

HEALTH AND SAFETY EXECUTIVE BOARD (HSE Board)

Code of Practice for the HSE Board

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Introduction

1. The Health and Safety Executive (HSE) is a statutory body established by the Health and Safety at Work etc. Act 1974 (the 1974 Act) (as amended by the Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960) which consists of a Chair and between 7 and 12 Non- Executive Directors. In this document this body is called the Health and Safety Executive Board (HSE Board). The HSE Board is responsible to appropriate Ministers for the administration of the 1974 Act.

2. The HSE Board's statutory powers and functions are set out in the 1974 Act and are described in Framework Document agreed between DWP and the HSE Board.

3. In line with Government policy on standards in public life, openness and accountability, the HSE Board has agreed this Code of Practice (at its meeting in April 2008) which Non-Executive Directors of the HSE Board (HSE Board Members) are expected to follow in carrying out their duties.

Public Service Values

4. The HSE Board will at all times:

- Observe the highest standards of propriety involving **impartiality, integrity and objectivity** in relation to the stewardship of public funds and the exercise of its functions;
- Maximize value for money through seeking to ensure the most economical, effective and efficient use of its resources and be accountable to Parliament for its stewardship of public funds;
- Be accountable to Ministers, and through them to the public more generally, for its activities and for the standard of advice it provides; and
- Act in accordance with Government policy on openness, and comply fully with Freedom of Information Act 2000, the Data Protection Act 1998, Environmental Information Regulations 2004 and any other relevant legislation on access to information.

Standards in Public Life

5. HSE Board Members are expected to:

- Follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life as they apply to service on the HSE Board. These principles are at **Appendix A**;
- Comply at all times with this Code of Practice and ensure that they understand their duties, rights and responsibilities, and that they are familiar with the role and functions of the HSE Board and any relevant statements of Government policy; new HSE Board Members should consider attending relevant training or induction courses.

- Act in good faith and in the best interests of the HSE Board.

The HSE Board and its relationship with the Government and Parliament

6. The Secretary of State appoints HSE Board Members and is primarily answerable to Parliament for the policies and performance of the HSE Board, including its use of resources and the policy framework within which it operates.

7. The respective roles and responsibilities of the HSE Board and the Government, the HSE Board and the Department for Work and Pensions, and the HSE Board and the other Ministers it reports to, are set out in the Health and Safety Executive's Framework Document.

Role of the HSE Board

8. The HSE Board's responsibilities and powers are defined by the 1974 Act as amended and it submits proposals of particulars of what it proposes to do to the Secretary of State who has the power to approve the proposals. It must also give effect to any directions given to it by the Secretary of State. The HSE Board's functions involve:

- proposing and setting necessary health and safety standards, on which the HSE Board is advised by the Chief Executive of the Health and Safety Executive (the Chief Executive) or other sources, and;
- through the Chief Executive, securing compliance with those standards and undertaking other forms of activity designed to stimulate or support necessary action on the part of people and organisations who create potential harm.

9. The role of the HSE Board is to develop and communicate a strategy for improving the health and safety performance of Great Britain. Additionally, the HSE Board is responsible for the delivery of the strategy and as part of this the HSE Board will:

- clearly state what the role of HSE is in the delivery of improvements and what is expected of stakeholders (inc duty holders);
- formally scrutinise and challenge performance of HSE against strategic priorities, reflecting issues of accountability and including involvement in audit and remuneration committees;
- engaging with stakeholders to communicate HSE vision and secure commitment to delivering the aim of the strategy; and
- reflect the interests of broader stakeholder organisations and the devolved administrations.

10. The HSE Board's statutory duties include:

- submitting proposals for regulations to Ministers after consultation with appropriate government departments and other bodies;
- arranging for the provision of information and advice to Ministers among others;
- arranging for the operation of an information and advisory service;

- arranging for research to be carried out, the publication of the results and the provision of training and information in connection with these purposes;
- encouraging research and the provision of training and information by others; and
- allocating appropriate resources to the HSE to allow it to perform its functions.

