	<p>Professor Macrory is exploring the need and potential for making a wider variety of enforcement tools available to regulators, resulting in simplification and increased efficiency of enforcement processes and the judicial system. The Macrory Review consultation period ended on 18 August. A final report is expected in Autumn 2006.</p> <p>When engaging with the review and deciding how to act on any recommendations HSC/E will evaluate the benefits of additional tools that are compatible with HSC's purpose of enforcement and which may complement the existing health and safety framework. In particular, this will involve looking at the potential for benefits in terms of efficiency and effectiveness of enforcement processes for both the regulator and regulated.</p>	<p><b>Oct 05:</b> Initial HSE input to BRE on administrative fines.</p> <p><b>2006:</b> HSE research and consultation on alternative penalty options, with input to Macrory Review.</p> <p><b>Feb 06</b> – HSE submission of evidence to Macrory review.</p> <p><b>August 06</b> – HSC response to Macrory consultation, following discussion at 25 July HSC meeting.</p> <p><b>Autumn 06</b> – consider way forward following Macrory report.</p>
<p><b>(25) Targeting of inspection activities</b></p> <p>Focussing HSE's inspection resources on areas that will have the biggest impact on improving health and safety outcomes.</p>	<p>Assurance that HSE inspection resources are directed to areas that have the most impact in improving health and safety outcomes focussing on:</p> <ul style="list-style-type: none"> <li>• HSC/E's priority topics, and</li> <li>• improvements needed to deliver PSA targets.</li> </ul> <p>Benefits will be realised by both compliant businesses and HSE by focusing interventions on poor performers. Increased transparency of why and where HSE carries out inspection.</p>	<p><b>Jan 06:</b> Review of current HSE approaches. Validated 'targeting' approach, but recognised that there were opportunities to improve the transparency of HSE decision-making in this area and to learn from approaches across different industry sectors.</p> <p><b>Dec 06:</b> better access through HSE website of decision-making process for deciding on inspections.</p> <p>Further action to be decided by <b>Oct 06</b>.</p>

Title/initiative	Description of measure and outcome	Deadlines
<b>(26) Working with other regulators</b> Improved planning and working with other regulators, including more joint inspection		
<b>(a) Initiatives with Environment Agency</b>		
Memorandum of Understanding with Environment Agency and Scottish Environmental Protection Agency (SEPA). For the implementation of the Control of Major Hazards regulations.	Better coordinated inspection regime.	<b>Mar 06</b> Establish arrangements to pilot joint inspection approaches with EA and SEPA.
Regulation & Recognition A chemical industry pilot project to identify criteria for better targeting of inspections.	Industry/ Regulator agreed measure of industry management activity.	On-going.
Chemical waste sites joint initiative	Most relevant regulator for site will hold a watching brief for other parties.  Will lead to fewer inspections for waste industry.	National inspection protocol agreed for 2005/06. An industry/regulator meeting is proposed as part of the initiative.
<b>(b) Initiatives with Local Authorities (LAs).</b>		
Moving Goods Safely project London, 2005/06: Included joint LA/HSE 'supply chain' inspections of selected large organisations (involved HSE and the 33 London LAs) and specific communication activities, e.g. information sheets and web page, aimed at both regulators and organisations involved.	Benefits to operators are fewer, better co-ordinated inspections encompassing the complete range of the organisation's activities.	<b>June 06</b> Process evaluation published Recommendations, successes and lessons learnt to be used in planning 2006/07 national initiative.

