

## HSE CHIEF EXECUTIVE'S REPORT TO THE HSC – NOVEMBER 2005

This report covers October and November 2005. This my first report to the Commission in my capacity as Chief Executive. It covers a period when Justin was acting Chief Executive and the outline of the report was discussed with him and Jonathan Rees. I would welcome feedback from the Commission on how they would like to see the report develop to better meet their needs.

### **Highlights:**

- 1. Annual Statistics and Conference.** The annual statistics were released on 8 November, the same day as the HSC Stakeholder Conference. These show encouraging progress on the revitalising targets. A separate paper discusses implications in more detail.
- 2. UK Presidency of EU.** 3 successful events have been held as part of the UK's Presidency of the European Union, a conference on the future of Occupational Safety and Health in the EU; a meeting of European Directors General; and a Senior Labour Inspectors conference. The first 2 meetings focussed on influencing the development of the next European Union strategy on Occupational Health and Safety. As a result a letter has been sent on behalf of the UK and Austria and Finland (which hold the next 2 Presidencies) setting out suggestions for priority themes for the next strategy to the Commission. The aim is that the EU strategy is consistent with the HSC strategy and HSE's developing approach to Modern regulation.  
  
The Senior Labour Inspectors conference included a thematic day where 6 practical examples of interventions to improve occupational health were discussed, helping to spread good practice across Europe. Feedback from delegates to all 3 events has been extremely positive.
- 3. Health, Work and Wellbeing Strategy.** Lord Hunt, Rosie Winterton and Bill Callaghan launched the joint DH/DWP/HSE strategy on 19 October. A stakeholder summit is to be held in Spring 2006. We are planning an HSC discussion in the New Year.
- 4. Administrative Simplification Plan.** HSE published its draft simplification plan on 29 November following discussions with the Cabinet Office, and recognition of HSE's strong performance as a regulator. The plan was circulated to HSC as a MISC paper.
- 5. Pay.** HM Treasury has now agreed a three year remit for pay after some delay. Discussions with the TU side are now underway.

**Geoffrey Podger**  
**November 2005**

## ANNEX 1

### ANNEX TO CHIEF INSPECTOR'S REPORT: 6 DECEMBER 2005

#### Key Developments:

##### **Management**

- Allan Sefton, HSE's Director of Rail Safety and Chief Inspector of HM Railway Inspectorate, retired on 2 December 2005 after 36 years in the civil service. Linda Williams has taken over as Chief Inspector.
- The posts of HR manager and Chief Scientist were placed in the Sunday Times
- Budget allocations for 2005/06 have been made and are in line with the 3-year business plan, with priority to the FIT 3 and delivery arms.
- The fundamental strategic level review looking at major areas of HSE's business will start on 15 December. Bill Callaghan and Judith Hackitt will attend the first meeting.
- The HSE Board met on 2 November in Birmingham. It discussed the stress management survey, marketing HSE as a better regulator, and taking forward the outcomes from the Senior Civil Service Leadership meeting in Cardiff last month.

**Local Authority Partnership Extranet.** Designed to give Local Authority staff involved in health and safety regulation access to up to date information and guidance and so facilitate closer partnership working between HSE and LA staff, Extranet was launched in October.

**Sensible risk debate.** The Association of Personal Injury Lawyers held a panel discussion meeting, with Bill Callaghan attending as a panel member, at the House of Commons on 28 November, focusing on the exposure to risk.

Actions proposed for the coming months are:

- Launch of the sensible risk principles, potentially in House of Lords January 06
- Mailing of update for "health and safety handbook" on sensible risk principles to all MPs and selected peers Jan-Feb 06
- Evidence to Lords Economic Affairs Committee inquiry into risk in January 06
- Evidence to Constitutional Affairs Committee inquiry into Compensation Culture January 06
- Evidence to Science and Technology inquiry into risk (Mid December 05).

**Worker Safety Adviser Challenge Fund.** Third round opened in November, making a £1M fund available to small businesses that show a commitment to improving worker involvement in health and safety.

**Transfer of Safety Regulation to ORR.** Alistair Darling MP wrote to Bill Callaghan on the 14th November and confirmed that the Department for Transport are expecting to make the enforcement regulations by the end of February 2006 with a transfer date of the 1st April 2006.

### **Operations**

- 42 fatalities were reported to HSE in October and November. Brief details are given in annex 2.
- HSE are prosecuting Network Rail Infrastructure Ltd and Amey Rail Ltd in connection with the derailment at Southall in 2002.

