

HSC/E
Second Simplification Plan
December 2007

HSC/E's second annual simplification plan outlines the progress we have made in simplifying compliance with health and safety law over the past year.

The plan complements HSC's Strategy for workplace health and safety in Great Britain to 2010 and beyond and contributes to three of HSE's four key business areas as outlined in the HSC Business Plan 2007/8:

Delivering health and safety outcomes

Better, smarter legislation is easier to understand and apply. This can help secure stronger commitment to compliance, leading to better health and safety levels in the workplace.

Providing support to Government

Annual simplification plans are a cross-government initiative and support the Government's better regulation agenda to reduce the costs to businesses of compliance with legal requirements.

Demonstrating public accountability

Clearer, simpler guidance helps employers and employees to know what is required of them. The publication of the simplification plan tells all HSE's stakeholders what it has done and plans to do to simplify legislation and guidance on health and safety in the workplace.

[Quote from new Chair?]

Judith Hackitt

Chair, Health and Safety Commission

October 2007

Executive summary

1. HSC/E's simplification plan is a rolling plan, published every year. This year's plan shows progress since the 2006 version and includes additional initiatives, not previously listed.
2. The Health and Safety at Work Act 1974 and the legislative framework it put in place has helped to achieve significant improvements in health and safety in the workplace. In many areas of the economy, such as high hazard installations (oil refineries, chemical works, etc), a strong regulatory and enforcement system is key to public confidence.
3. However, no-one wants unnecessary paperwork or bureaucracy. In 2005 the Government committed all departments to measure, and then reduce, the administrative burdens their legislation places on businesses. The Health and Safety Commission (HSC) and its Executive (HSE) gave a commitment to work towards a 25% reduction in administrative burdens from 2005 levels (see Administrative Burdens Measurement Exercise (ABME) section, page 11) while ensuring that the changes will not result in a reduction in worker or public safety.
4. The measurement exercise indicated a total annual administrative cost of health and safety legislation of £2.03 billion, and therefore an estimated reduction of £508 million is needed if we are to meet our 25% target.
5. In the 2006 plan a number of key simplification initiatives were outlined:

| Initiative title and description | Estimated ABME cost savings¹ (m = million) | Detail table item No. |
|--|--|------------------------------|
| <u>Sensible Risk Management</u> Increase compliance and simplify guidance. Encourage proportionate risk assessment and management. | Target for reduction: £200m | A1/B1 |
| <u>Gas Safety (Installation & Use) Regulations</u> Review of the gas safety regulatory regime and landlords' gas safety check. | No calculation yet possible | B2 |
| <u>Forms projects</u> Three projects to reduce the number and burden of HSE forms. | £23m | A2/B3 |
| <u>Lifting Operations & Lifting Equipment Regulations</u> New guidance to clarify thorough inspection requirements. Research to support a review of the regulations. | Potentially up to: £33m | B5 |
| <u>Health and Safety Information for Employees Regulations</u> Research the effectiveness of the approved health & safety poster/ leaflet and investigate delivery options for the information on it. | No calculation yet possible | B6 |
| <u>Construction Regulations</u> Simplify the process for checking contractor's competence and consolidate four pieces of legislation into one. | RIA estimates the saving ² to be: £106m -226m | A3 |
| <u>Control of Substances Hazardous to Health</u> Rationalise guidance and make it more accessible. Focus on key 'how to' information for employers. | Target for reduction of risk assessment element: £11m | B7 |

¹ With the exception of the construction regulations, the figures included here are taken from the Administrative Burdens Measurement Exercise (ABME) and are not statistically robust. See section on ABME for more information.

² the construction project expects to achieve up to £226 million savings for business, but addresses costs not included in the measurement exercise

6. There are simplification projects outlined in this document that do more than reduce the administrative costs estimated by the ABME. One significant change is the new Construction (Design and Management) Regulations 2007, which provided the industry with around £160 million savings per year by simplifying a number of the processes involved. These types of cost savings may not count as administrative burdens, but they will make a real difference to business.
7. The timetables for many of these initiatives were longer than one year and so they are still on-going. Progress and updated timetables are outline in this plan. Additional key initiatives in the 2007 plan are:

| Initiative title and description | Estimated ABME cost savings (m = million) | Detail table item No. |
|--|---|-----------------------|
| <u>Construction</u> Work with the Department for Communities and Local Government (CLG) to consider the opportunities for moving towards integrating the planning, building control and CDM regimes to consider how best to join up the building control systems. | No calculation yet possible | C1 |
| <u>The health and safety policy document</u> Review of the overlaps and possible duplication in the requirement for a written policy and a written record of health and safety arrangements. | Potentially up to: £26.5m | C2 |
| <u>Manual Handling Regulations</u> Clarifying the requirement to make sure workers know the weight of loads, to reduce unnecessary/duplicate labelling. | Target for reduction of: £32.5m | C3 |
| <u>The requirement to label drinking water</u> New/revised guidance to clarify the need to label where a water supply is not for drinking, not to label all drinking water. | Potentially up to: £17m | C4 |

8. HSC/E's simplification plan will be updated annually as it progresses. This, the 2007 plan, details projects that are designed to address the 25% target for administrative costs reduction if successful.
9. HSC/E's better regulation work goes much wider than the administrative burdens target. Other significant projects that have taken place in 2006/7 include:
- HSE legislation webpages, listing all current and planned workplace health and safety regulations, sortable by sector and for most with links to the statutory instruments and relevant HSE webpages.
 - The initiation of a project to improve information and guidance to SMEs - designed to examine HSE's engagement with smaller businesses and to make recommendations for improving information and guidance, in particular, to meet SME needs.
 - Effective and efficient mergers with the other regulators proposed by the Hampton Review
 - Influence within the European Union to encourage and maintain the drive towards better regulation. HSE successfully defended the use of 'so far as is reasonably practicable' in health and safety legislation at the European Court of Justice, and has been instrumental in convincing the European Commission to revisit the Electromagnetic Fields Directive, including a significant postponement of the implementation deadline.
 - Internal seminars for staff, designed to: encourage policy officials to include, from the beginning, impact assessment in the policy development process; challenge

the need for regulation where other policy options may be more appropriate; and embed the need to make compliance with requirements and guidance as simple and low-cost as possible.

10. To do these things successfully HSE needs to work in partnership with all its stakeholders³, such as Local Authorities, businesses and other dutyholders⁴, trade bodies and trade unions.
11. Since the publication of the 2006 plan, HSE has been working closely with representatives from business, the public sector and trade unions, to consider how to minimise the amount of paperwork businesses are doing to comply with health and safety requirements.
12. HSE has successfully completed a number of simplification projects, including: simplifying the reporting of injuries; reducing the stock of forms; making the list of health and safety legislation available on the web; simplifying both the construction and asbestos regulations.
13. The plan will continue to be updated and amended over time to reflect progress and to include new projects as they are developed.

³ Stakeholders are: organisations or individuals who have an interest in and can have significant influence on occupational health and safety.

⁴ Dutyholders are: those who have duties under health and safety legislation.



Introduction

14. The Health and Safety Commission and its Executive, together with Local Authorities⁵, 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.
15. 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 improved. The better regulation agenda is part of this.
16. Better, smarter legislation is easier to understand and apply. This can help secure stronger commitment to comply 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.
17. Wide promotion of health and safety using non-legislative routes to improvement, especially in lower risk areas, also has a vital role, not least in reaching small- and medium-sized enterprises (SMEs). Guidance, campaigns and tailored advice help build understanding that well-managed health and safety brings business benefits.
18. As in 2006, this plan does not include initiatives proposing to change regimes affecting the high hazard industries.
19. Over-arching elements within the plan link to HSC's Strategy and aim to improve health and safety outcomes while reducing costs to dutyholders. These include:
 - Simplification for both employers and employees to help them concentrate on improving outcomes rather than bureaucratic processes.
 - Sharpening the focus on risks that can cause frequent and/or serious harm, questioning whether alternatives to regulation are more appropriate in some circumstances and rebalancing interventions with more emphasis on advice and prevention.
 - Ensuring that we target the right advice at the right people, by looking at the needs of dutyholders, and engaging and consulting better, building on our initiatives like Infoline, Health and Safety Awareness Officers and the Workplace Health Connect pilot.
 - Joined up interventions with business including: more effective partnership with Local Authorities to secure a consistent, targeted approach to enforcement; and new arrangements for engaging with large organisations to ensure that interactions are coordinated, proportionate and consistent.
20. Local Authorities play a vital role in raising the standard of occupational health and safety in Britain, providing advice and support to businesses, and consistent, effective enforcement. There are a number of initiatives which exemplify this, such as the Local Authority Partnership itself, the Large Organisation Partnership Pilot, the 'sign-up to sensible risk' campaign with the Local Government Association and Local Authority input to developing the example risk assessments.
21. The 2007 HSC/E simplification plan consists of:
 - A narrative section outlining:
 - what HSE has achieved in better regulation since the publication of the 2006 plan;
 - how HSE consulted on the plan as it developed;

⁵ 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.

- the cross-government administrative burdens measurement exercise and how it feeds into the plan;
 - overview of the key initiatives in the 2006 plan and the progress made;
 - overview of the additional key initiatives in this plan;
 - other simplification initiatives including stakeholder simplification proposals and progress made;
 - a summary of wider work on better regulation, such as HSC/E's response to the Hampton review - Working to the Hampton Agenda;
 - work that HSE has done in Europe to apply better regulation principles; and
 - how the plan will be monitored, reviewed and kept up to date over time.
- Detail tables:
 - Table A showing what we have achieved on completed initiatives;
 - Table B showing progress on the on-going initiatives in the 2006 plan;
 - Table C showing additional initiatives to deliver simplification and wider better regulation in HSE.
 - Annex 1, listing new regulatory changes that have come into force since September 2006 - when the simplification plan was first published.
 - Annex 2, listing the simplification suggestions received from stakeholders between October 2006 and June 2007.
22. HSC/E cannot change the health and safety landscape alone. Success in better regulation also depends on stakeholder groups and businesses playing their part. HSE has been working in partnership with these bodies for many years and this work has increased during 2006/7. Together we can continue to work towards better compliance, through simpler guidance and a proportionate response to risk.

