

Health and Safety Executive Board		Paper No: HSE/08/46	
Meeting Date:	27 th August 2008	FOI Status:	Open
Type of paper:	Above the line	Exemptions:	None
Trim reference:			
Chief Executive's Report to the Board			

EMF Directive

1. The EC has now issued the tender specification for the impact assessment for the way forward on the EMF Directive. It is asking the contractor to evaluate the impact of 5 options:
 - No new legislative action
 - New binding legislative action (a revised directive).
 - New binding legislative action, with specific exemptions.
 - New, non-binding, legislative action.
 - No new legislative action.
2. The EC's time schedule is a very tight - bids must be in by 19 September, the contract to be awarded in October, and the successful contractor is expected to produce a final report in 6 months.
3. We have made our UK stakeholders aware of this development and some of them may consider forming a consortium to make a bid.

ICL Public Inquiry

4. Stage 1 of the Inquiry ran from 2 to 22 July and heard evidence from 58 witnesses - 29 appearing in person. Witnesses included those from ICL, two LPG suppliers (Calor and J Gas) and HSE (9 inspectors were called). Its purpose was to establish the factual circumstances leading up to the accident. There was significant media interest in Scotland. As directed by Lord Gill, the Inquiry Chair, HSE has provided submissions on the facts it believes Stage1 established, what measures might have prevented the explosion and proposals for the future inspection/oversight regimes for LPG installation.
5. Stage 2 of the Inquiry commences on 21 October. It will build on the factual evidence and consider all submissions made following Stage 1. Stage 2's focus is to examine what lessons should be learned to prevent a recurrence and will include future inspection/oversight regimes for LPG installations.

Maidstone and Tunbridge Wells NHS Trust

6. On 30 June HSE and Kent Police jointly announced the outcome of their review into the 2007 Healthcare Commission report on an outbreak of C. difficile at Maidstone and Tunbridge Well NHS Trust. Based on statistical analysis the report concluded that up to 90 patients had died "definitely or probably" as a result of infection. HSE and Kent Police, worked together under the Work Related Deaths Protocol to review information in the report and interview experts to determine whether there was sufficient evidence to proceed to investigation of possible manslaughter or Health and Safety at Work etc Act 1974, Section 3, charges. The review concluded there

was insufficient information, including no causal link to any individual death, to proceed to an investigation.

7. HSE further announced an audit of the Trust, to take place in September 2008, to provide public assurance that standards of health and safety management and infection control have improved and are being maintained. The audit is scheduled for the first week in September and will be combined with a Healthcare Commission audit on compliance with the new Hygiene Code.

Whitely Village

8. The Whitely Village case followed a double fatality gas explosion on 20 January 2003. The incident was jointly investigated by HSE and Surrey Police under the Work Related Deaths Protocol before being handed back to HSE in 2006.
9. Cases were considered against the twelve trustees and three employees. On advice, the cases against the trustees were deemed not in the public interest. Of the three employees the Warden and Property Manager entered pleas of not guilty, the Works Foreman one of guilty, to a Health and Safety at Work Act Section 7 charge. The Warden and Property Manager were successful in having proceedings stayed on the base of an abuse of process argument due to delay. The case concluded on 7 August at Kingston Crown Court when the Works Foreman was allowed to vacate his plea and enter a plea of not guilty. HSE reviewed the public interest test, in particular the individual's state of health and likelihood of a nominal penalty, and following a short adjournment offered no evidence. The Works Foreman was formally discharged. The Judge stated in open court that the approach of HSE was "very responsible as always" and awarded the defendants costs from central funds.

Incident Outside No 10 Downing Street

10. On 5/6th August the Herald, Times and London Metro newspapers published a picture of a construction worker in Downing Street power-washing the door of No 10 whilst perched on the top of a stepladder which was situated immediately adjacent to spiked railings. The picture led to the publication of a number of letters in the press over the next few days, and numerous calls and e-mails to Infoline and direct to the construction team in London.
11. A site visit by an HSE Principal Inspector the next day revealed that the work was not being done in accordance with the safe system of work agreed between the Principal Contractor and their sub contractor. Work was stopped because the inspector was concerned about levels of supervision on site; work resumed once adequate supervision was provided. A follow up visit will be made to the client team to confirm that their procurement arrangements meet the standards set for the Public Sector in Office of Government Commerce guidance.