### **Campaigns, initiatives and publications**

- An advertising campaign on the business benefits of health and safety, aimed at SMEs, will be running from 9 January to 5 February
- Health and Safety statistics 2004/05 launched on 8 November

### **Closed Consultations**

- *Railways – Joint Department for Transport and HSC consultation on Interoperability and railways and other guided transport systems (ROGS)*  
Discussion ended 15 November 2005
- *Proposals for amendments to the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999*  
Discussion ended 31 October 2005
- *Railways - Management of Contractors – Informal Consultation*  
Discussion ended 7th October 2005

### **Current Consultations**

- *Proposals for revised Asbestos Regulations and an Approved Code of Practice*  
Closing date 31 January 2006
- *Alternative penalties for health and safety offences*  
Closing date End of 2005
- *Nil Safety Assessment Principles(SAPs) Revision Project (Rev 2)*  
Closing date 25 November 2005

**Regulations.** Offshore Installations (Safety Case) Regulations 2005 laid before pParliament and will become law in April 2006.

### **Parliamentary business**

- Bill Callaghan and Jonathan Rees gave evidence to the Home Affairs and Work& Pensions draft Corporate Manslaughter Bill sub-committee and Bill gave evidence to the Health Select Committee on Smoking in public places.
- 34 PQs were dealt with in October and November, including a number on asbestos and 2 on fireworks.

## ANNEX 2

**FATALITIES REPORTED TO HSE DURING OCT/NOV**

AGE	INDUSTRY SECTOR	DESCRIPTION
61	Dairy & beef farm	DP found lying on ground between wheels of Manitou telescopic handler
52	Farming	DP loose control of the quad bike and ran into a wall
41	Domestic refurbishment	DP fell approximately 11m while trying to install double glazed windows
66	Construction	DP collided head-on with three concrete Jersey barriers placed across the old A228
70	Agriculture	DP fell from a ladder
45	Other Construction	A beam weighed 900 kgs fell off the lorry and onto the DP
56	N/A	DP found dead in bed. CO poisoning suspected
92	Local Authority	A large beech tree fell onto her while sitting on a park bench
30	Coating of Metals	A dislodged beam struck the DP during a lifting operation
2	Livestock farming	DP gain access to disused uncovered sheep dip bath containing 3 ft of liquid, unable to climb out and probably drowned
53	Construction	DP fell approx 30 ft from scaffold
69	Services	DP slipped and fell (striking head) whilst getting into the bath
72	New build school	DP fell from a ladder whilst cleaning the inside a window
32	Road maintenance	DP was hit by oncoming vehicle while trying to provide assistance in directing traffic on a motorway
51	Manufacturing	DP sustained fatal crush injuries whilst carrying out intervention at rear of Simnol coating machine
73	Services	DP was scalded as a result of hot water coming out of the tap instead of cold water
80	N/A	DP entered a coned off dead lane and travelled some distance before striking a section of metal 'varioguard' barrier
N/A	Other Construction	Panel 4 X 15 ft approx fell over crushing DP
23	Agriculture	DP trapped under the cultivator
43	Agriculture	DP was crushed between the bale and a steel upright on the shed
74	Services	DP found dead in her room, the cause of death was given as asphyxia
56	Services	DP fell from a third floor window

32	Cargo/Docks	DP was sitting to one side of the vessels loading ramp when a Tugmaster slid sideways on the steel deck and collided with him
58	Cement manufacture	DP was crushed between fixed storage racking and the leading edge of pallet on the forks of a lift truck
50	Electrical	DP was struck and killed by lorry whilst testing recently installed street lights
28	Minerals	DP caught up and killed in materials conveyor belt
50	Domestic – loft conversion	DP fell approx 8m from the roof
40	Roofing	DP died during surgery
52	Manufacturing	DP was on trailer removing straps/chains for front part of load as part-load raised, trailer titled causing load to shift, falling onto DP
32	Refurbishment/repair non domestic	DP fell from tower scaffold platform
14	Education	DP and other went caving with tour leader/instructor. When leaving it was noticed DP was missing. Pronounced dead later in hospital
33	Manufacturing	DP was working on a fuel tank for articulated earthmover, when the tank blew off hitting him on head
80	Services	DP fell down the stairs
87	Services	DP died due to bad water mixer resulting in scalding of both feet and lower legs
N/A	Leisure/electrical contracting	DP was trapped between the underside of a sloping roof truss and the top of the basket on the cherry picker
22	Military training	DP's primary parachute failed to open
63	Animal feed	DP fell approx 5m
38	Police	DP was fatally shot
N/A	Small roadworks	DP fell from trailer approx 1.8m
54	Day care/ Social work	DP died from choking
N/A	Plastics	DP found on the floor at the side of shredding machine by fellow employees
50	Agriculture/Ag Machinery	DP got trapped inside the drier while servicing the grain drier