What HSC/E achieved since October 2006

23. 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%. Long before the 2006 simplification plan, a risk-based approach was already firmly embedded in the regulatory framework and a modern approach to control of major hazards was in place.
24. Commitments in the 2006 plan that have been delivered include:
- Over 50% of HSE's forms have been discontinued as they were no longer necessary.
 - Webpages were launched in October 2006 listing all of HSC/E's stock of primary and secondary legislation, with links to the statutory instruments, guidance and forthcoming regulatory changes.
 - New, simplified reporting of accidents and incidents was launched in March 2006. This showed businesses what to do if they had to report an incident as required by RIDDOR⁶.
25. The amended Construction (Design and Management) Regulations came into force in April 2007, consolidating four sets of regulations into one and restructuring, simplifying and clarifying the Regulations, including simplifying the project notification threshold requirements for formal appointments and plans, and the process for checking dutyholder competence. Key industry stakeholders expressed strong support for the new regulations.
26. In November 2006 the Control of Asbestos Regulations 2006 came into force; reducing three sets of regulations into one and removing the requirement to have a licence for work with asbestos-containing decorative coatings.
27. More detail on all of the completed initiatives is laid out in table A at the end of the plan.
28. In addition, HSE has made significant progress in the wider better regulation context. For example, the guidance jointly produced with the Electrical Contractors Association on competence schemes, and work with the Environment Agency to consider scope for data sharing and joint working.

Health and safety legislation list

In response to a stakeholder suggestion for a list of all health and safety regulations, HSE has created its Legislation web pages - much fuller and more interactive than just a list.

In its first month the Legislation site received nearly 24,000 hits. Since then the site has an average of 22,200 hits per month.

HSE webteam statistics

"...what this legislation is based on is the fact we have a world class industry that will continue to change and health and safety is an integral part of our duty, so we should welcome this. I think it is good government, I think it is quite brave government..."

Keith Clarke, CEO of Atkins
and Chair of the Construction Industry Council's
H&S Group

⁶ RIDDOR – The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

29. Also within wider better regulation, HSE has made progress on negotiating in Europe to ensure that better regulation principles are taken into account during the development of EU policy. HSE successfully influenced the Council resolution on the EU Occupational Health and Safety Strategy to 2012 to include a call on the European Commission to improve and simplify the administrative and regulatory framework by taking into account the EC's commitment to reduce administrative burdens by 25%.
30. HSC/E has continued to build closer working relationships with Local Authorities to ensure a consistent, proportionate and targeted approach to enforcement, such as the Local Authority Chief Executives' commitment to the Principles of Sensible Risk Management at the Local Government Association conference in July 2007.

Consultation on the simplification plan

31. HSE engaged its stakeholders in the development of its first simplification plan. This included seeking comments on an early version in November 2005, which was posted on the HSE website. We also presented the plan to HSE's Small Business Trade Association Forum (SBTAF) inviting comments and ideas for simplification.
32. For this, our second plan, HSE set up a stakeholder group of representatives from business (large and small), the voluntary sector, local authorities, and trade unions. This group discussed an early version of the plan and their input has been reflected in the final version. We also consulted a wider network of representatives of small business through the SBTAF e-Consultation.
33. Each initiative in this plan is developed and delivered in consultation with appropriate industry stakeholders. This ensures that HSC/E's simplification programme is subject to regular and detailed scrutiny by bodies with the relevant industry sector expertise and experience.
34. The Better Regulation Executive also has a web portal through which stakeholders can submit proposals for regulatory simplification, which are then distributed to the relevant Government Department(s) for consideration. The Government is committed to responding within 90 days. Where appropriate these have been included in the plan. Since publication of the 2006 plan, HSE has received only five new suggestions. Two were rejected as they misinterpreted the requirements. Three, from individuals at Borough of Poole and Dupont Ltd, are being considered further as part of HSE's project to improve information and guidance to SMEs.
35. HSE has worked closely with the Better Regulation Executive on their 'Regulation and Business Advice' report and the National Audit Office on their examination of the delivery of the administrative burdens reduction programme. A consistent thread running through the responses from businesses received as part of the research for these reports was the level of uncertainty and complexity experienced by dutyholders, in particular SMEs, when trying to understand the requirements that apply to them. HSE sees tackling this problem is a key feature of the simplification programme and is tackling it through initiatives such as Sensible Risk Management and the COSHH guidance project.

"[The NAO] survey focused on the five areas of law that...created the highest administrative burdens... responses relating to health and safety were consistently more positive than other areas.."

National Audit Office
Administrative burdens report*
July 2007

* Reducing the Cost of Complying with Regulations: the Delivery of the Administrative Burdens Reduction Programme, 2007 - National Audit Office 25 July 2007

The Administrative Burdens Measurement Exercise (ABME)

36. The ABME was a government-wide exercise, carried out to provide an indication of the administrative burden on industry created by regulations. It estimated the cost associated with complying with administrative tasks (form filling, record keeping, etc) and so gauged the total annual administrative cost contained in all legislation in force in May 2005. A list of health and safety legislation that has been introduced subsequently is attached in annex 1.
37. The ABME provided HSE with an estimated total baseline figure of £2.03 billion⁷. HSC/E have given a commitment to work towards a 25% target reduction in administrative burdens by May 2010. HSE is therefore aiming to make a reduction of £508 million on our 2005 baseline.
38. The ABME identified ten sets of regulations that account for 77% of HSE's total annual costs figure.
39. The 10 regulations are:

| Regulation | Top costing administrative elements |
|---|---|
| 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 fulfil 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 |

40. In reaching its target reduction, HSE is taking 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 45).
41. HSC/E's simplification plan is a rolling programme, to be updated as it progresses, with new initiatives being added and old ones coming to an end. This, the 2007 plan details projects that are designed to address the full 25% target for administrative costs reduction if successful.
42. In each subsequent year HSC/E's simplification plan will assess what reduction in administrative costs has been achieved and what new initiatives are possible.

⁷ After the removal of 'business as usual' costs - costs for activities that businesses would do anyway irrespective of legislation.

43. Many of the largest burdens are where the requirement applies to all businesses and the cost to individual dutyholders is quite small. Another subset of the highest cost administrative burdens consists of requirements to provide information to third parties, such as employees. 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.
44. In general, occupational health and safety regulations do not specify a required format for this information. Instead, HSE has adopted a goal-setting approach, requiring the dutyholder to provide suitable and sufficient information, not dictating how they provide it. Often it is the interpretation of the legal requirements (by the business themselves, their advisors, or others) that results in high administrative expenditure on compliance, rather than the law itself.
45. HSE is, therefore, focussing its efforts on simplifications and other initiatives that will make a significant difference to dutyholders, even where this is not reflected in a large numerical reduction in the administrative burden as it was measured. One example of this is the range of culture-change work HSE is doing both internally and with Local Authorities. This includes 'Better Policy Making' seminars for HSE policy staff run by the Better Regulation Team and the Economic Advisers Unit, the Local Authority Partnership Programme and HSE's SME Information, Advice and Guidance Project. There are more details on all of these initiatives in the section on wider better regulation initiatives on page 24. Another example is the new Construction (Design and Management) Regulations 2007 - deliberately developed on better regulation principles, to reduce administrative costs on business, even though these were not included in the ABME.

“As a main simplification measure, HSE is seeking to provide more straightforward information and guidance to provide greater clarity and reduce complexity. This matches the type of measures that businesses cited [in the NAO survey] as important in improving their experience of complying with health and safety law.”

National Audit Office
Administrative burdens report
July 2007

Overview of the key initiatives in the 2006 plan and the progress made

46. To make a significant difference to dutyholders, in the 2006 plan HSE focussed on those initiatives that:
- Addressed the highest cost requirements as shown in the ABME
 - Removed/reduced forms requirements
 - Affected the largest numbers of dutyholders
 - Addressed stakeholder proposals where appropriate
 - Could quickly and easily simplify HSE's stock of regulation and guidance.
47. The elements in the key initiatives section of the plan were:

| Initiative Title | Summary description |
|--|---|
| 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 |
| 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 |
| Forms projects | Three projects looking to reduce the amount and burden of HSE forms |
| 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 |
| Health and Safety Information for Employees Regulations | Proposed by a senior Local Authority EHO. Consideration of the usefulness of the approved health & safety poster/ leaflet and investigation of delivery options for the information on it |
| Construction Regulations | To restructure and simplify, including simplifying the project notification threshold, requirements for formal appointments and plans, and the process for checking dutyholder competence |
| Control of Substances Hazardous to Health Regulations | Rationalising guidance, making it more accessible and focusing on key 'how to' information for employers |

48. The following is a summary of progress on these key initiatives:

Sensible Risk Management (SRM)

49. 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.
50. 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 estimated total baseline.
51. The Sensible Risk Management project

"Our main messages are clear. Don't overcomplicate things, keep your risk assessment fit for purpose, make it a living document and act on it. By itself, filling in a form never saved a life"

Sir Bill Callaghan,
HSC Chair 1999 - 2007
July '07

was initiated in 2006 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 has built upon this project over the past year, getting businesses and Local Authorities to focus more on practical risk management and less on documentation for its own sake. The last 12 months have been very successful at raising awareness and if we can continue this success we 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.