Title/initiative	Description of measure and outcome	Deadlines
<p>Moving Goods Safely 2, 2006/07:</p> <p>National roll-out of the project (see above). Joint HSE/LA inspection teams to carry out national supply chain audits of 23 large organisations looking at key hazards associated with transport, handling and delivering goods. Also other joint local HSE/LA initiatives focusing on local supply chains and themed 'moving goods' inspections of workplaces.</p>	<p>Provides an effective and efficient way to bundle and deliver priority topics.</p> <p>Better co-ordinated inspection activity of large organisations. Greater consistency in messages and enforcement. Ability to solve health and safety issues at source that would no be possible by HSE or LAs working alone, e.g. team inspections allow relationships between HSE and LA enforced dutyholder links in supply chains to be identified and resolved.</p>	<p>By <b>end Aug 06</b> agree 23 target organisations.</p> <p><b>Sept/Oct 06</b> plan inspections and pull together joint inspection teams.</p> <p><b>Nov 06 - Jun 07</b> Carry out supply chain inspection and other local joint initiatives.</p> <p><b>July 06 - Oct 07</b> Evaluate.</p>
<p>Royal Mail Letters UK:</p> <p>Joint LA/HSE approach to inspections during 2004-2006</p>	<p>More coherent regulatory approach</p>	<p>Joint inspection programme will conclude at end of March 2007.</p> <p>A second interim report for 2005/6 will be completed shortly, with the final report being produced in 2007. Royal Mail is now part of LOPP; future work will depend on the content of the engagement and improvement plans.</p>
<p><b>(c) Safety of freight transport in London</b></p> <p>HSE is supporting the Freight Operator Recognition Scheme pilot, which has been devised by the Metropolitan Police and Transport for London (TfL) to improve the safety and environmental performance of freight transport in the London area.</p>	<p>A dedicated team of police officers is being set up to identify freight vehicles involved in accidents or other violations and follow up underlying safety management failures with the employers concerned. It is planned to delegate Health and Safety at Work Act (HSWA) enforcement powers to the police team. HSE will second a member of staff to the pilot to transfer the necessary knowledge to the team and to provide support and guidance.</p> <p>The outcome should be a demonstrable reduction in accidents and evidence of increased safety awareness in the sector.</p>	<p><b>Sept/Oct 06</b> The pilot is due to begin. HSE secondee (6 months) in place and HSWA powers delegated then or as soon as possible afterwards.</p> <p>Pilot is to last three years. The Police and TfL have set various performance measures.</p>

Title/initiative	Description of measure and outcome	Deadlines
<p><b>(d) Stakeholder engagement and initiatives with the Civil Aviation Authority (CAA) and Air Accident Investigation Branch (AAIB)</b></p> <p>HSE, CAA and AAIB have established formal liaison arrangements at a senior level and have a Memorandum of Understanding (MOU) clarifying areas of enforcement and regulatory responsibilities.</p>	<p>Close working with CAA in industry liaison via the HSE Revitalising Health &amp; Safety in Air Transport (RHSAT) group, and the CAA led Aviation Health &amp; Safety Working Group to ensure consistency and a common approach to aircraft, airport, in-flight and on-ground health and safety.</p> <p>Following joint inspections in 2004/05 which were well received by the industry, a protocol has been produced which is to be made available to CAA and HSE inspectors as a guide if both agencies agree that a joint inspection is both necessary and useful.</p>	<p>HSE, CAA and aviation industry cooperation is on-going via formal and informal lines of communication. The next CAA/HSE Joint Consultative Group takes place in Spring 2007. RHSAT meeting is 19 October 2006.</p> <p>Protocol to be published in November 2006.</p>
<p><b>(e) Stakeholder engagement and initiatives with Maritime and Coastguard Agency (MCA) and Marine Accident Investigation Branch (MAIB)</b></p> <p>A Memorandum of Understanding has been agreed between MCA, HSE and MAIB. There are issues of concern for both HSE and MCA in ports, on the dockside and on board ships.</p>	<p>Informal joint inspections have been undertaken to good effect and both agencies are keen to develop improved guidance for MCA and HSE inspectors on areas of common interest where joint inspection would have benefits.</p>	<p>MCA/MAIB/HSE MoU meeting January 2007 to decide on future action.</p>
<p><b>(f) Engagement with Traffic Commissioners and the Vehicle and Operator Services Agency (VOSA) on transport safety and vehicle safety issues</b></p>	<p>HSE, the Traffic Commissioners and VOSA have established areas of common interest: identifying 'poor performers', improving information sharing, disseminating common messages and addressing wider driver training and vehicle maintenance and safety issues, in the road haulage and passenger transport industries.</p> <p>Joint working being considered. Information for industry via weblinks, use of trade press and events will be improved. Guidance for frontline staff will be improved to highlight areas of common concern and interest.</p>	<p>Initial meetings took place in July 2006 and future plans are being developed.</p>