Royal Mail Deliveries to the Village of Booze

12. There have been several press reports recently reporting the decision by Royal Mail to stop deliveries to the village of Booze in Yorkshire for health and safety reasons. HSE served an Improvement Notice on the Royal Mail (Richmond) on 6 December 2007. The notice related to risk assessments for delivery duties generally. The notice

was complied with on 11 February 2008. It did not relate specifically to the village of Booze.

13. In 2004 HSE launched a three-year rolling inspection project examining the standards of health and safety management within Royal Mail's delivery operations. The project set out to reduce the number of work-related injuries sustained by postal workers and improve safety management at Royal Mail. The project has been conducted through joint visits to Royal Mail premises by HSE and Local Authority inspectors and is now part of HSE and LA's Large Organisation Partnership Pilot (LOPP), which began in 2005. (LAs have responsibility for health and safety enforcement within premises such as sorting offices, while HSE have enforcement responsibility for peripatetic activities such as delivery rounds)

Mercury Exposure at Electrical Products Recycling Plant

14. HSE has identified multiple cases of mercury poisoning at a recycling plant for electrical products in West Yorkshire. HSL has provided biological sampling data, and Specialist Inspectors have been involved. One Prohibition Notice and five Improvement Notices have been served, and the employees concerned have had their sampling results explained to them. HSE has liaised with the Health Protection Agency and NHS contacts locally about on-going medical care. HSE's investigation is continuing.

Freedom of Information Decision Notice: Centre for Corporate Accountability – Release of the Names of Deceased Accident Victims

15. On 21 July, the Information Commissioner's Office (ICO) wrote to HSE with its decision on a Freedom of Information (FOI) Act section 50 notice. David Bergman, of the Centre for Corporate Accountability, had asked HSE to tell him the names of those who had died as a result of incidents in the workplace reported in accordance with RIDDOR. HSE had refused, citing sections 21, 41, & 44(1)(a) of the FOI Act. Mr Bergman complained to the ICO which, after consideration, found that HSE should have provided the information requested. Last week HSE wrote to the ICO accepting the decision.

Under-recovery of income in ND

16. The Board asked for clarification on the meaning of paragraph 8c of the June Finance and Staffing paper. Broadly, Nuclear Directorate (ND) recovers what it spends from the industry through charging. ND is contracting out some of its non-regulatory work. An advertisement was placed in the Official Journal of the EU (OJEU) to appoint a number of companies to whom specific technical and scientific questions can be referred as part of the GDA new build process. ND refer to these external companies as Technical Support Organisations (TSOs). ND has always done this but not previously to this degree. This has proceeded less quickly than the financial forecast assumed and hence the associated expenditure and income are less than the original forecast.

HWWW update

17. The CE and his office moved to Redgrave Court on 28 July. Other members of the SMT will be moving to Redgrave during the next two months.

18. A decision has been made by DWP on the first Flexible Early Release scheme (FER). Of the 28 staff who applied, approval has been given for 23. These will now receive final quotes from DWP. Staff will leave under the scheme from November of this year to March of next year. We are considering now whether to run another FER scheme with slightly broader criteria. If we did, this we would go out seeking applications in October.
19. During the first preference exercise 274 staff said that they did not wish to relocate, with an additional 22 undecided at that stage. 56 staff have left Rose Court since 6 November, 38 of them since the end of the first preference exercise.
20. Negotiations continue with a potential tenant wanting to occupy 5 floors of Rose Court and assume landlord responsibilities from September 2009. We expect a final decision from them before the end of September.

GEOFFREY PODGER

Management

- The SMT met on 6th August and discussed: finance and staffing; the Q1 Performance Report; the Government consultation on Regulatory Budgets; and, gas appliance flues in ceiling voids in domestic premises. The SMT also received oral updates on the outcome of the culture workshops and the position on the development of the new HSE strategy.

Operations

- 23 fatalities were reported to HSE in July. Brief details are given in Annex 2

Significant prosecutions in July included:

- HP Bulmer Limited of Staines, and Nalco Ltd of Northwick, Cheshire were both fined £300,000 and ordered to pay £50,000 in costs for a breach of S3(1) of the HSWA following an outbreak of Legionnaire's disease in Hereford in 2003.
- Apollo Cradles Ltd of Barnsley and Bradway Construction Ltd, of Sheffield were fined £115,000 plus £45,000 costs and £25,000 plus £18,000 costs respectively as a result of a crane cradle collapse in which one man died and 3 were seriously injured. The investigation into this incident resulted in HSE issuing a safety warning to about maintaining plant and equipment effectively, and training employees in its use.
- Rolls Royce PLC of Derby was fined £120,000 and ordered to pay £12,122.53 in costs, after pleading guilty to breaching S3(1) of the HSWA by failing to ensure that agency/contractor employees were not exposed to hazardous substances.
- Dacorum Borough Council, Hemel Hempstead, was fined £37,500 and ordered to pay £17,500 in costs, after pleading guilty to breaches of S2 of the HSWA, Regulation 3(1) of the Management Regulations 1999 and Regulation 3(1) of the Electricity at Work Regulations 1989. When an employee clamped an electric cable (thinking it was a domestic water main which resulted in a massive current passing through his body.
- Clays Ltd of Bungay was fined £32,000 and ordered to pay £12,000 in costs for breaches of S2(1) and S3(1) of the HSWA, when an employee was seriously injured when he fell through a skylight while undertaking roof repairs.
- Homes for Haringey Ltd, was found guilty of breaching section 2(1) of the HSWA and fined £10,000 with costs of £3,562 after a worker was seriously injured in a fall from a loft while he was changing a water tank at a flat.

Myth of the Month

- Health and Safety laws banned poles in fire stations.

FOI Requests

- 608 Freedom of Information requests were made to HSE in July.

Consultations

- There were no consultations undertaken in July.

Events, Campaigns and Publications

- Huntingdonshire District Council has signed up with HSE to promote a sensible approach to health and safety during the summer holidays. Additionally, local authorities in Buckinghamshire have signed up to the HSE's "sensible risk" campaign.
- Paper and Board Industry Advisory Committee (PABIAC) has launched the second phase of its strategy to secure further improvements in health and safety in the paper and board sectors over the next three years.

Parliamentary Business

- There were 12 PQs in July.

FATALITIES REPORTED TO HSE DURING JULY

These initial notifications are not validated in that investigation has not as yet confirmed that all the deaths were work related.

AGE	REGION	INDUSTRY SECTOR	DESCRIPTION
24	East Sussex	Construction	DP fell into basement of property being converted into flats
76	Nottinghamshire	Manufacturing	DPs 4 wheeled motability scooter collided with a reversing refuse collection vehicle
24	Oxfordshire	Plumbing	DP electrocuted by live recently installed cooker hood adjacent to gas boiler he was working on
86		Healthcare	DP fell from bed
54	Cheshire	Construction	DP fell from ladder whilst replacing fascia board
41	West Lothian	Services	DP hung himself by belt round a shower curtain rail
28	Sheffield	Engineering	DP crushed between internal roof of shipping container and top surface of drivers falling object protection on FLT
59	Lancashire		DP fell off the roof of a house whilst installing an aerial
79	Leicestershire	Health Services	DP fell back whilst being hoisted by staff
18	Lancashire	Agriculture	DP catapulted off small trails motorbike when they hit a poorly signed no access wire
26	Shropshire	Construction	DP fell through a skylight
	London	Construction	DP died of pulmonary embolism after operation for a fractured ankle which was sustained when they lost their balance whilst installing drainage equipment
37	Chesterfield	Manufacturing	DP crushed by skip lorry when it fell on its side when unloading a skip
62	Tayside	Agriculture	DP crushed by his vehicle after exiting after crushing into a wall
	Bucks	Manufacturing	DP hit by jib of a crane when it fell on him whilst he was working on it
76		Services	DP fell from four point sling hoist over a bed when the right hand side of the sling near her upper torso gave way
27		Services	DP hung himself in the shower area in mental health hospital
3	Denbighshire		A 1.6m high wall collapsed on the deceased when she was walking along a public footpath with her mother
57	Shropshire	Health & Social Care	DP found face down in her room by staff, face had turned blue with the remains of a sweet in her mouth
57	Derbyshire		DP fell from sloping roof whilst cleaning first floor windows and gutters
81	Wakefield	Nursing	DP fell from bed to the floor when she slipped out of bed whilst being undressed by a carer

87	Cornwall	Public Services	DP suffering from dementia broke the window in his bedroom and jumped out
70	Invernesshire	Manufacturing	DP was being lifted to work at height in the bucket of a loading shovel and became trapped against an aggregate screen for processing crushed rock

UPDATE ON EU HEALTH AND SAFETY DOSSIERS

This annex to the Chief Executive's Report provides the Board with a monthly update on progress with EU health and safety dossiers that HSE leads on for HMG or other dossiers that HSE has an interest in but not the lead. To help the Board keep track of developments, each dossier is either marked '[UNCHANGED FROM LAST BOARD UPDATE](#)' or '[NEW DEVELOPMENTS](#)'. For further information about this annex, please contact Stephen Taylor, EU Coordinator in HSE's International Unit (Tel: 020 7717 6677 or e-mail: stephen.taylor@hse.gsi.ov.uk)