52. There were a number of elements to the SRM initiative that took place this year. These included:
- hosting a workshop in partnership with the Department of Constitutional Affairs and Local Government Employers for key stakeholders which looked at risk in local government,
 - launching 'Myth of the Month'. Promoted via stakeholders and the media, this campaign uses cartoons to tackle some of the most common myths that can lead to businesses 'complying' with bureaucratic 'requirements' that do not really exist.
 - The Local Government Association and HSE launched a 'sign up to sensible risk' campaign at the LGA national conference in July. Local Authority Chief Executives publicly signed up to the principles of sensible risk management, sending out a strong message about their approach, both as a duty holder and as a regulator.
 - Working with the education sector to challenge misconceptions about health and safety requirements. An article was published in *Governors Agenda* in May and work is underway to develop succinct, straightforward risk assessments that identify real risks and the practical solutions to control them, for publication in October.
 - The publication of around eight more example risk assessments (example RAs) as part of a significant project to embed sensible risk management across business sectors:
53. The Embedding Sensible Risk Management project is targeting mainly lower risk small and medium-sized businesses. The example risk assessments are simple, easy to use guidance that help a business see what a 'good enough' record of a risk assessment for a business in their sector might look like. The full list of example RAs published by November 2007 now contains:
- a motor vehicle repair garage
 - a contract bricklayers
 - a warehouse
 - a convenience store/newsagents
 - an estate agency
 - an office cleaning contractor
 - a hairdressing salon
 - a cold & chill storage facility
 - an off-licence
 - a betting shop
 - a dry cleaners
 - for professional and business services (office-based businesses)

54. HSE worked closely with stakeholders in each sector to produce the examples, for example:

- for a **convenience store/newsagents** we worked with the British Retail Consortium, the National Federation of Retail Newsagents, Association of Convenience Stores, Association of News Retailers and the Union of Shop, Distributive and Allied Workers;
- for an **estate agency** we worked with National Association of Estate Agents, and its affiliated body, the Institution of Commercial and Business Agents and the Suzy Lamplugh Trust, a personal safety charity;
- for a **general office cleaning contractor** we worked through the HSE-chaired Cleaning Industry Liaison Forum, which includes representatives from business, employees, trainers and insurers, most notably the Cleaning and Support Services Association, UNISON and the Institute of Cleaning Machine Manufacturers Association.
- for a **hairdressing salon** we worked with the National Hairdressing Federation, Habia (the hair and beauty standards and training body), Wella Ltd (a major supplier to the hairdressing industry) and a Local Authority Inspector.

“I have taken a look at the [example] risk assessment and ... I am happy that I did. Before reading [it] I was unsure of what exactly needs to be covered in the risk assessment for my business and was finding it difficult to get to grips with it. However, since reading it I have now completed my risk assessment and it took a fraction of the time I had spent on researching the topic.”

Convenience store owner,
Birmingham - September 2007

Gas Safety (Installation & Use) Regulations

55. In 2006 HSE completed a major review of the whole domestic gas safety regime. Following this review, proposals are being taken forward to introduce competition into the gas installer registration scheme, simplify the registration arrangements and reduce burdens on gas installers. The overall objective of the reforms is to modernise the regime and improve gas safety for the domestic consumer.
56. A new gas installer registration scheme is being developed and a tendering process was launched in July 2007. HSE will appoint a single provider to run the scheme and is seeking innovation in the delivery of existing and new responsibilities. These will include leading industry action on public awareness of gas safety and providing new incentives to registration such as a simplified registration process. There is also a requirement to set fees for registration at affordable levels, working to reduce them in real terms during the 5 year lifetime of the agreement.
57. HSE also committed to undertaking a review of the annual check of gas appliances by residential landlords, as the ABME indicated that it places a high cost on dutyholders. This is due in large part to the number of such appliances throughout the domestic rented accommodation sector. However, this requirement is not currently risk-based: it is uniform across all appliances irrespective of age, type or evidence of level of risk. In 2006 research was carried out to consider whether a risk-based approach to these checks could be developed, but the results suggested a complicated picture and did not provide obvious options for simplification. Now that the new registration scheme process is underway, HSE is planning a public

consultation on possible changes to the landlords' gas safety check requirement in the first half of 2008.

Forms project

58. The removal of forms which are outdated, unnecessary or which duplicate information gathered elsewhere was a recommendation of the Hampton review. To facilitate this HSE undertook a zero-based review of all its forms and concluded that 54% of the current stock of forms could be removed quickly as they are no longer in use and are not required by law. This work was completed in April 2007. 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.
59. The Factories Act (FA) and the Offices, Shops and Railway Premises Act (OSRPA) have been considered for repeal alongside the removal of forms FA and OSR1, required for registering new businesses, and 7 other FA forms. It was found that the public resource needed for the complete repeal of both Acts would not be proportionate to the limited practical benefit this would provide to businesses.
60. The project to remove all the forms without repealing the Acts was initiated in August 2007. This will require stakeholder consultation, particularly with the Local Authorities as most OSR1 forms are submitted to them, in order to amend the legislation. The project is expected to take approximately 15 months to complete and the amended law will come into effect in line with the common commencement date of April 2009. If it is possible to completely remove all these forms the saving to business from the ABME total will be approximately £21 million.

Lifting Operations guidance

61. This project is addressing concerns over a lack of clarity and possible overlap in the requirements of two sets of regulations: the Provision and Use of Work Equipment Regulations and the Lifting Operations and Lifting Equipment Regulations. In order to provide a proportionate response to these concerns, a staged response to the perceived duplication of requirements has been developed. This allows us to consider the effectiveness of the previous stage in refining the next one. The stages are:
 - a preliminary investigation into stakeholder views on: having 2 sets of regulations, complexity, and fitness for purpose. This has been completed;
 - provision of new web guidance on thorough examination of fork lift trucks. This is to be published in Autumn 2007;
 - new guidance on inspections/examinations of lifting equipment to clarify legal requirements. Consultation of the first draft is currently underway;
 - a review to consider whether the complexities/ambiguities for dutyholders have been addressed by the guidance or whether further action is necessary.

Health and Safety Information for Employees Regulations

62. A review of the requirement for dutyholders to purchase and display the HSE approved poster/distribute the HSE approved leaflet was proposed by a Senior Environmental Health Officer. The poster/leaflet provides information to employees on health and safety law and their employer's duties.
63. HSE committed to looking at options for amending or removing the requirements to purchase and display the poster/distribute the leaflet. Alternative ways of providing information to employees is also being considered. Research into the usefulness of the poster has been completed and a number of options have been developed. Following an initial Health and Safety Commission discussion in Autumn 2007 the

team is investigating how options might be delivered, in particular, looking at what flexibility there is within the regulations to reduce the cost of compliance.

Construction

64. The ABME indicated that the Construction (Design and Management) Regulations 1994 (CDM '94) had a high total administrative cost, but there was no individual requirement that carried the bulk of the burden. The project to amend and simplify CDM was successfully completed, with the new regulations coming into force in April 2007. HSE's regulatory impact assessment (RIA) showed very significant savings for businesses through the improved process for proving competency and the new regulations were warmly welcomed by stakeholders involved in construction. At the same time the project consolidated four sets of regulations into one. However, these costs were not measured in the ABME and so the savings (of between £106 million and £226 million per year) do not contribute to the target HSE has been set for administrative burden reductions.

"UCATT endorses the new Design and Management regulations. ...It is an example of cooperation and simplifying legislation without losing levels of protection."

Alan Ritchie
General Secretary, UCATT

Control of Substances Hazardous to Health

65. HSE's focus is on accessible guidance, easily understood by non-experts and SMEs. This has concentrated work to simplify dutyholders' understanding of COSHH requirements into the two areas outlined in the paragraphs below.
66. HSE has been rationalising the stock of COSHH guidance and making COSHH guidance documents through the web more accessible and easier to use. By April 2007 the stock of guidance had been reduced from 130 items to 30.
67. In addition we are developing key 'how to' information for employers undertaking risk assessments of substances at their workplaces. The revision of the COSHH guidance web pages, to include these simple key messages, is being completed in Autumn 2007. The COSHH Essentials website is also being redesigned to complement this work to make it much more user-friendly. This work is planned for completion in mid-2008.
68. Simpler, quicker access to easy-to-use help will mean more effective, proportionate risk assessment, risk management and staff training. This work aims to achieve savings to many business sectors from gaining access to the right information more quickly.

Other initiatives completed since the 2006 plan

69. Three sets of asbestos regulations were consolidated into the Control of Asbestos Regulations 2006. Following research into the levels of fibre release from such work showing lower levels of risk to workers, the requirement for companies working with textured decorative coatings to hold a licence and to notify HSE or the local authority of each job was removed from the new regulations. Licensing is reserved for high risk work. These simplifications came into effect when the revised regulations came into force in November 2006.
70. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) have been reviewed, and a simple, user-friendly website has been launched together with the promotion of a quick telephone reporting system. These two initiatives have significantly reduced the average time it takes to comply with the requirement to notify HSE of reportable incidents.

71. The Electrical Contractors Association worked with HSE to develop core criteria to tackle the proliferation of contractor health and safety pre-qualification schemes. Following their publication, companies are being increasingly assessed to the core criteria and they will find less need to undertake multiple assessments, with the attendant cost savings.

“The Core Criteria [for electrical contractors] have already been effective in terms of simplifying the ...health and safety regime. All members of the Specialist Engineering Contractors' group... 300,000 operatives, have signed up to it. ...various assessment schemes are beginning to recognise each other, using the Core Criteria... [This] means that many small contractors are having to demonstrate the required standard on fewer occasions, saving time and cost.”

Paul Reeve
Electrical Contractors Association

72. The table below shows approximate savings from the costs for these requirements as estimated in the ABME and should be read in that context.

| Initiatives where work has taken place to date | 2010 target reduction for each initiative | Estimated Savings to May 2007 | Estimated Savings to Nov 2007 |
|--|---|-------------------------------|-------------------------------|
| Sensible Risk Management | £200 million | £400,000 | £28,100,000 |
| Gas Safety (Installation & Use) Regulations | up to £59 million | - | - |
| Forms projects | £20.25 million | £250,000 | £250,000 |
| Lifting Operations & Lifting Equipment and Provision & Use of Work Equipment Reg.s | £33 million | - | £10,000,000 |
| Health and Safety Information for Employees Regulations | £9 million | - | - |
| Construction Regulations | n/a | £160,000,000 ⁸ | £160,000,000 |
| Control of Substances Hazardous to Health Regulations | £11 million | - | £4,000,000 |
| Asbestos - savings from notifications | £290,000 | £290,000 | £290,000 |
| Asbestos - savings from across all business sectors affected | £17.2 million | £27,480,000 | £27,480,000 |
| RIDDOR | £16,600,000 | £16,600,000 | £16,600,000 |
| 'Core criteria' for Electrical Contractors | £170,000 | £170,000 | £170,000 |
| Off-shore installations ⁹ | £3,950,000 | £3,950,000 | £3,950,000 |
| <i>Remaining target reduction</i> | £145,540,000 | | |
| TOTALS to date | £508,000,000 | £49,140,000 | £90,840,000 |

