

Meeting Date:	1 December 2004	Open Gov. Status:	Fully open
Type of Paper:	Above the line	Paper File Ref:	Minutes
Exemptions:	None		

HEALTH AND SAFETY EXECUTIVE**HSE Board**

Minutes of the HSE Board meeting held on Wednesday 1st December 2004 in the Fortune Room, Rose Court at 9.30am.

Present

Justin McCracken
Jonathan Rees
Alex Brett-Holt
Nick Starling
Jane Willis
Vivienne Dews
Sandra Caldwell
Paul Davies
Allan Sefton

Also attending

Item 3: Jonathan Russell, Jennifer Terry
Item 4: Jonathan Russell, Francis McGuigan
Item 5: Kate Carroll
Item 6: Steve Dennis, John Gould

Minutes – Rupert Lown

Apologies: Timothy Walker, Chris Willby, Laurence Williams, Colin Douglas

1 Minutes of HSE Board held on 3rd November 2004

1.1 The minutes were agreed.

The Board action list was reviewed. It was agreed that in future all actions would be allocated to a Board member as well as the relevant official to action

Action Board members to provide an update to R Lown by 8th December 2004

2 Health and Safety – presented by Justin McCracken

Another DSE RIDDOR had occurred.

Health and Safety Unit (HSU) are overseeing an active programme to tackle DSE, slips and trips and manual handling. The Board believed that the actions being taken were a sufficient response to these matters.

Since John Ives had retired from HSU, Tim Beaumont had been covering the post. This was to be made a substantive appointment. The Corporate health and safety unit are aware of the appointment. It will be announced in e-express.

HSU has reviewed a number of requests for HSE to become involved with workplace initiatives. On many occasions these go beyond HSE's role in the

workplace. The Board requested a paper to discuss the boundaries for HSE becoming involved in such initiatives. Jane Willis is to forward policy advice, guidance and information from Government Setting an Example to Tim Beaumont

Action Justin McCracken to commission HSE Board paper on boundaries of HSE workplace initiatives

Action Jane Willis is to forward policy advice, guidance and information from Government Setting an Example to Tim Beaumont

3 Legal Advice on Guidance and Enforcement of Section 3 – presented by Jonathan Russell and Jennifer Terry. – B/04/066

The Board received an update on Section 3 of the Health and safety at Work etc Act 1974.

4 The Review of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 – B/04/055 presented by Nick Starling, Jonathan Russell and Francis McGuigan

The review was in response to the HSC commitment in the Revitalising Health and Safety Strategy Statement in June 2000. The paper set out four options for the Board:

1. Leave RIDDOR alone
2. Issue a discussion document with open questions seeking information from stakeholders
3. Prepare a traditional consultative Document
4. Replace RIDDOR with other statistical indicators.

Discussion raised the following points:

The team had made good progress to move away from detail of RIDDOR to the Strategic issues.

HSE needed to decide what information we needed on incident and ill health reporting in order to operate as a business.

HSE should be explicit that RIDDOR will not satisfy all stakeholders.

HSE is close to the half way point for the Revitalising targets. If we change the criteria of reporting we need to ensure robust information to retain a valid statistical position.

Consultation documents do not need to be traditional; they can be based on a discussion document. This could be informed by an open forum event to listen to stakeholder views.

Fatal and major injury statistics are vital; the principal issue for the Board is how to improve ill health data collection.

RIDDOR is the major administrative burden posed by HSE to duty holders.

HSE must be clear what information it wants and why.

The Railway Accident Investigation Board is currently consulting upon notification of incidents directly to them. Industry sees this as a major burden. Different industries desire different reporting arrangements and criteria. HSE criteria for RIDDOR should be based upon the need for Investigation, Intelligence and Statistics. Was it possible to include issues such as encouragement to investigate incidents?

RIDDOR currently drive HSE to investigate more safety related matters that ill health, this balance needs to change

Reporting of events demonstrates to dutyholders the importance of certain events. This is important to ensure peoples perceptions of health and safety as a key business risk is maintained.

The Board agreed:

A consultative document should be issued, carrying a strong steer from HSE on how to develop RIDDOR. This should include innovative ways of engaging stakeholders.

Action **RIDDOR review team to update the Commission in February or March with the aim of publishing an innovative consultative document during April – Jonathan Russell and Jonathan Rees**

4 **Major Incident Review – Update and Recommendation Tracking – Kate Carroll – paper B/04/065**

This paper was to update the Board on the status of major incident investigations, collate recommendations from prior role enquiry reports and actions flowing from them - Annex B provided the detail.

Annex B showed that the majority of recommendations had been closed out and action was progressing with the remaining items. Two main themes remained:

1. Communications between staff, directorates and external agencies
2. Support for staff during Police and / or prior role enquiries.

Annex C proposed a framework of guidance in which to frame future recommendations to make them as effective as possible

Discussion raised the following points:

The Board agreed and supported the recommendations

RI had undergone considerable pain with prior role enquiries. This was often felt to concentrate upon individuals not systems and processes.

Recommendations should be clearly drafted with purpose, timescale.