11. The HSE Board's powers of action include:

- approving and issuing codes of practice, with the consent of the relevant Secretary of State and subject to consultation with appropriate government departments and other bodies. These are known as "Approved Codes of Practice" (ACoPs);
- investigating and reporting on accidents or other matters and (subject to regulations), holding inquiries to be held into such matters; and directing others to do so;
- making Agency Agreements and Memorandums of Understanding with government departments or others for them to perform functions on HSE's behalf; and with any Minister, Department or other public authority for HSE to perform functions on their behalf (subject to those functions being appropriate to the HSE Board's responsibilities in the opinion of the Secretary of State);
- giving guidance to Local Authorities on enforcement;
- appointing committees, groups and panels. Members of these should be appointed in accordance with an agreed membership and terms of reference, and in conformity with the principles set out in the Code of Practice issued by the Commission for Public Appointments. The HSE Board has endorsed the principles of openness, accountability and provision of information, and has extended those principles to any committees, groups and panels it establishes; and
- providing any services, facilities or information required by a government Department or public authority even though they are not required for the general purposes of Part I of the 1974 Act.

Role of the Chair

12. The Chair is responsible for ensuring the efficient and economical conduct of the HSE Board's business, that expenditure is in accordance with the HSE Board's Plans and priorities, and for ensuring propriety.

Delegation of functions

13. Under Schedule 2 to the 1974 Act (as amended), the HSE Board may delegate functions to Committees, to individual Board Members, to the Chief Executive or to other members of its staff. The Board may not delegate its legislative functions, and must delegate its functions relating to enforcement in individual cases to its staff. The Board has used this power to authorise the Chair to act on its behalf, and to enable the Chief Executive and those authorised by him to exercise the majority of its functions (copy of Delegation at **Appendix B**). Further details can be found in the Health and Safety Executive Framework Document.

14. Under section 18(4) and (5)(a) and (b) of the 1974 Act Local Authorities have a duty to make provision for the enforcement of any of the relevant statutory provisions in accordance with such guidance as the HSE Board may give to the Authority.

Openness

15. The HSE Board will conduct all its dealings with the public in an open and responsible way and will comply fully with the requirements of the Data Protection Act 1998, the Freedom of Information Act 2000, the Environmental Information Regulations 2004, and any other relevant legislation on access to information.

Guidance on freedom of information can be found on the Ministry of Justice's website at: <http://www.justice.gov.uk/guidance/guidancefoi.htm>

16. The HSE Board is committed to a policy of openness to members of the public of information on health and safety matters subject to the legislation on openness and access to information. Full details can be found on the HSE website at:

<http://www.hse.gov.uk/aboutus/hsc/openness.htm>

Public access to papers

17. The HSE Board has given approval for its meetings to be open and for the papers to be made publicly available on its website, except in a limited range of circumstances which are covered by exemptions to access to information under Freedom of Information (Fol) (See link to the guidance on Fol at para 16). All HSE Board papers are given a Fol status. Papers which are 'above the line' for open discussion will be made available on the HSE website at least 4 working days before the meeting and below the line papers are placed on the website after the meeting. On occasion there will be a closed session during the HSE Board meeting when closed papers will be discussed.

Consultation by HSE Board Members on closed papers before meetings

18. It is long established practice that before the meeting HSE Board Members can consult on all papers - apart from those marked "personal to members only" - with stakeholders in order to carry out their duties effectively. Such consultations and discussions will take into consideration that closed papers are not publicly available. HSE Board Members must make sure that those whom they consult are made aware of, and respect, the need to act discreetly.

19. HSE Board Members should treat papers which are marked as "personal to members only" as confidential to themselves, and not discuss them with others outside the HSE Board or HSE. Such papers may contain matters of a particularly sensitive nature and HSE Board Members must take extra care not to leave them unattended and where others may obtain access to them.

Disposal of papers

20. HSE Board Members must ensure that their papers are kept and disposed of safely. Ideally papers which are "Personal to members only" should be disposed of by shredding.

Plan of work, Annual Reports and Accounts

21. The HSE Board develops and works to a long-term strategy for workplace health and safety. It prepares a delivery and Business Plan. It must act in accordance with plans approved by the Secretary of State and within the resources made available. The HSE Board submits an Annual Report and Accounts to the Secretary of State.

