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## **HEALTH AND SAFETY EXECUTIVE**

### **The HSE Board**

#### **COMMISSION CHANGES: IMPACT ON HSE**

#### **A Paper by Kate Timms and Mark Dempsey**

#### **Purpose**

1. To describe changes to be made to the Health and Safety Commission (HSC) with effect from 1 April 2004; and to analyse the impact of those changes on the way in which HSE supports the Commission.

#### **Timing**

2. Board meeting on 4 February 2004.

#### **Recommendation**

3. The Board is invited to:
  - note the forthcoming changes designed to give the Commission a more strategic role and appropriate oversight function;
  - discuss the implications of these changes for HSE's ways of working;
  - decide on how best to (a) communicate the changes internally and externally, and (b) implement them.

#### **Planned changes**

4. The Commission is already moving towards changing its conventional ways of working. With effect from 1 April 2004, further changes will be introduced which are designed to:
  - enable the Commission better to discharge its responsibilities for scrutinising the business performance of HSE against agreed strategic objectives;

- structure the Commission's work in such a way as to free up time for it to act in a strategic capacity rather than just the final scrutineer of detailed regulations;
- widen the Commission's role in engaging with stakeholders, communicating the vision and mission of the organisation, and improving public understanding of the Commission and Executive's role in improving health and safety.

The following paragraphs examine in some detail how these objectives will translate into changed activities for the Commission, a changed committee structure, and a fresh allocation of responsibilities amongst Commissioners themselves (reflected in higher remuneration).

## Funding

5. In order to fulfil these changed roles, and to attract high quality applicants for Commissioner posts as they fall vacant, it has been agreed with Ministers that Commissioners will be paid £15,000 per year. This figure assumes that Commissioners will take on additional responsibilities over and above participation in full Commission meetings, and will also act as a champions of health and safety amongst external stakeholders in support of our collective strategic objectives.

## Committee structure

6. A changed committee structure to support the full Commission is planned. Assuming that the full Commission meets on a monthly basis eleven times per year (broadly the position we have been moving to in recent months), changes must follow in terms of agenda planning for the full Commission meetings, and the delegation of detailed technical appraisal in some fields to committees of the main Commission. In order to achieve this, and to allow the Commission to exercise greater oversight of the Executive in the same manner as the Board of a PLC, the following committees will be set up:
  - Ad hoc scrutiny committee for regulatory issues: Bill Callaghan to chair, supported by a core of three Commission members with others brought in according to the subject matter. The ad hoc committee would carry out a first reading of detailed regulatory packages and advise the Commission as a whole, who would then take final decisions based on the committee's recommendations;
  - HSC audit committee: Judith Hackitt to chair;
  - HSE remuneration committee: exercising oversight of the pay of the three-person Executive, involving Joyce Edmond-Smith with Bill Callaghan as Chair.
7. In addition topic or sector based committees will be established, or will continue in operation, in order to give Commissioners an enhanced role in key areas of HSC/E business which will bear upon delivery of our strategy. These are likely to be:
  - Small firms committee: Judith Donovan to chair;

- Health Services Advisory Committee: Judith Hackitt to chair;
  - Rail Industry Advisory Committee: Margaret Burns to chair;
  - Scotland Committee (based on the Scottish Influencers Forum): Margaret Burns to chair.
8. As HSE moves further in the direction of programme working in order to deliver its strategic priorities and PSA targets, there is a strong case for Commissioners being associated with each of the five strategic programmes, perhaps through membership of the strategic programme boards where they exist. A possible allocation of Commissioners to programmes might be as follows:
- Priority topics – Owen Tudor and Abdul Chowdry
  - Priority sectors (including government setting an example) – Liz Snape and George Brumwell;
  - Major hazards – Judith Hackitt and Margaret Burns;
  - Intervention and influencing strategies, including developing occupational health support systems) – John Longworth and George Brumwell;
  - LA strategic programme – Joyce Edmond-Smith
9. HSC is supported in its health and safety role not only by the HSE but also by local authorities. The Commission therefore needs to reflect in its working methods its particular role in giving oversight to LAs in discharging their functions in relation to health and safety. The importance of the partnership with LAs is a key strand of the HSC's strategy, and regular opportunities will need to be found to enable HSC to make this partnership a reality. Joyce Edmond Smith's role in relation to the LA strategic programme will be important in this regard.