Title/initiative	Description of measure and outcome	Deadlines
<p><b>(g) Initiative with the Driving Standards Agency (DSA)</b></p> <p>HSE is to participate in the DSA stakeholder group on implementation of the new Certificate of Professional Competence (CPC) training requirements.</p>	<p>To provide relevant links to occupational health and safety information via training coordinated by Go Skills and Skills for Logistics.</p>	<p>HSE attended DSA CPC stakeholder group and Go Skills stakeholder Board meetings in August 2006. Ongoing cooperation via HSE Road Haulage Liaison Group (RHLG) meetings (next in October 2006) and other routine meetings.</p>
<p><b>(27) Local Authorities partnership</b></p> <p>Developing the HSE/LA partnership ensuring partnership working “is the way we do business” so as to get the best health and safety outcomes. HSE and the 400 LAs will work locally, regionally and nationally, to common objectives and standards, in line with the Enforcement Concordat. Focusing resources on agreed priorities and with a common regulatory strategy.</p>	<p>A more consistent and effective enforcement service. Working to reduce duplication of effort in HSE in providing support for LAs and to maximise use of the combined resource. A greater involvement by LACoRS will reduce the admin burden on HSE. Joint planning and common approaches will aid consistency and reduce admin burdens on business.</p> <p>Developing a performance framework now being shaped by the work in the Local Better Regulation Office (LBRO).</p> <p>Benefit to all LA enforced sectors.</p>	<p><b>May 06:</b> Partnership arrangements in place.</p> <p><b>By April 07:</b> 40% of LAs working towards H&amp;S PSA targets.</p> <p><b>By April 08:</b> 80% of LAs working towards H&amp;S PSA targets, leading to eventual 100% take-up by LAs.</p> <p><b>By 2009:</b> Ensure LBRO develops, in expectation of its establishment as a statutory body in 2009, so as to aid coordination between regulators, improving service delivery by HSE and LAs so aiding business and other stakeholders.</p>

### Regulations that have been introduced since May 2005

The cut-off date for the administrative burdens measurement exercise was May 2005. All new or amended legislation that came into force after this date was not included in the exercise. HSE's legislative programme is not large, however some regulatory changes have come into force since May 2005 that have an impact on HSE's total baseline of administrative costs to dutyholders.

The following table outlines these changes and estimates the cost impact they will have:

<b>New/amended regulations and In force date</b>	<b>Source of legislation</b>	<b>Summary description</b>	<b>Estimated administrative burden increase/decrease</b>
Control of Major Accident Hazards (Amendment) Regulations  In force: 30th June 2005	<b>European</b> Implementing a new EU Directive, on the control of major-accident hazards (COMAH) involving dangerous substances, which amends the parent COMAH Directive.	Amendments to change the lists of named dangerous substances or generic categories of substances that are used to determine whether the regulations apply and to what extent. Amended regulations also broaden the application of COMAH at mines, quarries, boreholes and waste landfill sites, and clarify some requirements in the original regulations.	Increase £1.2 - £1.4million per year additional administrative costs
Control of Vibration at Work Regulations  In force: 06 July 2005	<b>European</b> Implementing into UK law the requirements arising from Physical Agents (Vibration) Directive.	Regulations impose duties on employers to protect employees who may be exposed to vibration at work, and other persons who might be affected by the work, whether they are at work or not.	Increase £33 - 46million per year additional administrative costs
Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations  In force: 31 October 2005	<b>European</b> Implementing changes set out in 29th Adaptation to Technical Progress to the Dangerous Substances Directive.	Regulations bring into UK law all the new entries, revisions, deletions and amendments to the classification and labelling requirements of hazardous substances.	No administrative cost change
The Offshore Installations (Safety Case) Regulations  In force: 06 April 2006	<b>Domestic</b>	Regulations to simplify and reduce the information required for submission to HSE from every three years to every five years.	Decrease £3 - £4.9million per year administrative cost savings
Nuclear Reactors Decommissioning Amendment Regulations  In force: 06 April 2006	<b>European</b> Implementing changes made by Directive 2003/35/EC to the Environmental Impact Assessment for Decommissioning parent Directive.	Amendments will take a more proportionate and flexible approach to the approval of changes to decommissioning projects.	No administrative cost change