ON THE HORIZON:

Initiative on 3rd List of Indicative Occupational Exposure Limit Values (IOELVs)	
Current status (UNCHANGED FROM LAST BOARD UPDATE): The EC's Advisory Committee on Safety and Health at Work has voted on its opinion on a draft Commission Directive establishing a 3rd list of IOELVs under Directive 98/24/EC on Chemical Agents.	
Lead Department HSE contact	HSE SCS Lead – Steve Coldrick Policy Lead – Robin Foster, International Chemicals Unit, 020 7717 6990, robin.foster@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

Initiative on Musculoskeletal Disorders	
Current status (UNCHANGED FROM LAST BOARD UPDATE): The EC is currently carrying out an Impact Assessment on the socio-economic impact of a range of policy options that will decide the next step for the initiative.	
Lead Department HSE contact	HSE SCS Lead – Peter Brown Policy Lead – Neville Higham, MSD Programme, 0207 717 6831, neville.higham@hse.gsi.gov.uk SCS Lawyer – Caroline Croft

Initiative on Carcinogens and Mutagens	
Current status (NEW DEVELOPMENTS) The second stage of social dialogue on potential amendments to the Carcinogens and Mutagens Directive (2004/37/EC) ended without an agreement. The EC has tendered for a contractor to undertake an Impact Assessment to help decide the next steps for the initiative.	
Lead Department HSE contact	HSE SCS Lead – Steve Coldrick Policy Lead – Robin Foster, International Chemicals Unit, 020 7717 6990, robin.foster@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

Initiative on Needle Stick Injuries	
Current status (UNCHANGED FROM LAST BOARD UPDATE): The EC has extended the second stage of social dialogue to see if a sectoral agreement is still possible. The EC has indicated that it may pursue a legislative option if social dialogue fails again.	
Lead Department HSE contact	HSE SCS Lead – Les Philpott Policy Lead – Delyth Dyne, Specific Interventions, 020 7717 6234, delyth.dyne@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

PRE-PROPOSAL STAGE:

Proposed amendment of Electromagnetic Fields Directive (2004/40/EC)	
Current status (NEW DEVELOPMENTS): The 4 year delay in the implementation of the directive has been adopted. The EC has now issued an open invitation to tender for the contract to carry out an impact assessment, to inform policy options and help to decide the next steps for this issue.	
Lead Department HSE contact	HSE SCS Lead – Les Philpott Policy Lead – Malcolm Darvill, Specific Interventions, 020 7717 6182, malcolm.darvill@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

Proposed revision of Biocidal Products Directive (98/8/EC)	
Current status (UNCHANGED FROM LAST BOARD UPDATE): The EC has held a number of stakeholder workshops as means to begin looking at a revision of the Directive. A proposal is expected late 2008.	
Lead Department HSE contact	HSE SCS Lead – Steve Coldrick Policy Lead – Gill Smith, Corporate Specialist Division, 0151 951 4919, gill.fod.smith@hse.gsi.gov.uk SCS Lawyer – Caroline Croft

Proposed revision of Seveso II Directive (96/82/EC) – Linking GHS to Seveso	
Current status (UNCHANGED FROM LAST BOARD UPDATE): The EC has established a technical working group to start looking at the implications of bringing GHS into the Seveso Directive. A proposal is not expected until late 2009	
Lead Department HSE contact	HSE SCS Lead – Les Philpott Policy Lead – Sandra Ashcroft, Specific Interventions, 0151 951 3531, sandra.ashcroft@hse.gsi.gov.uk SCS Lawyer – Caroline Croft

Proposed recast of Basic Safety Standards Directive (96/29/EURATOM)	
Current status (UNCHANGED FROM LAST BOARD UPDATE): The EC has asked the Working Party of its Article 31 Group of Scientific Experts to consider a recast of the directive. A proposal is not expected until late 2009.	
Lead Department HSE contact	HSE SCS Lead – Les Philpott Policy Lead – Robert Parkes, Biological Agents & GMOs, 01245 70 6246, robert.parkes@hse.gsi.gov.uk SCS Lawyer – Caroline Croft