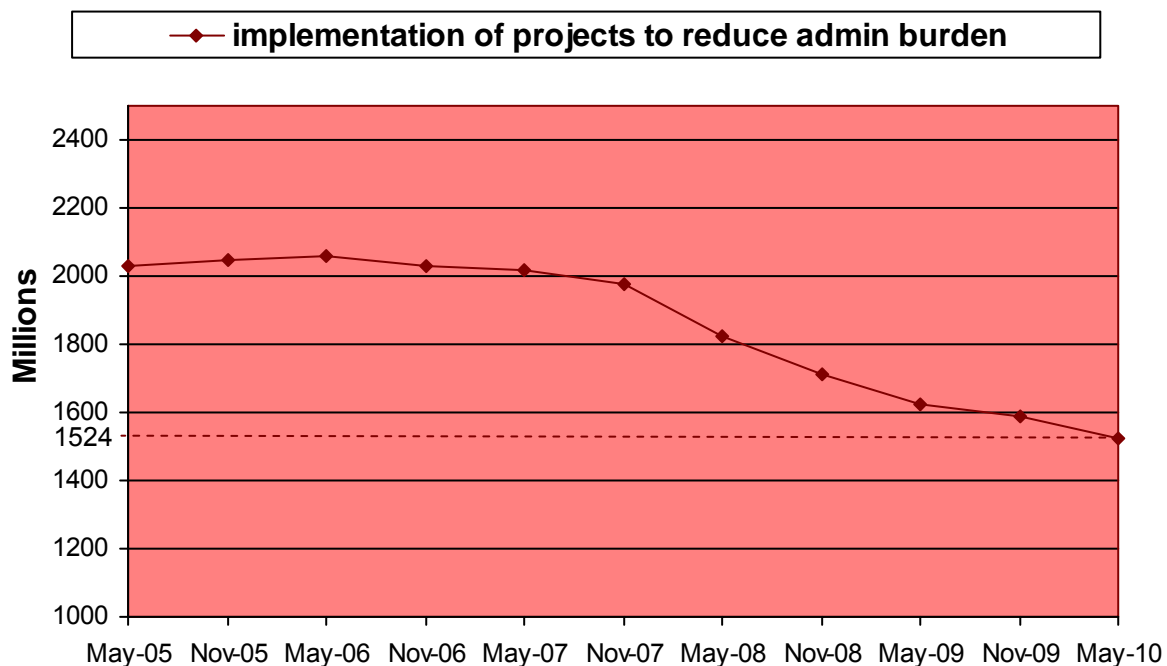
73. By November, the total reduction to the administrative burdens baseline will be £90,840,000, which is almost 18% of our target of £508 million.

⁸ Savings calculated in the regulatory impact assessment. These costs were not included in the ABME estimates and so do not count towards HSC/E's 25% reduction in administrative burden.

⁹ Changes to the regulations to remove unnecessary burdens came into force in April 2006. For details see the 2006 simplification plan.

Timescales for change

74. 'Culture shift', to see health and safety compliance as practical action, proportionate to the real risks (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. All initiatives working to this end will be kept under review and if the expected cost savings are not materialising we will consider the need for legislative change in particular areas, probably through Europe, though this would be to the longer timescale.
75. A number of the simplification initiatives came to an end in 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, with these too 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 the end of the plan's lifecycle in March 2010.
76. The graph below gives an indication of the timeline for implementation of projects contributing to HSC/E's administrative burden reduction:



77. The graph shows six-monthly administrative burden totals as new legislation comes into force and simplifications are implemented. Only legislation planned at the time of writing has been included (see annex 1) and so it is possible that additional costs may have to be added in the future. In the same way, the administrative burden savings may increase according to the success of the projects in this plan and any new simplification initiatives HSE may develop.
78. The main savings are expected between November 2007 and November 2008, when many of the initiatives come to fruition such as publication of more example risk assessments and COSHH guidance.

Overview of the additional key initiatives in this plan;

79. In identifying the new initiatives for the 2007 plan, we applied the same criteria we used in identifying initiatives for the 2006 plan (see paragraph 41). The additional key initiatives are:

| Initiative title | Summary description |
|---|---|
| Construction | Work with CLG to consider the opportunities for moving towards integrating the planning, building control and CDM regimes to consider how best to join up the building control systems. |
| The health and safety policy document | Review of the overlaps and possible duplication in the requirement for a written policy and to keep a written record of health and safety arrangements |
| Manual Handling Regulations | Clarify the requirement to make sure workers know the weight of loads, to reduce unnecessary/duplicate labelling. |
| The requirement to label drinking water | New/revised guidance to clarify the need to label where a water supply is not for drinking, not to label all drinking water. |

Construction

80. Alongside the success of CDM '07, HSE has been working with the Department for Communities and Local Government (CLG) to consider the potential for moving towards better integration of the planning, building control and CDM regimes. CLG is currently carrying out two reviews, to which HSE is contributing, on:
- Building Control regulations and
 - planning.
81. On consideration of the outcomes of these reviews, CLG will be consulting on changes to the regimes and will work closely with HSE to include questions on how best to join up the information requests from regulators to those involved in construction work. Results of this consultation will feed into the development of the project.
82. In addition to the above, HSE is reviewing and revising its construction project notification system. Following this, it will be possible to consider the potential for aligning this notification system with the Department for Communities and Local Government (CLG) planning portal.
83. Planning and building control are devolved matters in Scotland, where the respective national policy leads are the Scottish Executive (SE) and the Scottish Building Standards Agency (SBSA). HSE has been in contact with these bodies about opportunities for joint working. SE has indicated that it will involve HSE in its comprehensive review of the Planning etc. (Scotland) Act 2006, to identify opportunities for closer links between planning and health and safety.

The written Health and Safety Policy statement

84. The Health and Safety at Work Act requires employers of five or more employees to have a health and safety policy document in their workplace. This pre-dates the additional duty in the Management of Health and Safety at Work Regulations, to have a written record of health and safety arrangements.
85. The high cost of the written policy statement in the administrative burden exercise (£53 million) suggests that there may be unnecessary duplication or confusion about the requirements by businesses.

86. HSE has started a project to look at what can be done to simplify in practice the requirement for a written policy statement and health and safety arrangements to clarify what businesses should do, thus removing duplications of paperwork.

Provision of information on the weight of loads in manual handling

87. HSE is looking at what businesses need to know and what information they should be providing to employees to ensure loads are moved safely without imposing unnecessary or disproportionate costs on businesses. Appropriate, simple web-based guidance could then be produced. Wherever relevant the initiative will link with the SRM project and HSE's Moving Goods Safely programme to maximise its reach.
88. The project's aim is to reduce duplication of labelling and business time taken to comply. To this end there will be both internal and external consultation on the new guidance and, after it has been in place for a period of time, there will be an evaluation to check that any confusion or over-compliance has been eliminated.

Labelling drinking water

89. The Workplace (Health, Safety and Welfare) Regulations 1992 require the labelling of water where necessary for reasons of health and safety. The high cost of the labelling requirement in the ABME (£33.7m) suggests that this requirement has been interpreted as the need to label all drinking water regardless of the risk. HSE has revised its guidance to clarify the need to label only where a water supply is not fit for drinking, not to label all drinking water. To support this work HSE intends to publicise the clarification through a 'myth of the month' on signs and labels in the new year.

Other simplification initiatives including stakeholder simplification proposals and progress made

Stakeholder proposals

90. Stakeholders have had the opportunity to suggest simplification initiatives either through the BRE web portal, direct to departments, or via other stakeholder groups that HSE are engaged with.
91. Of the eleven proposals accepted in 2006 plan:
 - Four have been completed - core-criteria for electrical contractors endorsed by HSE, a list of health and safety regulations published, consideration of the certification of gas installers and a review of accident reporting;
 - Three are part of larger HSE projects currently underway - review of the health and safety information poster, review of the OSR1 form for registering a business and clarification of the requirements of PUWER and LOLER;
 - Two required joint working with other Government departments and this is now underway – review of the notification requirements for ammonium nitrate fertilizers (with the Fire Service) and co-ordinated working on radiation policy (with the Environment Agency);
 - One was part of an initiative by the Small Business Service (now the Enterprise Directorate in the Department of Business, Enterprise and Regulatory Reform); and
 - One required working in Europe to propose a simpler process for applying for exemptions under the Genetically Modified Organism (Contained Use) Regulations, and this is being taken forward.
92. Since publication of the 2006 plan, HSE has received very few new suggestions. Of the five received:
 - two were rejected as they were misunderstandings of the law, and
 - three were suggestions from individuals at Borough of Poole and Dupont Limited, which concerned helping small businesses understanding health and safety information. These have been accepted for further consideration as part of HSE's project to improve information and guidance to SMEs (see paragraph 102, below).
93. HSE has been working with the Institute of Directors (IoD) to develop targeted guidance for company directors to explain their duties under health and safety law. It aims to both raise awareness amongst Directors of health and safety responsibilities and de-mystify health and safety law, making it clearer and easier to comply. This jointly-badged guidance will be published in October 2007.

Simplification for the public and voluntary/charity sectors

94. Where legislation places health and safety duties on employers under the Health and Safety at Work Act, these duties apply to all; health and safety law does not differentiate between different types of employer or workplace. In the same way, employees (or those who work for an employer, whether paid or unpaid) have responsibilities under health and safety law regardless of the status of the organisation for which they work.
95. Public sector employers, charities and voluntary bodies all have the same health and safety duties as any private sector employer in the same circumstances. Therefore, the simplification initiatives HSE undertakes will similarly provide cost savings for the public and not-for-profit sectors.

96. In addition, HSE has a project focussing specifically on helping schools reduce bureaucracy, costs and risk-aversion when complying with health and safety law as part HSE's sensible risk management initiative. HSE is working with the Department for Children, Schools and Families (DCSF, previously DfES), the Implementation Review Unit (IRU, set up to review policy affecting schools to tackle red tape and workloads) and the Workforce Agreement Monitoring Group (WAMG) of the Training and Development Agency for Schools.
97. HSE has also been working with Her Majesty's Inspectorate of Constabulary (HMIC) to ensure the two Inspectorates work closer to reduce the regulatory burden on police forces. It was recognised that to be successful both Inspectorates need to understand each others role, responsibilities and methodologies. To this end HMIC have joined HSE on Inspection of non police premises and HSE participated in an HMIC inspection of the Metropolitan Police as part of a national police trial. A protocol or agreement for future collaboration is now being developed.

