

HSE CHIEF EXECUTIVE'S REPORT TO THE HSC – SEPTEMBER 2005

This my first report to the Commission in my capacity as Acting Chief Executive. It covers a period when Timothy was in charge and the outline of the report was discussed with him. I am aware that this is only the second in the series of Chief Executive's reports and would welcome feedback from the Commission on how they would like to see the report develop to better meet their needs. Highlights:

1. **Transco fine.** Commissioners will have heard that Transco PLC have been fined £15 million for breaches of the Health & Safety at Work Act in respect of an explosion at Larkhall in Lanarkshire in 1999 in which a family of four were killed. This is by some margin the largest fine ever for a health and safety offence and sends a very welcome signal about the seriousness with which the courts view such matters.

In his sentencing remarks, the judge made a number of points which are helpful to HSE and we are actively considering how we can best use this case to leverage improvements elsewhere.

2. **Backs! Campaign.** The early feedback from this campaign shows that it has been very successful in terms of reaching large numbers of people. We are very grateful for the cooperation of our many partners in the campaign (local authorities, trade unions and many other stakeholders) and of course the hard work and professionalism of our own staff. The longer term impact of the campaign in terms of changing behaviour and improving health and safety is of course still to be assessed. Based on the early indications we are already starting to prepare for a further campaign in autumn of 2006. The success of the approach used in this campaign obviously encourages us to use a similar approach for other topics in the future.
3. **Recruitment.** The level of recruitment activity is shown in a table at the end of this report. I hope this gives Commissioners an indication of both the scale and diversity of HSE's recruitment. We are generally satisfied with the progress that we have made during 2005, although Commissioners will note the difficulties we have in attracting some specialist inspectors and scientists. We are looking at a number of different approaches to address these issues.

One new initiative for HSE is the recruitment of people into 'cadet' posts. These people will be given experience in a range of HSE activities before spending a substantive period in a single job. The aim is to encourage them to expect a career that spans HSE's activities rather than one limited to a particular part of the organisation.

4. **Brent Bravo.** Following a serious gas leak on this offshore installation in 2003, which resulted in the death of two workers (and a fine of £900,000

for the operator Shell), there have recently been two further leaks. The platform has now been shut down and will not restart until Shell have satisfied HSE that it is safe to do so. This is likely to take at least four months. HSE is aware of trade union concerns regarding safety on this installation, and making sure these are addressed is an important part of our approach.

The Commission may wish to note that a fatal accident inquiry into the original incident in 2003 is due to start at the end of October this year.

5. **Pay.** Timothy reported last month on the constructive discussions with trade unions about this year's pay round. We are still in discussion with Treasury and DWP about the remit (essentially the cost envelope within which we can negotiate) for a potential three-year pay agreement with our trade unions. We must have this remit agreed before we can start detailed negotiations with trade unions about the pay deal. I hope to be able to give the Commission a progress update at the meeting.

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Key developments

Management

- Geoffrey Podger was appointed Chief Executive of HSE and will take up his role on 28 November. Timothy Walker retires on 30 September and Justin McCracken will be acting Chief Executive in the interim period. We will try to arrange a meeting between Geoffrey and Commissioners before the December Commission meeting.
- The new Chief Executive of HSL will be Eddie Morland, formally CE of AEA Rail, who will take over on 10 October. David Buchanan, the current Chief Executive is retiring.
- Linda Williams will be joining ORR as Chief Inspector of Railways Designate in September and will succeed Dr Allan Sefton in December. At this time she will be seconded back to HSE until the transfer of responsibility for rail regulation from HSC/E to ORR.
- **Recruitment** numbers – details are given at the end of this report.
- The **HSE Board** met on 3 August. The agenda included:
 - two health and safety items - the HSE H&S Annual Report for 2004/05 and a summary of discussions that took place at the Board members' health and safety training day;
 - an initial assessment on the implications of the London 2012 Olympics. Brian Etheridge, HSE's Director for London, is to lead a Project Team to coordinate all aspects of HSE's involvement with the games;
 - a paper on HSE's geography which asked the Board for consideration on the way in which distribution of HSE's functions might evolve.

Risk

HSE is working closely with DCA and supporting their work on the Compensation Bill and the government response to the BRTF Report. A range of speaking opportunities have been identified to promote the issues (including Party Conferences). HSE is working with a range of partners to take the debate to those working in the health and safety system.