22. Full details of the HSE Board's management, financial and planning arrangements can be found in the Health and Safety Executive's Framework Document and is agreed by DWP and the HSE Board.

Terms of appointment

23. The Secretary of State appoints the HSE Board, following consultation with responsible groups: employers, employees, local authorities and others, and is responsible for it. The appointment and conditions of service of HSE Board Members are conveyed in a formal letter of appointment from the Secretary of State and in a memorandum issued to HSE Board Members under his authority. This also sets out the HSE Board Member's term of office.

24. HSE Board Members may at any time resign as a member of the HSE Board by giving Notice in writing to the Secretary of State.

25. The Secretary of State has the power to remove a HSE Board Member's post vacant under the statutory provisions governing the appointment found in Schedule 2, paragraph 4 to the 1974 Act.

Quorum and attendance at HSE Board meetings

26. The HSE Board has agreed that the quorum for HSE Board meetings should be the Chair of the HSE Board plus three other members, one representing employers, one representing employees, and one not representing either of these groups. It is important therefore that HSE Board Members notify the HSE Board Secretary as soon as possible if they are not able to attend a HSE Board meeting.

27. HSE Board Members are expected to attend the great majority of HSE Board meetings during the year, and in any case should not miss more than two consecutive meetings without the prior agreement of the Chair.

28. Under Schedule 2, paragraph 4 to the 1974 Act the Secretary of State may remove a HSE Board Member who has been absent from meetings of the HSE Board for a period longer than six months without the permission of the Chair of the HSE Board.

Remuneration

29. HSE Board Members receive an annual salary. The level of remuneration will be subject to review in the context of decisions taken by Ministers from time to time in relation to salaries of this kind. HSE Board Members are expected to commit 25 to 30 days per year to the duties of the HSE Board. This time is made up by reading and preparation time for meetings, sub committees, priority programme work and external representation. HSE Board Members may also be involved in other activities such as visits to industry, and may be called upon from time to time to represent the HSE Board at conferences, press launches, etc. HSE Board Members are expected to attend:

- the regular monthly business meetings of the HSE Board; and
- one residential meeting of two days.

Travel and subsistence expenses

30. HSE Board Members are entitled to travel and subsistence expenses incurred on official HSE Board business away from their normal place of work, and other expenses necessarily incurred on HSE Board business. Tax liabilities arise on elements of these payments which have been regarded as part of a HSE Board Member's income and are therefore taxable. Arrangements have been made whereby HSE meets the cost of the tax and NIC on travel expenses.

Political activities

31. HSE Board Members are expected to follow the guidance on political activities set out in the terms and conditions sent to them on their appointment to the HSE Board and in line with the requirements of the Representation of the People Act 1983. In general, HSE Board Members should not engage in specific political activities on matters directly affecting the work of the HSE Board. When engaging in other political activities, HSE Board Members should be conscious of their public role and exercise a proper discretion, particularly in regard to the work of the HSE Board.

32. Under the House of Commons Disqualification Act 1975, Board Members are disqualified from standing as MPs.

Gifts and hospitality

33. HSE Board Members are expected to act in accordance with the standards required of civil servants in respect of gifts and hospitality. HSE Board Members should not accept or offer a gift, hospitality or some other benefit as a reward, either for doing or not doing something in their official capacity, or for showing advantage to someone or to an organisation. As a general rule there are unlikely to be objections to the acceptance of isolated gifts of a trivial nature or minor seasonal items such as calendars or diaries. Offers of conventional hospitality may also be accepted provided it is normal and reasonable in the circumstances. Such offers include a working lunch or a working dinner and refreshments offered during meetings.

34. The Secretariat keeps a gifts and hospitality register. Conventional hospitality and trivial gifts do not need to be recorded. It is the responsibility of HSE Board Members to inform the Secretariat about all other gifts and hospitality which do not clearly fall into either of

these categories. These will be recorded in the register. It is good practice to also record significant offers that have been refused.

Register of interests

35. The HSE Board is required to maintain a *Register of HSE Board Members' Interests* which HSE Board Members are required to complete on appointment. This is maintained by the HSE Board Secretariat. The Register lists direct or indirect pecuniary interests which may or may be perceived (by a reasonable member of the public) to influence his or her judgment when acting as a HSE Board Member. Guidance prepared by the Department for Work and Pensions on the kinds of interests that should be declared for the purposes of the HSE Board's Register is at **(Appendix C)**.