Policy Group is developing a programme approach to recommendation tracking.

The possibility of using existing software (e.g. COIN) to track recommendations should be supported.

Action **OPSD to feed the guidance for recommendation writing into the review of the Major Incident response and investigation procedure (Justin McCracken)**

Action **OPSD to explore whether existing software systems can be used effectively to track recommendations (Justin McCracken)**

5 **Major Incident Response Policy and Procedures – presented by Kate Carroll – paper B/04/064**

A review of HSE's major incident response policy and procedures had been undertaken. The review had identified that procedures could be streamlined, clarifying usability. Oversight and monitoring of the arrangements of an investigation are not readily understood at the necessary levels inside HSE.

A number of investigations have had formal prior role enquiry investigations. These were not always relevant or proportionate. It was proposed that prior role reviews were appropriate to enable the organisation to learn when relevant but this should be proportionate to the level of review required.

The procedures would include investigation of major ill health incidents.

Tracking of the investigations and recommendations would be undertaken by OPSD.

Discussion raised the following points:

Learning from major incidents was vital to a healthy organisation

Guidance on prior role reviews and the inclusion of ill health must be in plain English to allow stakeholders and the public to understand HSE's actions.

The procedures for prior role review should concentrate upon the organisation not the individual.

Prior role enquiries must be proportionate to the incident.

The Prior role enquiry should go wider than operational activity – Policy, CoSAS, RPD should be included when relevant.

The procedures should link to Civil Contingencies where HSE will have an Advising role rather than an Investigating Role

Action **OPSD to revise the corporate instructions for major incident investigation to include a flexible and proportionate response to major incidents, including ill health**

6 **IS / IT Programme proposals for 2005/06 and there after – presented by Steve Dennis and John Gould – paper B/04/060**

The paper sought the views of the Board on a proposed investment programme for IS/IT for the SR 2004 period. The proposals in the programme are designed to support the delivery of the business strategy and continue the theme of concentrating efforts on fewer, but larger projects with a corporate impact.

The proposed programme seeks to maintain recent levels of investment in IS/IT. It represents a significant financial commitment and securing value for this depends in large measure on HSE's capacity to successfully manage projects and changes to business practice. In the light of this, the board were asked to comment on whether the programme reflects the right level of ambition for HSE and to give a steer on their priorities.

As HSE's financial settlement has not been finalised, the Board agreed that they were not in a position to approve the levels of investment contained in the proposed programme. The discussion should be about the general shape of the programme with a view to providing a steer to RDG who were due to consider budget allocations later in the month

The discussion raised the following points:

1. The Board commented that there seemed to be some imbalance in the levels of investment brigaded under the main themes of the strategy, with for example, very little under theme 2. The Board asked whether the programme represented the totality of HSE's investment in IS/IT supported business change or whether this investment was likely to be supplemented from other sources. It was explained that the programme represented one slice of HSE's spend.
2. Most of the proposed investments seemed to be aimed at improving HSE's internal systems and processes with only a small portion devoted to improving the ways in which others could do business with us. The Board wondered whether this balance was right.
3. The Board reflected that while the programme was likely to lead to some improvements in ways of working, it did not look likely to deliver real innovation in terms of new approaches to work. However, the Board recognised that innovation was difficult, given that they had more thinking to do about how HSE would need to change to meet the demands of the business strategy and to deliver the PSA targets. The Board felt some insight into the opportunities technology might provide to do things differently would be a useful additional input to help with this thinking. It was recognised that REFIT had a valuable contribution to make here because of their experience and expertise and knowledge of trends in the IS/IT market.

Action **BSD/BEU to work with REFIT to develop some examples of how technology could open up new ways of working in HSE as an input to Board discussions about the HSE business model. (Vivienne Dews)**

Non pay rewards – presented by Vivienne Dews

At the SCS conference senior managers had said that they would like more discretion to celebrate team achievement.

The Board discussed how this discretion might work in practice.

The Board agreed that this should now be discussed with the Trade Unions,

with a view to the new budget arrangements being established from the start of the new financial year.

Action RPD to work up arrangements in discussion with the Trade Unions and Directorates.

Immediate Recruitment to support delivery of Public Service Agreement Targets – Board paper B/04/067 presented by Vivienne Dews

The Board considered the current and likely future staffing position and agreed that tentative preparations should be made for some additional recruitment, to go ahead after Ministers have decided HSC/E's financial settlement for the 3 years from April 2005. Some external recruitment is already in progress, mainly of inspectors and specialists. It is likely that HSE will be able to replace more of those expected to retire or otherwise leave over the coming years, although it will not be possible to settle the numbers until the financial position is clear (and total staffing will almost certainly continue to decline).

In the first instance recruitment opportunities would be offered to civil servants from Departments who were reducing their staffing.

Action PD was asked to develop proposals to recruit staff able to do a range of policy, operational, project and other work which would directly contribute to delivery of targets and objectives

Any Other Business

The Board agenda for 5th January 2005 meeting was agreed. This is to be placed on the Intranet.

Next HSE Board meeting 5 January 2005 in the Fortune Room, Rose Court at 9.30am