

Meeting Date:	06 April 2005	Open Gov. Status:	
Type of Paper:		Paper File Ref:	
Exemptions:			

HEALTH AND SAFETY EXECUTIVE**The HSE Board****BOARD DISCUSSION ON FINAL HAMPTON REPORT****A Paper by Peter Buckley****Advisor(s): Peter Buckley and Phil Kemball****Cleared by Jonathan Rees on 23 March 2004**

1. The board asked for a discussion on the final Hampton report
2. The background to and an initial assessment of the final Hampton Report is in the attached Commission paper due to be taken at its meeting on 5 April.
3. Feedback on the Commission's reaction to the report and the paper will be provided orally to the meeting.
4. Implementation of the Hampton recommendations poses some organisational challenges, the precise implications of which are not yet clear. For example we are not clear whether departments will be asked to produce plans for clearance by the Better Regulation Executive. Nor whether any primary legislation to effect structural and other changes will be taken forward collectively or as individual workstreams.
5. As announced in the global email message on budget day, Jonathan Rees is chairing a working group to take implementation forward. The assumption being that this work can be added onto the day job rather than requiring some other means of securing progress with the recommendations. The first meeting of the group is planned for Friday 8 April. Alongside colleagues from DWP, invitations have been extended to PD, PEFD, OPSD, LAU, Solicitors, Better Regulation, COSAS including RPU, CD, enforcement policy unit and a representative from one of our licensing units.
6. We can expect that progress with the Hampton report recommendations will form one part of the challenge process when we appear before the Prime Minister's Regulatory Forum in the summer.
7. Taking all of the above into account we suggest that the board's discussion is structured around the following themes:
 - a. Integration of the new bodies into HSE – this will require careful handling and consultation with the board on what goes where;
 - b. Risk assessment and the transparency and rigour of our systems to determine inspection priorities which dovetail with cyclical inspection and cost effectiveness;

- c. Improving further our advice provision and the pressure we might come under to shift the balance from inspection towards the provision of advice and guidance – a sensitive subject for both our staff and the trades unions;
 - d. Securing the increase in penalties and the more innovative sanctions recommended in the report;
 - e. Reducing our regulatory (one in one out) and paper work burden (by 25%) on businesses especially when we are not starting from year zero in terms of reforming and refreshing, for example, our suite of legislation;
 - f. Our involvement with and the role of the two new bodies – the Better Regulation Executive and the National Regulatory Forum; and
 - g. Our interaction with the new grouped inspectorates for the public sector.
8. The outcome of the discussion can then be fed into the working group discussion on Friday 8 April.