36. The Register is made available to the public on request. HSE Board Members must notify the HSE Board Secretariat, immediately, of any changes to their declaration.

Conflicts of interests

37. It is an important part of HSE Board Members' responsibilities that they have access to the advice and opinions on behalf of organisations representing one of the following three categories, employers, employees or others (for example, organisations representing local authorities and others with an interest in health and safety). This enables HSE Board Members to make an informed contribution to HSE Board business.

38. However, HSE Board Members should avoid situations where they are influenced, or appear to be influenced, by their private interests in the exercise of their public duties. In addition to interests included in the HSE Board's Register (paragraph 35 above), HSE Board Members should declare any interest, pecuniary or otherwise, where it relates specifically to a particular matter under consideration and which may, or may be perceived, (by a reasonable member of the public) to conflict with their responsibilities as HSE Board Members. HSE Board Members should also consider whether they need to disclose relevant interests of other persons or organisations (for example, close family members) which members of the public might reasonably think could influence their judgment. The Secretariat will record any declaration in the minutes of the meeting.

39. Where a HSE Board Member has declared an interest he or she, with the agreement of the Chair, may contribute to the discussion of the matter under consideration.

40. Where a HSE Board Member has declared a significant and relevant interest he or she should not participate in the determination of that matter. It may, on occasion, be appropriate for that HSE Board Member to withdraw from the meeting during consideration of the matter.

Personal liability of HSE Board Members

41. Although any legal proceedings initiated by a third party are likely to be brought against the HSE Board, in exceptional cases proceedings (civil or, in certain cases, criminal) may be brought against the Chair or other individual HSE Board Members. For example, a HSE Board Member may be personally liable if he or she makes a fraudulent or negligent

statement which results in loss to a third party. HSE Board Members who misuse information gained by virtue of their position may be liable for breach of confidence under common law or may commit a criminal offence under insider dealing legislation.

42. However, the Government has indicated that individual HSE Board members of Non-Executive Departmental Bodies (for example, HSE Board Members) who have acted honestly and in good faith will not have to meet out of their own personal resources any personal civil liability which is incurred in execution or purported execution of their functions, except where the person has acted recklessly.

Official Secrets Act

43. The provisions of the Official Secrets Acts 1911 to 1989 apply to members of the HSE Board. Unauthorised disclosure of any information gained in the course of this appointment or its use by HSE Board Members or others for personal gain or advancement would be regarded as a grave breach of trust. A copy of the Basic Guide to the Official Secrets Act 1989 is available from Human Resources, Service Delivery and Recruitment or via the HSE Board Secretary.

44. HSE Board Members who need further advice should consult the HSE Board Secretary or HSE's Legal Adviser.

Audit Committee – (Terms of reference - Appendix D)

45. The Audit Committee is a HSE Board Committee and was established to support the Chief Executive as the Accounting Officer. Its role is to advise the Accounting Officer on issues of governance, risk, control and associated assurance by providing an independent view on appropriateness, adequacy and overall value for money. It also reports to the HSE Board. Its membership shall be:

- a non-executive director from the HSE Board as Chair;
- a non-executive director from the HSE Board as vice chair; and
- a minimum of two independent members.

46. The Committee will meet a minimum of four times a year. The first meeting will include consideration of Internal Audit's annual programme of work. The second will include consideration of assurances received towards enabling the Committee to advise the Accounting Officer on the degree of confidence with which (s)he can sign the annual corporate governance statement on internal control. This second meeting will therefore be scheduled to take place prior to signature of the annual accounts.

APPENDIX A

THE SEVEN PRINCIPLES OF PUBLIC LIFE

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merits.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interests.

Leadership

Holders of public office should promote and support these principles by leadership and example.

The Government endorsed the Seven Principles of Public Life in "Spending Public Money. Governance and Audit Issues", Cm 3179, March 1996.