Wider better regulation initiatives - Working to the Hampton Agenda

98. Projects that address the wider better regulation agenda, such as HSE's responses to the recommendations of the Hampton Review, do not usually directly simplify legislative requirements. However, they are a major part of HSE's commitment to being a modern regulator and make a significant impact on the way health and safety legislation impacts on its dutyholders.
99. In 2005 Phillip Hampton published the report of his review *Reducing administrative burdens - effective administration and enforcement*. The recommendations he made look at regulation and enforcement covering six areas (see sub-headings below). HSE has developed a number of initiatives that support better regulation and work to bring HSE ever more closely into line with the Hampton recommendations. These initiatives do not directly simplify legislative requirements but they are creating a culture of policy development where better regulation principles and the drive to simplify and minimise the cost of requirements are intrinsic parts of the process.

Design of regulations

100. In developing policies and legislation HSE has adopted a number of practices designed to embed better regulation and challenge policy officials to think about simplification:
 - HSE has implemented the use of Common Commencement Dates - to reduce the time businesses spent scanning for regulatory changes.
 - HSE's Small Business Trade Association Forum - the membership has been increased and SBTAF contributes proactively to policy development.
 - HSE's Challenge Panel - challenges policymaking and ensures that newly implemented legislation successfully achieves its policy objectives. The Panel considers the best approach to intervention and questions whether it should be regulatory or non-regulatory.
 - HSE has set up a Better Regulation Oversight Group (BROG), made up of senior officials and chaired by the Deputy Chief Executive. BROG works to ensure better regulation initiatives retains a high profile within HSE and provides high level support and direction to the relevant projects.
 - Better Policy Making seminars, run by HSE's Better Regulation Team - guide HSE policy officials in fully considering simplification options and properly assessing the impact of their policy proposals at an early stage.

Advice and guidance

101. Health and Safety Awareness Officers (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.
102. HSE's project to improve information and guidance to SMEs is a new initiative, working across HSE, designed to ensure all HSE guidance is written with small businesses in mind.
103. In order to encourage compliance with health and safety requirements, it is important that health and safety maintains a good reputation with stakeholders. 'Myth of the Month' is a major, high profile element of a strategy to defend that reputation. It refutes one erroneous report of a health and safety requirement each month, building up a series of simple, graphic web pages that clarify what is really required and, just as importantly, what is not.

104. Workplace Health Connect is a pilot project designed as an alternative to regulation, 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. The pilot was initiated in February 2006 to run for two years. By end of 2008 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.
105. HSE is supporting stakeholder-led guidance in a number of workstreams across the organisation. These include in particular:
- the 'Go Skills' training package for bus/coach, taxi/private hire and other transport industries, which includes health and safety messages; and
 - the guidance developed by the Institute of Directors, with HSE, for company directors to explain their duties under health and safety law.

Inspections

106. HSE has been a founder member and key stakeholder in the Retail Enforcement Pilot. This project has been testing joint working across different local authority regulatory services undertaking similar regulatory visits to a common business group in the retail sector. HSE's involvement has secured closer joint working of Local Authority Environmental Health Officers who undertake health and safety inspections of retail premises with Trading Standards and Fire Officers, thus driving down the number of routine planned inspections, improving co-ordination of effort across services, enhancing business education and improving worker and consumer protection.
107. HSE created the Strategic Enabling Programme "Local Authorities and HSE Working Together" to establish the LA/HSE Partnership. The Programme ran from 2004 until Autumn 2006. The aim was to improve how HSE and Local Authorities (LAs) work together through the creation of a closer partnership. Elements within this include:
- LA/HSE partnership teams established in HSE's regional offices
 - a stronger voice for local government in health and safety strategy and policy
 - an interactive extranet connection allowing LAs access to HSE and other LA's electronic legal, technical and policy information
 - better access to common guidance, technical support and training
 - aligning planning and timing between LAs and HSE on major work initiatives such as the Fit3 Strategic Programme (for more information on Fit3 see paragraph 116)
- The programme's success this year has been in the form of vastly improved communication between HSE and LAs on the Fit3 work.
108. HSE's Large Organisation Partnership Pilot (LOPP). This pilot project 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. External consultants have been engaged to undertake a 'lessons learnt' study of the pilot and make recommendations for future activity. The report on this research is planned for Autumn 2008.
109. HSE has developed regulatory principles by which it targets its inspection activities. Our enforcement policy statement sets out how enforcement decisions are made. They must be:
- targeted - focusing on what is important
 - transparent - it is clear what we do, and how and why we do it
 - proportionate - the action taken is in proportion to the circumstances

- consistent - we take the same action in equivalent circumstances
- accountable - we can justify our choices and actions.

A recent review of our enforcement policy statement confirmed that our stakeholders support this approach.

110. In the 2006 simplification plan HSE outlined a number of projects where work had been initiated with other regulators, including the Local Authorities. This work continues to progress:

- The Moving Goods Safely initiative evaluation of phase 2 is underway and the project has moved into its third phase of joint inspection activity with LAs, working on a national level. Linked to the inspection activity will be a major workplace transport awareness raising campaign.
- As part of Moving Goods Safely, initiatives have been undertaken with the Traffic Commissioners and the Vehicle and Operator Services Agency. Other industry projects and further cooperation is also planned.
- A Metropolitan Police and Transport for London joint pilot project on the safety of freight transport began in Autumn 2006. HSE provided training for Met police officers and HSWA powers have been delegated. The police and TfL have set performance measures and the project is underway, with regular meetings between TfL, the Met and HSE planned.
- HSE, Civil Aviation Authority and aviation industry cooperation is now on-going. Formal and informal lines of communication, including a protocol for joint inspections planned at a local level, have been successfully created. Cooperation is also in place on airside safety management systems and new international standards.
- HSE, Maritime and Coastguard Agency and Marine Accident Investigation Branch co-operation is also in place. The next HSE/MCA/MAIB memorandum of understanding meeting to ensure on-going co-operation is in November 2007.
- The initiative with the Driving Standards Agency stakeholder group has resulted in the 'Go Skills' training package for transport industries (see paragraph 105), which includes embedded health and safety messages. There is now regular liaison with Go Skills.
- The LA Partnership project successfully continues to provide more co-ordinated, consistent and effective enforcement service. The April 2007 target of 40% of LAs working towards health and safety public service agreement (PSA) targets was exceeded by a significant margin. The target for April 2008 is 80% of working towards the PSA targets with a view to 100% take up.

Data requests

111. HSE has developed the 'business on-line' project looking at the issues and practical challenges involved in making all HSE forms available to be completed electronically. The system is being piloted using internal forms in the first instance, but it is planned that in the longer term it will be possible to submit all information to HSE via interactive on-line forms if businesses prefer.

112. In parallel with the removal of all the outdated forms, HSE has in place a forms gatekeeping process by which any proposal to create a new form requires justification and an assessment of the need for the form.

Sanctions

113. The Enforcement Programme team and its high-level plan were established in Autumn 2005. The programme's primary aim was to develop proposals to enable HSE and LAs to make best use of formal enforcement in the delivery of health and

safety priorities alongside the enabling of justice. Phase 1 of the programme examined HSE's and LA's formal enforcement activities and made recommendations for action to enable HSE and LAs to:

- undertake prosecutions and conduct the associated investigation work more effectively and efficiently, where appropriate, using these activities to support delivery of HSE's targets;
- determine whether more should be done to target and enforce against those who deliberately flout the law and put others at risk for financial gain;
- optimise and sustain, through communications, the ripple and deterrent effect of these activities.

114. Phase 1 of the Enforcement Programme came to an end in Autumn 2006. Phase 2 is designed to ensure that recommendations from phase 1 are implemented, evaluate the benefits arising and recommend any further actions necessary.

115. Phase 2 was initiated in February 2007 and its workstreams are making good progress against the plan. It is planned to run until December 2007.

Focus on Outcomes

116. The Fit3 programme, HSE's strategic programme (Fit for Work, Life, Fit for Life, Fit for Tomorrow) is designed to achieve better health and safety outcomes, specifically HSC/E's PSA targets, through communication rather than additional regulation. Projects within the programme are based on evidence, followed by consultation with stakeholders, which leads onto awareness-raising to embed the behavioural changes that have been identified as necessary to improve health and safety in that area. Fit3 focuses on dutyholders doing what needs to be done to support worker health and safety; actions not paperwork.

Mergers with other regulators

117. The Hampton Report recommended a number of mergers to reduce the quantity of small regulators. The merger with the health and safety functions of the Engineering Inspectorate was completed in October 2006. HSE was designated the Adventure Activities Licensing Authority in April 2007.

118. It was agreed with the Coal Authority (CA) that memoranda of understanding were more appropriate than full merger. A memorandum of Agreement (MoA) covers communication between the CA as licensing authority, and HSE as health and safety regulator. The existing arrangements for co-operation and exchange of information were developed to create 'Working Arrangements for Inspections', with the aim of reducing the burden of inspections on mining businesses, for adoption under the MoA and these were signed in May 2006.

119. The work to merge the Gangmasters Licensing Authority into HSE is underway and a consultation document on the merger will be issued by DEFRA before the end of 2007. At present the aim is for the merger to take place in April 2009.

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

120. 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.