<p>Management of Health and safety at Work (Amendment) Regulations</p> <p>In force: 06 April 2006</p>	<p><b>Domestic</b></p>	<p>Amendment to extend third party liability protection to employees that already applies to employers</p>	<p>No administrative cost change</p>
<p>Tank Vehicle (Loading &amp; Unloading of Petroleum Spirit) Regulations</p> <p>In force: 06 April 2006</p>	<p><b>Domestic</b></p>	<p>New regulations that are short and straightforward to replace the existing regulations covering the safe transportation of petrol by road and rail.</p>	<p>No change to the legal duties and no impact in costs for industry.</p>
<p>Control of Noise Regulations</p> <p>In force: 06 April 2006 <i>(06 April 2008 for music and entertainment industry.)</i></p>	<p><b>European</b> Implementing the Physical Agents (Noise) Directive.</p>	<p>Regulations tightening the legal requirement in relation to noise by lowering the exposure action levels.</p>	<p>Increase Approx £52.5million per year additional administrative costs</p>
<p>Coal Mines (Inhalable Dust) Regulations</p> <p>In force: 01 October 2006</p>	<p><b>Domestic</b> Measure does not derive from EU legislation but takes into account the Chemical Agents Directive and maintains implementation of the Extractive Industries (Mines and Quarries) Directive.</p>	<p>Regulations to control the level of respirable dust in coal mines.</p>	<p>All the changes are currently required by the Control of Substances Hazardous to Health Regulations (COSHH Regulations), so there is no new burden.</p>
<p>Silica workplace exposure limit</p> <p>In force: 01 October 2006</p>	<p><b>Domestic</b></p>	<p>Proposal to lower the exposure limit for crystalline Silica. The change would be implemented through an amendment to the COSHH Regulations.</p>	<p>Increase Approx £88,000 per year additional administrative costs</p>
<p>Biocidal Products (Amendment) Regulations</p> <p>In force: 01 October 2006</p>	<p><b>European</b> Implementing parts of the Biocidal Products Directive making adjustments to the parent regulations as requested by three EC review regulations.</p>	<p>Regulations will designate Rapporteur Member States for the 3rd and 4th lists of active substances to be reviewed; and implement Article 26 (Advertising) of the Biocidal Products Directive.</p>	<p>No administrative cost change</p>

**List of stakeholder suggestions received**

<b>Status</b>	<b>Proposal</b>	<b>Action where applicable</b>
Accepted - on plan separately	Review of the Health and safety information poster	In detailed plan, item No. 5
	Pre-qualification core criteria endorsed by HSE	In detailed plan, item No. 12
	Review of notification requirements for ammonium nitrate fertilisers	In detailed plan, item No. 13
	List of health and safety regulations published	In detailed plan, item No. 14
	Radiation policy joint working with Environment Agency	In detailed plan, item No. 15
Accepted - included in other initiatives	Consideration of certification of gas installers	Included in detailed plan item No. 2
	Review of the OSR1 form	Included in detailed plan item No. 3b
	Clarification of the requirements of PUWER and LOLER	Included in detailed plan item No. 4
	Review of accident reporting	Included in detailed plan item No. 9
Accepted - Part of a Small Business Service initiative	Regulation 'checklist for SMEs	Will appear on Businesslink website
To be included in a future review	The requirements of COSHH	
Still under consideration	Gas boiler ventilation requirements	
	Genetically Modified Organism (Contained Use) Regulations	
	Implementation Biocides Directives	
	Work at Heights Regulations	
	Asbestos in the workplace	
Under review in Europe	Review of the Display Screen Equipment Regulations	
Rejected	Review requirement for portable appliance testing qualifications	No such qualification is required
	Re-introduction of an exemption in the pressure systems regulations	The relevant exemption is still in place
	Removal of requirement to inspect flywheels every 2 years	No such specific legal requirement exists. Inspection frequency based on opinion of competent person doing inspection
	Exempt certain lifting equipment from 6/12 monthly examination	Already possible to examine to alternative timescale
	Standard Industrial Classification Statistics	Not a simplification suggestion