Appendix B



Health and Safety
Executive

AUTHORISATION UNDER SECTION 10 OF AND SCHEDULE 2 TO THE HEALTH AND SAFETY AT WORK ETC ACT 1974


- (1) The Health and Safety Executive ("the Executive") gives the following authorisations in exercise of the powers conferred on it by section 10 of, and paragraphs 9 and 12 of Schedule 2 to, the Health and Safety at Work etc. Act 1974¹ ("the Act").
- (2) Subject to paragraphs (4) and (6) –
- (a) the Chair of the Executive ("the Chair") may–
 - (i) do on behalf of the Executive anything that the Executive is authorised or required to do; and
 - (ii) authorise in writing the Secretary of the Executive ("the Secretary") to do such a thing on her behalf; and
 - (b) the Secretary, and any other person authorised in writing by the Chair to do so, may–
 - (i) sign or execute on behalf of the Executive any documents including, but not limited to, agreements, letters, and memoranda, entered into pursuant to the Executive's functions
 - (ii) authenticate by his or her signature the Executive's common seal on any such document.
- (3) Subject to paragraphs (5) and (6), the Chief Executive appointed under paragraph 8 of Schedule 2 to the Act may –
- (a) do on behalf of the Executive anything that the Executive is authorised or required to do; and
 - (b) authorise in writing (whether generally or specifically) any member of the staff of the Executive to do such a thing on the Executive's behalf.
- (4) The authorisation in paragraph (2) (and any authorisation made under it) does not enable the Chair, the Secretary or any other person –
- (a) to make any decision concerning the enforcement of the relevant statutory provisions in a particular case, or
 - (b) to legislate by subordinate instrument.
- (5) The authorisation in paragraph (3) (and any authorisation made under it) does not enable the Chief Executive or any other person–

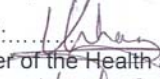
¹ As substituted by Articles 4, 20 of and Schedule 1 to, the Legislative Reform (Health And Safety Executive) Order 2008 (S.I. 2008/.....)

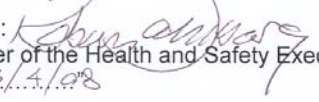
- (a) to exercise any of the Executive's functions under the following provisions of the Act—
- (i) section 11(3) (submitting proposals for the making of regulations to the Secretary of State);
 - (ii) section 13(3) (making agreements with government departments or others for them to perform the Executive's functions);
 - (iii) section 13(4) (making agreements with Ministers, government departments or public authorities to perform their functions);
 - (iv) section 14(2) and (2A) (conducting and authorising investigations and directing inquiries)
 - (v) section 16(1) (approving, revising etc. codes of practice); or
- (b) otherwise to legislate by subordinate instrument.

(6) Nothing in the authorisations set out in paragraphs (2) and (4) prejudices or affects the right of the Executive to exercise any of its powers or functions instead of, or jointly with, any person authorised in pursuance of those authorisations.

(7) In paragraph (4)(a), "the relevant statutory provisions" has same meaning as it has in the Act.

Signed: 
Chair
Health and Safety Executive
Date: 1/4/08

Signed: 
Member of the Health and Safety Executive
Date: 1/4/08

Signed: 
Member of the Health and Safety Executive
Date: 3/4/08



APPENDIX C

INTERESTS TO BE ENTERED IN THE REGISTER

The kind of interests that HSE Board Members are asked to declare in the HSE Board Register of Interests include the following:

1. Companies, partnerships, trusts or other bodies of which the HSE Board Member a paid employee.
2. Companies and organisations in which a HSE Board Member or their family or close associates:
 - a. has/have a controlling interest, or
 - b. is/are a Director or partner, or
 - c. has/have shares or securities with a nominal value of more than £25,000 or one hundredth of the total issued share capital, and
 - d. Could be involved in the supply of goods or services to, or have business dealings with, the organisation (i.e. HSE)
3. Non-profit making organisations (e.g. charities, housing associations) where a HSE Board Member or a close family member is a trustee, or is on the Committee of Management or other controlling body and which might receive grants, or carry out activities designed to promote or develop the work of HSE or have other significant dealings with the it.
4. Any land or property in which a HSE Board Member has a direct interest and is clearly within HSE's sphere of activities.
5. Membership of local authorities, health authorities and trusts, Learning and Skills Councils, the Magistrates Bench, and relevant voluntary sector bodies.