### **External audiences**

10. In terms of stakeholder engagement and communications, the following allocation of lead roles for Commissioners with key audiences has been agreed:
- Small firms – Judith Donovan
  - Manufacturing and process – Judith Hackitt
  - Offshore – Margaret Burns
  - Nuclear - Margaret Burns and Judith Hackitt
  - Retail and services - John Longworth
  - Public services – Liz Snape
  - Construction – George Brumwell
  - Trade unions – Owen Tudor
  - Ethnic minority communities Abdul Chowdry
  - Local government – Joyce Edmond-Smith
  - Devolved administrations – Margaret Burns
  - Rail – Margaret Burns

## Impact of changes on Executive

11. All these changes will make a significant difference to the way in which the Executive as a whole works with the Commission and its new committee structures. The most significant impact on our ways of working with the Commission is likely to be in the following areas:

### Agenda planning

12. If full Commission meetings are to be fewer in number (say, ten regular business meetings per year, and one residential event over two days), planning for the agendas of those meetings must be handled strategically: no longer will it be possible for agendas to consist of whatever work is currently in the HSE pipeline. This will give the Secretariat a key role in shaping Commission agendas and determining what issues are appropriate for the full Commission, and what issues are better handled at committee level. Some guidelines for the likely content of future Commission agendas are:

- Strategic issues on which the Commission's view is called for at an early stage will form a greater part of Commission agendas than hitherto: these will be woven in to the fabric of full Commission meetings rather than be the subject of separate "strategy days", as now. Responsibility for identifying such issues, and for preparing discussion on them whether on a basis of written papers or (more likely) a presentation, will rest with SID.
- Communications and reputation management: regular reports on how HSC/E's communications strategy is being delivered and our standing in the media.
- Reports on strategic programmes and priority programmes as appropriate, possibly one on each monthly agenda.
- Performance against PSA targets will be a regular (quarterly) item on Commission agendas in order to allow Commissioners to discharge their accountability to Ministers for the performance of the organisation against targets. Discussion to be based on the material provided for the HSE Delivery Board in sufficient (but not over-elaborate) detail to allow the Commission to satisfy themselves that matters are on course or, where they are not, that HSE has taken steps to remedy the position.
- For formal decision making purposes, recommendations made by the ad hoc committee in the wake of their first reading scrutiny of regulatory packages will come to the full Commission, usually for automatic approval rather than substantive discussion.
- Policy and operational reports to go to the Commission on a regular basis in order to keep the Commission abreast of key issues (eg. SFAIRP, RIDDOR, N-W pilot etc).

## **New Ways of working**

13. Preceding paragraphs set out significant changes in the subjects to be addressed by the full Commission, and the expectation that they will tackle more issues at formative rather than advanced stages of preparation. As a result, changes will be called for in how HSE staff present dossiers to the Commission (and in how Commissioners respond to these). Essentially presentations in future should involve fewer people from HSE, but rely more and more either on those who are regular attenders at Commission meetings (Timothy, Justin, Kate, Vivienne, Head of Solicitors Office) to introduce topics; or on Board members presenting specific issues to the commission (for example, Paul Davies on science and technology strategy). The involvement of Commissioners in strategic programmes and with particular external audiences as described above should result in greater direct contact with Board members than at present. The “training” value of bringing large teams of HSE staff to Commission meetings to witness the discussion will be met through regular attendance of observers, a process to be managed through the Secretariat.
14. One Commission meeting per year will become an open meeting, ie open to the press and public on a similar basis to the regular arrangements of the Food Standards Agency. An open meeting will require careful planning and careful selection of agenda items for discussion, but should so far as possible give any external party who may be interested a reasonable insight into how decisions on health and safety are reached. In order to allow time for planning, the first such open meeting will take place in the autumn of 2004.

## **Support and budgetary provision**

15. Changes of the sort outlined in this paper will require a strengthening of the support given to the Chair and Commissioners by the Executive in a number of ways, most particularly:
  - Supporting them in their roles as champions of health and safety with the media, the public and with particular groups of stakeholders: essentially an enhanced communications role;
  - Drawing Commissioners more fully into strategic areas of work such as the strategic programme directors to help them define their roles and the contributions Commissioners can make to achieving programme objectives;
  - Enhanced support by the Secretariat both to help Commissioners find their bearings in the new structure of committees, and also to take a proactive role in agenda planning and the managing of meetings at full Commission and sub committee levels. There is scope for some of the secretariat functions - eg running committees to be dispersed to relevant policy or operational divisions but we will need to have detailed arrangements in place to manage any transition.
16. There will also be an additional cost to the HSC/E budget as a result of the higher salaries going to Commissioners and the need to put some further resource into their support at Secretariat level. No additional resource will come from the Department for

these purposes, so it will need to be planned for on a corporate basis when budget allocations are made for 2004/05.

17. We also need to put in place arrangements for paying different levels of remuneration and dealing with expenses (although no change to current expense allowances is proposed): this will be for RPD to advise upon.

### **Recommendation**

18. That the Board notes the changes to be made to the Commission and its ways of working as set out above; and invites Colin Douglas (for communications) and Mark Dempsey (on handling issues), in liaison with others within HSE, to develop the thinking further and promulgate the outcome internally and externally.