Proposed simplification of Pressure Equipment Directives	
Current status (UNCHANGED FROM LAST BOARD UPDATE): The EC has decided that the review of the directive will not take place until 2010, after which next steps will be decided.	
Lead Department HSE contact	BERR SCS Lead – Dr Elizabeth Gibby HSE Policy Lead – Phil Papard, STSU, 0161 952 8402, phil.papard@hse.gsi.gov.uk SCS Lawyer – Caroline Croft

UNDER NEGOTIATION:

Regulation on Existing Substances (No. 793/93) – Risk Assessment and Risk Reduction Strategies	
Current status (UNCHANGED FROM LAST BOARD UPDATE): The UK is working to complete Risk Reduction Strategies for four outstanding substances before the regime folds and is replaced by REACH. The strategies are due for completion by 1 December 2008.	
Lead Department HSE contact	HSE (UK Competent Authority) SCS Lead – Steve Coldrick Policy Lead – Robin Foster, International Chemicals Unit, 020 7717 6990, robin.foster@hse.gsi.gov.uk SCS lawyer – Stephen Amos
Dangerous Substances Directive (67/548/EEC) – 31st Adaptation to Technical Progress (ATP)	
Current status (UNCHANGED FROM LAST BOARD UPDATE): This should be taken into GHS so there will be no need for the UK to implement the 31st ATP. However enforcement regulations will be needed for GHS.	
Lead Department HSE contact	HSE SCS Lead – Steve Coldrick Policy Lead – Robin Foster, International Chemicals Unit, 0207 717 6990, robin.foster@hse.gsi.gov.uk SCS Lawyer – Stephen Amos
Marketing and Use Directive (76/769/EEC) – Restrictions on marketing and use of Dichloromethane	
Current status (NEW DEVELOPMENTS): The EC has published a proposal to restrict the marketing and use of Dichloromethane based paint-strippers. This is currently in the Council Working Party on Technical Harmonisation (Dangerous Substances) and with the European Parliament’s Environment, Public Health and Food Safety Committee. A UK negotiating strategy is in the process of gaining official clearance.	
Lead Department HSE contact	HSE SCS Lead – Steve Coldrick Policy Lead – Robin Foster, International Chemicals Unit, 0207 717 6990, robin.foster@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

Proposed Regulation on Globally Harmonized System (GHS) on Classification, Labelling and Packaging of Chemicals	
Current status (UNCHANGED FROM LAST BOARD UPDATE): Council negotiations concluded at the end of June 2008, and informal agreement has been reached with Parliament on the text of the Regulation. Parliament is due to vote in September 2008 to secure a First Reading deal. The Regulation is expected to enter into force in late 2008/early 2009.	
Lead Department HSE contact	HSE SCS Lead – Steve Coldrick Policy Lead – Robin Foster, International Chemicals Unit, 020 7717 6990, robin.foster@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

Proposed Regulation on Community Statistics on Public Health and Health and Safety at Work	
Current status (NEW DEVELOPMENTS): Common position adopted by the Council on 25 July 2008 with a view to the adoption of the Regulation. This could happen by the end of the French Presidency.	
Lead Department HSE contact	ONS HSE SCS Lead – Jenny Eastabrook/Elizabeth Hodkinson HSE Policy Lead – Francis McGuigan, Enforcement Policy Unit, 020 7717 6423, francis.mcguigan@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

UNDER IMPLEMENTATION:

Artificial Optical Radiation Directive (2006/25/EC)	
Current status (UNCHANGED FROM LAST BOARD UPDATE): The Directive was adopted on 27 April 2006 and member states have until 27 April 2010 to implement the directive. HSE has begun work on transposing the Directive by the deadline.	
Lead Department HSE contact	HSE SCS Lead – Les Philpott Policy Lead – Malcolm Darvill, Specific Interventions, 020 7717 6182, malcolm.darvill@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

EC Regulation concerning the import and export of dangerous chemicals (689/2008)	
Current status (NEW DEVELOPMENTS): The Regulation came into force on 1 August 2008. UK enforcement regulations were laid before Parliament on 8 August and will come into force on 3 September 2008.	
Lead Department HSE contact	HSE SCS Lead – Steve Coldrick Policy Lead – Robin Foster, International Chemicals Unit, 020 7717 6990, robin.foster@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