APPENDIX D

HEALTH AND SAFETY EXECUTIVE AUDIT COMMITTEE TERMS OF REFERENCE

1. The Audit Committee has been established as a committee of the Board of the Health and Safety Executive (HSE). Its role is to support the HSE Board on issues of risk control and governance by reviewing the comprehensiveness for assurances in meeting the Accounting Officer's assurance needs and reviewing the reliability and integrity of these assurances.

Aims

2. The aims of the Audit Committee are to:
 - promote the highest standards of propriety in the use of public funds and encourage accountability for the use of those funds;
 - improve the quality of financial reporting and promote a climate of financial discipline and control;
 - promote the development of internal control systems, including sensible business risk management; and
 - promote value for money within HSE.

Authority

3. The Committee is authorised:
 - to investigate any activity within its terms of reference; and
 - to seek any information it requires from any HSE employee; all employees should co-operate with any request made by the Audit Committee;

Membership of the Audit Committee

4. The membership shall be:
 - a non-executive director from the HSE Board as Chair;
 - a non-executive director from the HSE Board as vice chair; and
 - a minimum of two independent members.

5. The current membership of the Committee is:

Robin Dahlberg (Chair)	Non-Executive Director of HSE
David Gartside	Non-Executive Director of HSE
Paul Smith	Independent External Member
Peter Conway	Independent External Member

6. The Audit Committee will be provided with a secretariat function by HSE.

Reporting

7. The Audit Committee will formally report in writing to the HSE Board and Accounting Officer after each meeting.
8. The Audit Committee will provide the HSE Board and Accounting Officer with an Annual Report, timed to support the finalisation of the accounts and the Statement of Internal Control, summarising its conclusions from the work it has done during the year.

Responsibilities

9. The Audit Committee will advise the HSE Board and Accounting Officer on the:
 - adequacy of the management of governance, risk and control and the Statement on Internal Control;
 - assurance over adequacy and appropriateness of governance arrangements;
 - accounting policies, the accounts and the annual report of the organisation including the process for review of the accounts before submission for audit, levels of error identified, and HSE's letter of representation to the external auditors;
 - planned activity and results of both internal and external audit including the Internal Audit Strategy, Annual Audit Plans and Annual Report,(including access to individual audit reports where Audit Committee members request such access);
 - adequacy of HSE's response to issues identified by audit activity, including external audit;
 - resourcing of Internal Audit;
 - Terms of Reference (or equivalent) for Internal Audit;
 - adequacy of anti- fraud policies, "whistleblowing" processes and arrangements for special investigations within HSE; and
 - Audit Committee will also periodically review its own effectiveness and report the results of that review to the HSE Board.

Meetings

10. The Audit Committee will meet a minimum of four times per annum. The Chair of the Audit Committee may convene additional meetings, as they deem necessary;
11. A minimum of two members of the Audit Committee shall be present for the meeting to be quorate.
12. Audit Committee meetings will normally be attended by:
 - the HSE Chair;
 - the Accounting Officer
 - the Director, Resources and Planning
 - the Head of Internal Audit and Assurance

- a representative of NAO; and
- a representative of Department of Works and Pensions.

13. The Audit Committee may ask for other HSE officials to attend to assist with discussions on specific issues.
14. The Audit Committee may also ask for regular attendees who are not members to withdraw to facilitate full and frank discussion of particular matters.
15. The HSE Board or Accounting Officer may ask the Audit Committee to hold further meetings to discuss particular issues on which the Committee's advice is wanted.

Rights

16. The Audit Committee may:
 - co-opt additional members for a period not exceeding a year to provide specialist skills, knowledge and experience; and
 - procure specialist ad-hoc advice at the expense of the organisation, subject to budgets agreed by the Accounting Officers.

Access

17. The Head of Internal Audit and Assurance and the representative of NAO will have free and confidential access to the Audit Committee Chair.