Work that HSE has done in Europe to apply better regulation principles

121. HSE is working to influence the drive towards better regulation in the EU. 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. HSE will ensure that the importance of the better regulation agenda informs all its dealings with the EU.
122. HSE successfully defended one of the key elements of British health and safety law - the use of the key phrase "so far as is reasonably practicable" which helps to ensure that what is required of dutyholders is proportionate to the risks. The European Commission had claimed that UK health and safety legislation did not fully implement the European Framework Directive (Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work), because of the inclusion of this phrase. However the European Court of Justice (ECJ) found for the UK, dismissing the EC case.
123. HSE's successful negotiation to influence the Council resolution on the EU Occupational Health and Safety Strategy to 2012. This includes a call on the European Commission to improve and simplify the administrative and regulatory framework by taking into account the EC's commitment to reduce administrative burdens by 25%. The Strategy has a clear focus on ensuring effective implementation of legislation, providing guidance on and evaluating existing legislation rather than proposing more legislation. There is recognition that small firms need particular support.
124. On the Electromagnetic Fields Directive, there were concerns in the UK about the impact of the Directive on Magnetic Resonance Imaging (MRI scanners, particularly used in hospitals). HSE published research into this in June this year and, following this, the EC have also now commissioned complementary research, due by the end of 2007. The EC has also encouraged the International Commission on Non-ionising Radiation Protection (ICNIRP) to review the limits underpinning the Directive, with the expectation that some are likely to be raised. In the meantime, the existing EMF working party, meeting under the auspices of the Advisory Committee on Safety and Health, has been exploring the difficulties of the Directive in detail, already feeding back to the Committee that the transposition deadline should be delayed and aiming to providing recommendations later in 2007. The Director General of Employment and Social Affairs has written to European Member States confirming that the above steps are being taken, with a commitment to take action including a possible postponement of the implementation date of the Directive.
125. HSE has been an active and influential participant in a project led by Germany to evaluate the Display Screen Equipment (DSE) Directive as a way of developing a methodology for evaluating European Directives more widely. The final report, including the results of the UK evaluations, is due to be published in Autumn 2007.
126. HSE has introduced a 'checkpoint' system of meetings between the policy team responsible for the negotiation of each EU directive and HSE's Better Regulation and International teams. These checkpoint meetings provide support to the negotiating team but also ensure that better regulation principles are considered at the earliest stages of the project. The meetings also provide a challenge function that can help to develop and test options for consideration in the creation of a directive.
127. We are continuing to carry out serious examinations of the flow of new directives or regulations from the EU in order to evaluate whether the legislation is in accordance

with the Better Regulation agenda, without a loss to any health and safety outcomes. In this way we are succeeding in toning down directives – avoiding unnecessary burdens ever reach legislation.

How the plan will be monitored, reviewed and kept up to date over time

128. 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.
129. The plan published here is a summary of the HSC/E's current plans for simplification and wider better regulation initiatives. These initiatives will each be monitored to ensure that real progress is made and that milestones outlined in the plan are reached according to timetable.
130. 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 progresses, success is measured and new projects are developed.
131. 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.
132. 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.
133. HSE's high level monitoring group - BROG, chaired by its Deputy Chief Executive - maintains the focus on better regulation across the organisation as a whole and scrutinises all significant simplification initiatives. All the key initiatives will be expected to report on their progress to BROG to confirm that milestones are reached.
134. Plans are in hand to evaluate the simplification/better regulation programme as a whole. It is not appropriate for this project to begin until a significant proportion of the simplification initiatives in the plan have been completed, but it is anticipated that the research will be commissioned in 2009.

Table A: What we've achieved - initiatives completed since 2006 plan

| Title/ Policy initiative | Type of Burden | Description of simplification measure and desired outcomes | Estimated savings/other quantification | Milestones achieved |
|--|---------------------------|--|--|--|
| (A1) Sensible Risk Management (SRM) | | | | |
| A campaign tackling excessive reactions to risk assessment requirements. | Policy and administrative | <p>Publication and wide promotion of a set of principles of sensible risk management particularly with Local Authorities.</p> <p>To emphasise what does not need to be done as well as what does.</p> <p>Outcomes: A culture change whereby dutyholders will feel risk assessment and management is proportionate and manageable.</p> <p>Benefits to: Local authority employers and employees of simpler, more proportionate risk management; and small low- and medium-risk businesses of simpler, shorter risk assessments and a more consistent approach.</p> | Approximately 18,000 people viewed the myths in the first 2 weeks; 84,000 in first 3 months. | <p>Apr 07: 'Risk and redress: the way forward for local government' – event organised with the Department of Constitutional Affairs and Local Government employers for stakeholders on risk and redress. Involved identifying key actions for developing sensible risk management in local authorities.</p> <p>Apr 07: 'Myth of the month' launched on HSE web site. Promoted via stakeholders and the media. Will run throughout 2007 using cartoons and humour to tackle some common myths that can lead to confusion and over-compliance. One of first myths tackled was 'risk assessments are long and complex'.</p> <p>May 07: Guardian newspaper included a supplement on risk management.</p> <p>July 07: LGA and HSE launched 'Sign up to sensible risk' campaign at LGA national conference. A number of Local Authority Chief Executives publicly signed up to the principles of sensible risk management.</p> |
| Providing sector specific example risk assessments in partnership with relevant trade associations, unions and local authority bodies. | Policy and administrative | <p>Sector-specific examples to help businesses understand that relatively little needs to be recorded in low risk areas.</p> <p>Provides businesses with an example of what a 'good enough' record of a risk assessment looks like.</p> | Analysis yet to be completed. Estimate roughly 20% of retail and property/business services sectors | <p>July 07: Three additional example risk assessments published for - a convenience store/newsagent, an estate agency, an office cleaning contractor,</p> <p>Oct 07: Six more example RAs published for - a hairdressers, a betting shop, an off</p> |

| Title/ Policy initiative | Type of Burden | Description of simplification measure and desired outcomes | Estimated savings/other quantification | Milestones achieved |
|--|--|--|--|--|
| | | <p>Outcome: businesses, especially SMEs feel risk assessment and management is proportionate and manageable. Compliance increases but time taken to comply reduces.</p> <p>Benefits to: Small and medium lower risk businesses of simpler, shorter risk assessments and a more consistent approach.</p> | covered by these three. This equates to nearly 10% of businesses. | licence, cold/chill storage facilities, a dry cleaners and professional/business services. |
| (A2) Removal of Forms Project | Administrative | <p>Removal of all forms that are no longer necessary, approximately 54% of HSE forms</p> <p>Although most of these forms were rarely used and so not costly to business, their removal provides clarity and reduces the risk of error.</p> | According to the ABME estimates this project will save businesses £250,000 per year. | Apr 07: all identified forms discontinued and/or deleted. |
| <p>(A3) Construction regulations</p> <p>The measure produces one key set of consolidated regulations restructuring, simplifying and clarifying the Regulations, including simplifying the project notification threshold, requirements for formal appointments and plans, and the process for checking dutyholder competence.</p> | Administrative, policy and quantity of legislation | <p>To change attitudes and raise health and safety standards in the construction industry. The changes streamline regulatory requirements, eliminate unnecessary ones and simplify paperwork.</p> <p>Better planning, managing and monitoring of construction projects by clients, designers and contractors should lead to a reduction in costs.</p> <p>Consolidating the regulations also makes it easier for dutyholders to understand what they are required to do.</p> <p>Benefit in significantly reduced bureaucracy to construction sector, particularly SMEs.</p> | Annual cost savings (from simplified competence checking) are calculated in the RIA to be between £106 million and £226 million. | <p>17 October 06: proposal to Minister</p> <p>Feb 07: Regulations made and laid in Parliament. ACoP Guidance issued</p> <p>April 07: Regulations in force.</p> <p>2008: research will be commissioned into dutyholder awareness of their responsibilities under CDM 2007</p> |

| Title/ Policy initiative | Type of Burden | Description of simplification measure and desired outcomes | Estimated savings/other quantification | Milestones achieved |
|---|---|--|--|---|
| <p>(A4) Asbestos regulations</p> <p>Consolidating three sets of regulations into one and reducing two Approved Codes of Practice (ACoP) into one consolidated text.</p> <p>Taking asbestos-containing textured decorative coatings out of the scope of the licensing regime.</p> | Administrative | <p>Consolidates regulations and reduces the volume of guidance relating to asbestos.</p> <p>Following research into the levels of fibre release from such work, the amendments to the regulations also remove the requirement for companies working with textured decorative coatings - common in domestic premises - to have an asbestos licence, and to notify HSE/ their LA.</p> <p>Outcome: It is now easier for dutyholders to find what requirements apply to them and so make compliance easier. Removing the licensing requirement from work with textured decorative coatings is significantly reducing the cost of doing this work 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 as calculated by the RIA is expected to be in the region of £6 to £10 million. This includes the cost savings for client businesses</p> <p>Cost savings to HSE are included in the above figures – around £50k pa from handling lower numbers of notifications.</p> | <p>Nov 06: Implementation of new Control of Asbestos regulations</p> |
| <p>(A5) RIDDOR Reporting of Injuries, Diseases and Dangerous Occurrences Regulations</p> <p>Following the RIDDOR Review HSE launched an initiative to improve the reporting process and the ease of use for business</p> | Administrative requirement to report and keep records of certain work-related harm to employees and the public. | <p>A project to explore and implement improvements which streamline the way we communicate the RIDDOR reporting process to raise awareness, and influence attitudes to reporting, with the message that compliance need not be complex and burdensome.</p> <p>We are promoting the ease of reporting through the customer-friendly Incident Contact Centre (ICC) telephone/web reporting service.</p> | <p>The ABME estimated the recording and reporting requirements to take over 2.5hrs and cost £21 million.</p> <p>Reporting via the call centre takes an average of 30 minutes. Thus, the</p> | <p>Mar 07: New user-friendly HSE RIDDOR website launched, consolidating RIDDOR information in a single port of call</p> <p>July 07: RIDDOR Explained leaflet and ICC Leaflet withdrawn from print and replaced with a single page flyer with the 'ring and report' message. This is being widely distributed with all HSE Books despatches as standard.</p> <p>Initial evaluation of first 6 months operation of RIDDOR Website and first few months of</p> |

| Title/ Policy initiative | Type of Burden | Description of simplification measure and desired outcomes | Estimated savings/other quantification | Milestones achieved |
|---|--|---|--|--|
| | | Outcome: Businesses simply understanding the 'ring and report' message to comply with RIDDOR thus achieving substantial simplification from the point of view of the dutyholder. | estimated annual cost to business will be £4.4 million, a reduction of £16.5million | new RIDDOR leaflet will take place in late 2007. |
| <p>(A6) 'Core criteria' for electrical contractors</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>With HSE support, ECA and Heating and Ventilating Contractors' Association (HVCA) launched health and safety core-criteria to their members.</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>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>The estimated administrative burden saving, from RIA calculations, is £40,000 to £300,000 over first six months after launch.</p> <p>Further savings will continue to be achieved across the electrical contracting industry following publication of the ACoP.</p> | <p>Sept 06: ECA/HVCA leaflet launched</p> <p>Feb 07: Publication of CDM ACoP</p> |
| <p>(A7) Full list of all Health and Safety Regulations published on the internet</p> <p>Suggested by Federation of Small Businesses to allow businesses to find easily what health and safety regulations are in force.</p> | This stakeholder proposal is a wider, better regulation initiative not a simplification. | <p>A full list of HSE-owned regulations has been created on the HSE website, linked where possible to electronic copies of the regulations themselves and relevant guidance.</p> <p>A quick, simple route to locating health and safety regulations and requirements for businesses.</p> <p>Benefits to all sectors, especially SMEs.</p> | <p>In its first month the Legislation site received nearly 24,000 hits.</p> <p>Since then the site has an average of 22,200 hits per month.</p> | Oct 06: Legislation webpages went live. |

| Title/ Policy initiative | Type of Burden | Description of simplification measure and desired outcomes | Estimated savings/other quantification | Milestones achieved |
|---|----------------|---|---|---|
| <p>(A8) Notification requirements in the Dangerous Substances (Notification & Marking of Sites) Regulations 1990</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 | HSE has explored the requirement to notify HSE under these regulations, to see whether there were duplicated administrative costs with the requirement by the Fire Service. | ABME estimates indicated requirement applies to around 200 sites, costing approximately £39,000 per year. | <p>The exploration has revealed that it is not necessary to complete two forms, but simply to e-mail a notification to both bodies. In this situation and as legislative change would be needed in order to remove this requirement, amending the regulations would be disproportionate to any savings.</p> <p>HSE is writing to NFU to explain the decision and clarify the requirement with them.</p> |