Health

The Senior Reporting Officer for Workplace Health Direct has ratified the decisions of the tender boards for Level 1 (the national Adviceline) and for Level 2 (the regional pathfinder service providers). Letters are being sent out on Friday 26 August letting bidders know the results and inviting the successful bidders to enter into post tender negotiations with HSE.

Small Business

Successful meeting of the Small Business Trade Association Forum which discussed better regulation, worker involvement, and draft noise guidance. Next meeting in October.

Operations

- The inquest into the 3 deaths resulting from the explosion at Corus steel works recorded a verdict of accidental death. HSE is considering whether there is any case to answer under health and safety law.
- HSE is investigating a fatality and a serious injury during construction work at Heathrow Terminal 5 project
- RI is investigating two fatalities resulting from a fire which broke out on a maintenance train in the Channel Tunnel Rail Link

Campaigns, initiatives and publications

- CHaSPI – Corporate Health and Safety Performance Indicator – launched in July <http://www.chaspi.info-exchange.com/>
- The new guide for safety and other trade union representatives offering practical advice on long term sickness absence and return to work issues. <http://www.hse.gov.uk/pubns/web02.pdf>
- Publication of statistics on fatal injuries in 2004/05. The number of fatally injured workers decreased from 236 to 220 and the rate from 0.81 to 0.75 per 100 000 workers. <http://www.hse.gov.uk/statistics/overall/fat10405.pdf>
- Publication of the pack used to train HSE and Local Authority Inspectors in enforcing the Work at Height Regulations 2005 on its website at <http://www.hse.gov.uk/falls/downloads/>
- The slips and trips campaign is now called 'Watch Your Step' and will be launched in mid-October. There will be a range of events, involving HSE and LAs, across the country.

Discussions and consultations

Opened

- Consultation: Proposals to amend the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999

Visits and Conferences in September

Lord Hunt is attending

- a range of sites with HSE inspectors to find out more about our work
- the Offshore Europe Oil and Gas Exhibition in Aberdeen
- the HSC Labour Party conference fringe event
- TUC conference, launching HSE's revised workers' web pages

Bill Callaghan and Commissioners are hosting fringe events at the three main party conferences.

Bill Callaghan and Justin McCracken are holding a Strategy Roadshow/open meeting with staff in the Leeds Area Office.

Bill Callaghan is:

- chairing a DTI Presidency event in London on high performing workplaces
- speaking at the Welsh Assembly Government Conference in Cardiff

Recruitment Report Table April 2004 - Present

Grade	Discipline	No of vacancies	No of job offers	No of appointments taken up
Band 6	Admin	138	135	112
Band 5	Librarian	2	2	2
Band 4	Legal trainee	2	2	2
	Statisticians	2	2	2
	Information officers	1	1	1
	Press officers	2	2	2
	Librarians	1	1	1
	Policy and Delivery Managers	15	15	15
	Trainees inspectors	70	70	70
	Regulatory Scientists	12	12	0
Band 3	Specialist inspectors (FOD/HID/OSD/NSD)	72	68	30
	Information officer	1	1	0
Band 2	Information officer	1	1	1
	Lawyers	1	1	1
	Social Scientists	3	3	2

Campaigns planned for remainder of 2005/2006

1. Twenty band 5 “cadets” to be based in London. (the term “cadets” is likely to change - This recruitment will be a feeder grade/route into other career options –e.g. band 4 policy advisers and trainee inspectors. This will not be the only route into those posts; we will continue to use the existing recruitment mechanisms.)
2. Fifteen specialist inspectors across a range of disciplines and across the country for FOD.
3. Fifteen specialist inspectors across a range of disciplines for OSD
4. Fifteen specialist inspectors across a range of disciplines for NSD
5. Fifteen policy and delivery managers for Policy Group
6. Band 6 posts are support staff in regional offices

Notes.

The period April to present has been selected because most of the 2004/05 recruitment started at the end of work year 2004/05 and continued into the work year 2005/06.

Recruitment of specialist inspectors is the one area where we seem to be less successful in getting people into post. In this area we have a greater number of candidates who have to give significant notice periods and also where we have to obtain high levels of security clearance before we can offer posts.