Information

18. Before each meeting the committee will be provided with:
 - a copy of finalised Internal Audit reports and the management response;
 - a progress report from the Head of Internal Audit and Assurance summarising:
 - progress on plan of work;
 - key issues emerging;
 - management response to audit recommendations;
 - changes to the Annual Plan;
 - any resourcing issues affecting delivery of plan;
 - a progress report from external audit summarising work done and emerging findings; and
 - a report summarising any significant changes in the Corporate Risk Management Plan.
19. The Audit Committee will also be provided with (as necessary):
 - proposals for changes to its terms of reference;
 - proposals for the Terms of Reference of Internal Audit;

- the Head of Internal Audit's Annual Report and Opinion;
- any quality assurance reports on the Internal Audit function;
- the Internal Audit Strategy;
- the Internal Audit Plan in draft before each operating year;
- the draft accounts;
- the draft Statement on Internal Control;
- a report on any changes to accounting policies;
- External Audit's Strategy;
- External Audit's Audit Report ;
- a report on co-operation between Internal and External Audit; and
- a report on any proposals to tender for audit functions.

APPENDIX E

ADDISON RULES

1. A peer who is a member of a public HSE Board, whether commercial or non-commercial in character, is not by reason of such membership debarred from exercising his or her right to speak in the House of Lords, even on matters affecting the HSE Board of which he or she is a member; and it is recognised that, in the last resort, only the Peer concerned can decide whether he or she can properly speak on a particular occasion.

2. The following statement sums up the intentions behind Lord Addison's Rules.

“The House of Lords is a sensible body; and the latitude to speak or refrain from speaking, inherent in a peer, is not likely to cause embarrassment. Indeed, any attempt to lay down a hard and fast rule would be more likely to cause embarrassment”.

APPENDIX F

PUBLICATIONS

1. HSE believe that public access to health and safety information improves understanding and strengthens confidence in the health and safety system. The HSE strongly encourage a culture of openness and accountability within our organisation. Much of the information that HSE make available can be found on our [publication scheme](#) or elsewhere on the [HSE website](#).
2. The HSE Publication Scheme provides guidance to the public on what information is available within HSE and how to obtain it. The Scheme groups information into categories ('classes') to reflect the types of activity that HSE undertakes and that members of the public may expect to look for.
3. Some of the information may be formally published either as printed documents or via our website; other information may be accessible via a database or upon request. The scheme will indicate how to obtain the information in each case and whether there is a charge for such information. It is expected that over time the amount of information available will increase and that additional classes of information will be added.

APPENDIX G

EVIDENCE TO SELECT COMMITTEES

1. Departmental Select Committees have an important role in examining the expenditure, administration and policies of NDPBs from time to time. The Government fully supports this role. Lords Committees and other Committees may also seek evidence from NDPBs from time to time.
2. NDPB HSE Board members may on occasion be invited to give evidence to Select Committees. When they do so, they should be as helpful as possible in providing accurate, truthful and full information refusing to provide information only when disclosure would not be in the public interest. This should be decided in accordance with the relevant statutes and the Freedom of Information Act. HSE Board members should bear in mind in this context the need to respect legitimate HSE Board confidences.
3. Before giving evidence, HSE Board members may find it helpful to see Departmental Evidence and Response to Select Committees (also known as the Osmotherly Rules). This gives general advice on dealing with Select Committees including their powers to summon witnesses and papers and response to select Committee reports. Copies are available from the Propriety and Ethics team in the Cabinet Office.
4. Similarly, the Chief Executive of an NDPB may be called, as an Accounting Officer, to give evidence to the Public Accounts Committee (PAC) Guidance on giving evidence to the PAC is set out in the Accounting Officer Memorandum which can be obtained from the Treasury Officer of Accounts.
5. HSE Board members wishing to give evidence should, as a matter of courtesy, advise their Chair and colleagues on the NDPB HSE Board and its sponsoring department of their intention. They should discuss with them the handling of any oral or written evidence they want to submit and whether they expect to be giving evidence on behalf of the NDPB or in a personal capacity. The Select Committee should be advised of the status of the witness.
6. Subject only to a Committee's power to decide to require the attendance of a witness, the decision on whether to give evidence is solely for the individual concerned. There must be no pressure placed on individuals to deter them, or action taken against them as a consequence of giving evidence to a Select Committee. Any such actions might be regarded as a contempt of the House, with potentially serious consequences for those involved.