Table B: Progress on continuing initiatives since 2006 plan

| Title/policy initiative | Type of Burden | Description of measure | Desired outcome | Estimated cost savings | Milestones/ deadlines |
|--|----------------------------------|---|---|--|---|
| <p>(B1) Sensible Risk Management (SRM)</p> <p>A 4-year internal & 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>The cost estimated by the ABME is approximately £600 million per year.</p> <p>The target is to reduce this cost by up to a third - £200m</p> | <p>This initiative is a long-term project expected to last until 2010.</p> | |
| <p>A campaign tackling excessive reactions to risk assessment requirements.</p> | <p>Policy and administrative</p> | <p>Events to promote the principles of sensible risk management and to engage public and private sector so that they understand what is, and is not, needed.</p> | <p>Continuing the culture change to make risk assessment and management proportionate and manageable.</p> | <p>See above</p> | <p>Autumn 07: 5 Local Authority/HSE enforcement partnership conferences will focus on checking practical actions to control risks, not paperwork. Hosted jointly by LACORS and HSE for heads of regulatory services.</p> <p>'Myths of the Month' continue until December 07.</p> <p>'Sign up to Sensible Risk' continues until March 07.</p> |
| <p>Providing sector specific example risk assessments.</p> | <p>Policy and administrative</p> | <p>Sector-specific examples to help businesses understand that relatively little needs to be recorded in low risk areas.</p> <p>Provides businesses with an example of what a 'good enough' record of a risk assessment looks like.</p> <p>Outcome: more businesses, especially SMEs understand risk</p> | <p>Analysis yet to be completed.</p> <p>Estimate example risk assessments will apply to roughly 50% of businesses.</p> | <p>See above</p> | <p>By end 07: Additional example risk assessments completed and published will include: a butchers, food preparation, a call centre and contract plasterers.</p> <p>Early 2008: Evaluation of first tranche example RAs completed.</p> <p>Mid 08: Any revisions as a</p> |

| Title/policy initiative | Type of Burden | Description of measure | Desired outcome | Estimated cost savings | Milestones/ deadlines |
|--|----------------------------------|---|--|--|---|
| | | <p>assessment and management is proportionate and manageable. Compliance increases but time taken to comply reduces.</p> <p>Benefits to: Small and medium lower risk businesses of simpler, shorter risk assessments and a more consistent approach.</p> | | | <p>result of evaluation completed and additional example RAs published.</p> |
| <p>Engaging with stakeholders such as health and safety practitioners on providing balanced advice.</p> | <p>Policy and administrative</p> | <p>Engaging with health and safety professionals (IOSH) to increase awareness of the need to take a balanced approach to risk management and avoid excessive risk aversion.</p> | <p>Small businesses become more informed consumers of advice – know what to expertise expect and what appropriate advice is likely to look like.</p> | | <p>Autumn 07: Two items of guidance produced: HSE/IOSH question set for prospective (SME) clients for health and safety assistance.</p> <p>HSE statement to health and safety advisors on competence/‘fit for purpose’</p> |
| <p>Restoring a sensible approach to risk management in education.</p> <p>This will involve close working with key stakeholders in higher, further and school education, including the DfES.</p> | <p>Policy</p> | <p>Working with key stakeholders, including DfES, IRU and the Workforce Agreement Monitoring Group (WAMG) to establish a strategic forum to provide leadership and direction for the sensible and proportionate management of health and safety risk as an enabler for effective delivery of learning and development within education.</p> <p>It will include ways to reduce; duplication of risk assessments, and the inclusion of trivial risks.</p> | <p>Succinct, straightforward risk assessments that identify the real risks and the practical solutions to control them.</p> <p>Benefits to schools, universities and colleges.</p> | <p>See 1b, above, but this project mainly affects the public sector.</p> | <p>May 07: Article in Governors' Agenda magazine, putting straight misconceptions about health and safety requirements for school trips.</p> <p>By end 07: 1st tranche of Succinct, straightforward risk assessments that identify the real risks and the practical solutions to control them.</p> |

| Title/policy initiative | Type of Burden | Description of measure | Desired outcome | Estimated cost savings | Milestones/ deadlines |
|---|---------------------------|--|---|--|---|
| <p>(B2) Gas Safety (Installation and Use) Regulations</p> <p>A review of the domestic Gas Regulatory regime particularly focusing on introducing competition to delivery of the gas installer registration scheme, reducing burdens and taking a risk based approach to regulation</p> | Policy and administrative | <p>Reform of the domestic gas safety regime, including:</p> <p>i) The introduction of a new gas installer registration scheme. Following a competition to run the scheme, a single provider will be appointed to run the innovative scheme. New functions include responsibility for industry action on public awareness of gas safety, and new incentives to registration, such as simplifying the registration process and tackling unregistered gas installation work.</p> <p>ii) a project to investigate whether a more risk-based approach to the landlords' gas safety check is feasible.</p> | <p>i) Reduced burdens on gas installers whilst not compromising consumer gas safety</p> <p>ii) Reduced burdens on landlords whilst not compromising consumer gas safety. As an example, if 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 registered gas installers and consequently, reduced costs to gas consumers.</p> <p>Cost savings to landlords and other businesses using registered gas fitters.</p> <p>ABME estimated the cost of the landlords' gas safety check to be £236 million p.a.</p> | <p>July 07: HSE launched competition for a new gas registration scheme.</p> <p>Early 08: successful bidder will be announced</p> <p>End July 08: new scheme will be operational</p> <p>Nov 06: research into relative risk levels of domestic gas appliances reported - findings were inconclusive.</p> <p>Autumn 2007: fact finding with stakeholders</p> <p>March 08: consultation period ends</p> <p>By April 09: Any changes to Regulations in place</p> |
| <p>(B3) Consideration of Removal of forms from the Factories Act and OSR1</p> <p>currently required for registering new factories and keeping a register, and new offices, shops or railway premises.</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>May 07: Initial project plan has been prepared</p> <p>June 07: Agree project scope</p> <p>Sept 07: Consult LACoRS & LAs</p> <p>Mar 08: Draft CD to HSC</p> <p>Apr - Jun 08: Consultation</p> |

| Title/policy initiative | Type of Burden | Description of measure | Desired outcome | Estimated cost savings | Milestones/ deadlines |
|--|---------------------------|--|---|--|---|
| An HSE initiative. The West Midlands Health and Safety Liaison Group also proposed removal of the OSR1. | | | | | April 09: Regulations in force |
| <p>(B4) The Business On-line project 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>HSE are taking forms in order of numbers completed - e.g. F10 is around 200,000, ASB5 40,000 thereby giving the greatest benefits as early as possible.</p> | Much greater accessibility and flexibility for all businesses required to fill in HSE forms, especially SMEs. Significant time and resource savings if submission can be electronic and if forms can be pre-populated. | 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>May 07: Development phase - testing with internal form.</p> <p>Oct 07: initiate the project to develop the 1st external electronic form.</p> <p>Early 08: 1st form launched, then moving on to the next most used form.</p> |
| <p>(B5) Lifting Operations & Lifting Equipment Regulations and Provision & Use of Work equipment Regulations (LOLER & PUWER) Addressing concerns over a lack of clarity and possible overlap in the requirements of these two</p> | Policy and administrative | <p>Stage 1: Preliminary investigation into stakeholder views on: having 2 sets of regulations, complexity, fitness for purpose.</p> <p>Stage 2: Provision of new web guidance on thorough examination of fork lift trucks.</p> <p>Stage 3: New guidance on inspections/examinations of lifting equipment to clarify legal requirements.</p> <p>Stage 4: Review to consider whether the complexities/</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</p> | <p>The ABME estimated the total administrative costs for LOLER to be approx £144 million. This includes the cost of doing inspections as well as the records of those inspections.</p> <p>We are determined to make a significant impact on the costs of LOLER and PUWER, and have set this initiative the</p> | <p>Sept 06: Stage 1 Completed</p> <p>Sept 07: Stage 2 - FLT guidance published</p> <p>Dec 07: Stage 3 guidance published.</p> <p>Jan - Mar 08: Review of position following publication of clarified guidance.</p> <p>If regulatory action through Europe is needed, this would be to a longer timescale.</p> |