EC Regulation on Registration, Evaluation, Authorisation and Restriction of Chemical substances (REACH) (1907/2006)	
Current status (NEW DEVELOPMENTS) The regulation came into force on 1 st June 2007. At Community level, HSE officials are working with other Member States, the Commission and key stakeholders in a number of committees and other for a to establish the working principles for the Regulation. Key recent developments include Commission proposals re inclusion of some cosmetics ingredients, review of annexes to the Regulation including a challenged exemption on different forms of carbon, and issues with possible unintended consequences re supply of asbestos, publication of a draft Candidate List for substances that will eventually require authorisation, and set-up of a task group to consider application of REACH to nanomaterials.	
Lead Department HSE contact	DEFRA (Policy Lead) HSE (UK Competent Authority) HSE SCS Lead – Steve Coldrick Policy Lead – Robin Foster, International Chemicals Unit, 020 7717 6990, robin.foster@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

Dangerous Preparations Directive (2006/8/EC)**Current status (NEW DEVELOPMENTS):**

The consultation on draft regulations has finished. HSE is currently analysing the responses. It is expected that the Directive will be transposed by October this year.

**Lead Department
HSE contact****HSE**

SCS Lead – Steve Coldrick

Policy Lead – Robin Foster, International Chemicals Unit, 020 7717 6990, robin.foster@hse.gsi.gov.uk

SCS Lawyer – Stephen Amos

Identification and Traceability of Explosives for Civil Uses Directive (2008/43/EC)**Current status (NEW DEVELOPMENTS):**

This Directive was adopted on 4 April 2008 with transposition required by 5 April 2009. Options for transposing the Directive are currently being worked up and will be presented to the Board for consideration and clearance.

**Lead Department
HSE contact****HSE**

SCS Lead – Les Philpott

Policy Lead – Andy Miller, Mines, Quarries and Explosives Policy, 020 7717 6345, andy.miller@hse.gsi.gov.uk

SCS Lawyer – Caroline Croft

Dangerous Substances Directive (67/548/EEC) – 30th Adaptation to Technical Progress (ATP)**Current status (UNCHANGED FROM LAST BOARD UPDATE):**

This should be taken into GHS so there will be no need for the UK to implement the 30th ATP. However enforcement regulations will be needed for GHS.

**Lead Department
HSE contact****HSE**

SCS Lead – Steve Coldrick

Policy Lead – Robin Foster, International Chemicals Unit, 0207 717 6990, robin.foster@hse.gsi.gov.uk

SCS Lawyer – Stephen Amos

Machinery Directive (2006/42/EC)**Current status (UNCHANGED FROM LAST BOARD UPDATE):**

BERR has now completed work the implementing Regulations. These will come into force on 29 December 2009.

**Lead Department
HSE contact****BERR**

HSE SCS Lead – Dr Elizabeth Gibby

HSE Policy Lead – Phil Papard, STSU, 0161 952 8402, phil.papard@hse.gsi.gov.uk

SCS Lawyer – Caroline Croft

Services Directive (2006/123/EC)	
Current status (UNCHANGED FROM LAST BOARD UPDATE): BERR is currently working on measures to implement the Directive in the UK.	
Lead Department HSE contact	BERR HSE SCS Lead – Jenny Eastabrook/Elizabeth Hodkinson HSE Policy Lead – Francis McGuigan, Enforcement Policy Unit, 020 7717 6423, francis.mcquigan@hse.gsi.gov.uk SCS Lawyer – Stephen Amos

Regulation reviewing the New Approach Directives that set out the essential requirements which must be met before products can be sold in the UK or elsewhere in the European Community	
Current status (UNCHANGED FROM LAST BOARD UPDATE): Recently adopted at the June 2008 Agriculture Council. It sets out the requirement for accreditation and market surveillance relating to the marketing of products in the EU. The Regulation will apply from 1 January 2010.	
Lead Department HSE contact	BERR HSE SCS Lead – Dr Elizabeth Gibby HSE Policy Lead – Phil Papard, STSU, 0161 952 8402, phil.papard@hse.gsi.gov.uk SCS Lawyer – Caroline Croft

Regulation on Mutual Recognition of Goods in the European Union (764/2008)	
Current status (UNCHANGED FROM LAST BOARD UPDATE): Recently adopted at the June 2008 Agriculture Council. It defines the rights and obligations of, on the one hand, national authorities and, on the other, enterprises wishing to sell in a Member State products lawfully marketed in another Member State, when the competent authorities intend to take restrictive measures about the product in accordance with national technical rules. The Regulation will apply from 13 May 2009.	
Lead Department HSE contact	BERR HSE SCS Lead – Dr Elizabeth Gibby HSE Policy Lead – Phil Papard, STSU, 0161 952 8402, phil.papard@hse.gsi.gov.uk SCS Lawyer – Caroline Croft