| Title/policy initiative | Type of Burden | Description of measure | Desired outcome | Estimated cost savings | Milestones/ deadlines |
|---|----------------------------------|---|--|--|--|
| <p>sets of regulations.</p> <p>Staged response allows us to consider the effectiveness of the previous stage in refining the next one.</p> | | <p>ambiguities for dutyholders have been addressed by the guidance or whether further action is necessary.</p> | <p>working through Europe to simplify the regulations.</p> | <p>challenging target of reducing the above cost down to £111 million.</p> | |
| <p>(B6) Health and Safety Information for Employees Regulations</p> <p>Proposed by a Senior Environmental Health Officer to review the requirement for dutyholders to purchase and display an HSE approved poster/distribute the HSE approved leaflet.</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/or distribute the approved leaflet. 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 useful method of providing information to employees. This would particularly benefit businesses with multiple premises.</p> | <p>ABME estimated this requirement cost businesses £24 million per year. If the requirements are amended, substantial savings are possible.</p> | <p>Apr 07: Final research report received.</p> <p>Sept 07: HSC discussion on options to consult.</p> <p>Jan-Mar 08: public consultation of options</p> <p>Apr 09: Any changes of regulation come into force</p> |
| <p>(B7) Control of Substances Hazardous to Health Regulations</p> <p>To reduce the stock of COSHH-related guidance and make it simpler and more accessible.</p> <p>This work aligns with the Sensible Risk Management project (above) and the wider review of HSE guidance</p> | <p>Policy and administrative</p> | <p>Rationalising the stock 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>Reduction in the confusing plethora of guidance from 130 items to 30.</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 many business sectors</p> | <p>We are determined to make a significant impact on the costs of the risk assessment requirement. ABME estimated the risk assessment element to total £33.5 million. This is subject to the same challenging target as the SRM project - aiming for a reduction of £11.1 million.</p> | <p>Apr 07: Guidance reduced from 130 items to 30</p> <p>July 07: Revision of COSHH web pages, to include simple key messages</p> <p>Oct 07: E-COSHH website amended to ensure accuracy and consistency</p> <p>Summer 08: re-design E-COSHH website to make it more user-friendly, accessible and quicker. Review of remaining 30</p> |

| Title/policy initiative | Type of Burden | Description of measure | Desired outcome | Estimated cost savings | Milestones/ deadlines |
|--|-------------------------|---|---|------------------------|--|
| (below). | | | from gaining access to the right information more quickly. | | pieces of guidance to ensure only those used and needed remain. Evaluation to be completed by Summer 2008 |
| <p>(B8) Radiation Policy delivery - joint working with EA</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> | Inspection/ Enforcement | EA and HSE have a working group of officials looking at all the areas where the two organisations regulate non-nuclear radiation safety. They are considering if burdens on industry could be reduced without negatively impacting on management of risk. | Harmonisation of the requirement, or measures to allow for joint or co-ordinated inspection regimes. Aiming to reduce the burden on dutyholders and make the system more efficient and straightforward. | Not included in ABME. | By end 2007 - working group to further discuss regulatory overlap, how best to determine which agency will be responsible for which area. |

Table C: New Simplification Initiatives

| Title/initiative | Type of Burden | Description of measure | Outcome | Cost savings | Deadlines |
|--|---------------------------|--|---|--|--|
| <p>(C1) Construction</p> <p>HSE is working with CLG to consider the opportunities for moving towards better integration of the planning, building control and CDM regimes</p> | Administrative | <p>To consider better integration with planning and building control systems. HSE is working closely with CLG on two reviews they are undertaking:</p> <ol style="list-style-type: none"> 1. building regulations and 2. planning. <p>On consideration of the reports, CLG will be consulting on changes to the regime and will work closely with HSE to include questions on how best to join up the information requests from regulators to those involved in construction work. Results of this consultation will feed into the development of the project.</p> <p>In addition to the above, HSE is reviewing and revising its construction project notification system. Following this, it will be possible to consider the potential for aligning the F10 notifications with CLG planning portal.</p> | <p>To reduce duplication and therefore time spent for businesses dealing with the planning system, building regulations and the requirements of the CDM regulations.</p> <p>Improved health and safety and compliance, and costs savings resulting from improved compliance</p> | Savings cannot yet be assessed, as any assessment can only be made after outcome of the CLG reviews is known and subsequent public consultation. | Autumn 07: Draft Project plan. |
| <p>(C2) The written Health and Safety Policy</p> | Policy and administrative | HSE has started work to look at what can be done to simplify in practice the | Removal of any duplication of effort or paperwork in | Removal of any duplication by amending legislation | Sept 07: Produce first draft of consultation document for key |

| Title/initiative | Type of Burden | Description of measure | Outcome | Cost savings | Deadlines |
|--|----------------------------------|--|---|---|--|
| <p>statement</p> <p>The Health and Safety at Work Act requires employers to have a written policy on health and safety in their workplace. This pre-dates the Management of Health and Safety at Work Regulations,</p> <p>The high cost of the written policy statement in the admin burden exercise (£53m) suggests that there may be unnecessary duplication by businesses.</p> | | <p>requirement for a written policy statement and avoid duplication of paperwork</p> | <p>compliance with both HSWA and MHSW.</p> | <p>or clarifying the duties through improved, more accessible guidance is estimated to achieve savings to businesses of up to £26m per year from the ABME estimated baseline.</p> | <p>stakeholders including draft guidance.</p> <p>Oct 07: Internally agree final draft consultation document.</p> <p>Jan 08: Agree policy proposal with HSE and LACORS.</p> <p>Feb 08: begin amendments to legislation, and/or production of guidance to agreed Parliamentary timetable.</p> |
| <p>(C3) Information on the weight of loads</p> <p>Requirement in the Manual Handling Operations Regulations 1992</p> | <p>Policy and administrative</p> | <p>HSE is looking at what businesses need to know and will be producing simple guidance for its website.</p> <p>Links with the SRM project and HSE's Moving Goods Safely programme will also be exploited.</p> | <p>Reduced duplication of labelling and business time taken to comply</p> | <p>At this stage only a rough estimate is possible, but we consider savings of around £32 million on the ABME estimate likely.</p> | <p>Sept 07: Moving Goods Safely campaign</p> <p>Mar 08: guidance completed</p> |
| <p>(C4) Drinking Water signs</p> <p>Requirement to label drinking water in the Workplace (Health, Safety and Welfare) Regulations 1992</p> | <p>Administrative</p> | <p>It is apparent from the ABME exercise that some businesses believe all drinking water supplies should be labelled as such.</p> <p>Amended guidance and promotion of new advice making it clear that only where there is contaminated water should it be labelled.</p> | <p>Very substantial reduction in labelling of water supplies, saving businesses time and money.</p> | <p>At this stage only a rough estimate is possible, but we consider savings of nearly £17 million on the ABME estimate likely.</p> | <p>Summer 07: draft amended leaflet produced and corrections to all other related guidance.</p> <p>Autumn 07: Misunderstanding highlighted as Myth of the Month.</p> |

Regulations that have been introduced between September 2006 and October 2007

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:

| New/amended regulations and In force date | Source of legislation | Summary description | Estimated administrative burden increase/decrease |
|--|---|---|--|
| Silica Occupational Exposure Limit In force: 1 October 2006 | Domestic | Proposal to lower the exposure limit for crystalline Silica. The change would be implemented through an amendment to the COSHH Regulations. | Increase Approx £88,000 per year additional administrative costs |
| Control of Asbestos Regulations In force: 13 November 2006 | European Implementing into UK law the requirements from the Protection of Workers from Asbestos, and with respect to asbestos, the Chemical Agents Directive, the Carcinogens Directive and the Marketing and Use of Dangerous Substances Directive | Regulations replace and modify three previous sets of regulations on asbestos. The new regulations now include, <i>inter alia</i> , the introduction of a new control limit for all types of asbestos. | Decrease £290,000 per year reduction in administrative costs |
| Work at Height (Amendment) Regulations In force: 6 April 2007 | European Implementing the Work Equipment Directive | This amendment broadens the scope of the regulations to work concerning the provision of instruction or leadership to one or more person regarding caving or climbing by way of sport, recreation, team building or similar activities. | No administrative cost change |
| Construction (Design and Management) Regulations In force: 06 April 2007 | European Implementing the Temporary or Mobile Construction Sites (TMCS) Directive. | Regulations replace and modify previous regulations on construction, which implemented the TMCS Directive. The new regulations have been revised following industry concerns that they were over-complex and bureaucratic. | No change to ABME cost estimate. Decrease in costs to businesses of £106 - £226million per year |
| Biocidal Products (Amendment) Regulations In force: 06 April 2007 | European Implementing parts of the Biocidal Products Directive making adjustments to the parent regulations as requested by three EC review regulations. | Regulations 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. | No administrative cost change |

| | | | |
|--|--|---|--|
| <p>Coal Mines (Inhalable Dust) Regulations</p> <p>In force: 1 October 2007</p> | <p>Domestic</p> <p>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. They replace previous regulations on respirable dust in coal mines.</p> | <p>All the changes are currently required by the Control of Substances Hazardous to Health Regulations (COSHH), so there is no new burden.</p> |
| <p>Workplace Exposure Limits</p> <p>In force: 1 October 2007</p> | <p>European</p> <p>Implementation of 2nd Indicative Occupational Exposure Limit Values Directive into UK legislation.</p> | <p>Establishment of workplace exposure limits for 33 substances.</p> | <p>No administrative cost change.</p> |

List of stakeholder suggestions received since 2005

| Status | Proposal | Action where applicable |
|---|--|---|
| New in 2007 Accepted for consideration within project to improve information and guidance to SMEs | Free seminars for SMEs on meeting legal obligations | See paragraph 102 |
| | Weighted compliance checklists | See paragraph 102 |
| | HSE leaflets | See paragraph 102 |
| New in 2007 Rejected | Excessive risk assessment requirements | Misunderstanding of legal requirement |
| | Fork-lift Truck licensing | No such legal requirement exists |
| On 2006 plan Accepted - completed | Review of accident reporting | Item A5 in detail table |
| | Pre-qualification core criteria endorsed by HSE | Item A6 in detail table |
| | List of health and safety regulations published | Item A7 in detail table |
| On 2006 plan Accepted - within initiatives on plan | Consideration of certification of gas installers | Item B2 in detail table |
| | Review of the OSR1 form | Item B3 in detail table |
| | Clarification of the requirements of PUWER and LOLER | Item B5 in detail table |
| | Review of the Health and safety information poster | Item B7 in detail table |
| | Review of notification requirements for ammonium nitrate fertilisers | Item B8 in detail table |
| | Radiation policy joint working with Environment Agency | Item B9 in detail table |
| On 2006 plan Accepted - help offered with exemption process | Genetically Modified Organism (Contained Use) Regulations | HSE working in Europe on exemption procedure |
| Europe-wide review - completed | Review of the Display Screen Equipment Regulations | Decision taken not to amend see paragraph 125 |
| To be included in a future review | The requirements of COSHH | |