Health and Safety Executive Board Paper			HSE/07/125
Meeting Date:	5/12/2007	**FOI Status:**	Fully Open
Type of Paper:	Below the line	**Trim Ref:**	2007/312944
Exemptions:	None		

HEALTH AND SAFETY EXECUTIVE

The HSE Board

London Olympic and Paralympic Games in 2012 - Update

A Paper by Stephen Williams

Advisor: Sarah Chaker

Cleared by Sandra Caldwell

Issue

1. To provide the Board with an update on the progress of preparations for the London Olympic and Paralympic Games in 2012.

Timing

2. Routine

Recommendation

3. That the Board continues to support the current approach to the Olympics set out in HSE Board paper B/06/73 and notes further developments outlined in **Annex 1.**

Background

4. The internal Olympics Coordinating Group, comprised of representatives from key Divisions in HSE, continues to meet to provide a unified approach to HSE's regulation of the Olympic project. It is chaired by Stephen Williams, Chief Inspector of Construction and Director of London. **Annex 2** sets out the aims and objectives for the Group and **Annex 3** lists its current membership and roles.

Developments

5. **Annex 1** provides details of the main developments since the last update to the Board. The key issues to note are:

<u>Organisational matters</u>

6. HSE has appointed an Olympics Coordinator who has been in post since the beginning of July.

7. John Armitt succeeded Jack Lemley as Chair of the Olympic Delivery Authority (ODA) on 1 September 2007. Mr. Armitt met Geoffrey Podger and Stephen Williams on 2 November 2007 to discuss current issues and ways in which HSE and ODA might work together in the future to achieve the best outcomes.

8. The ODA have appointed their delivery partner – CLM – to work with them to ensure timely delivery by the appointed contractors.

9. In addition to the wide range of stakeholder activity reported in **Annex 1**, links have recently been established with the Department for Culture Media and Sport (DCMS) to take forward government as client issues and emphasise the influence that they, as funders, can have on the management of health and safety on Olympic

projects. Meetings have also been held with the five relevant local authorities, to promote key issues including joint working and developing best regulatory practice.

Legislative activity

10. Since the London Olympic Games and Paralympic Games Act 2006 came into force, the principal formal activity has been associated with the planning application submitted in August 2007 and now approved. HSE was a statutory consultee, and had concerns about visitor movements in the vicinity of a gas holder. These concerns, further detailed in **Annex 1**, have been resolved in discussion with ODA.

Regulatory activity

11. Site activity has been confined to preparatory work and ground clearance. These enabling works, further outlined in **Annex 1**, include continuation of the project to lay the power lines underground, demolition, soil investigation and remediation.

Communication / press interest

12. There has been little press interest in HSE's work in relation to the Olympics, though Stephen Williams has given a few interviews. HSE's main activity to date has been to support the joint regional roadshows with Constructing Excellence, which are taking messages about the 2012 Olympic commitments; the Office of Government Commerce (OGC) Best Practice guide on procurement and the Construction (Design and Management) Regulations (CDM) 2007 to regional audiences.

Argument

13. Looking ahead to the next 6-8 months we expect activity in the following areas:

Stakeholder activity

14. We will continue to work closely with all key stakeholders to take forward our aim to be an exemplar regulator. Further to Stephen Williams' presentation to DCMS we will be advising on the policy currently being drafted by the Olympic Board Steering Group in respect of its responsibilities as a government funding body. We will also be seeking to make links with our wider government as client agenda, to benefit from, and build on, Olympic best practice.

15. We will continue our close involvement with the Joint Local Authority Regulatory Services (JLARS), formerly the 5 boroughs group, through the Safety Advisory Group Forum and through their representation on HSE's Olympics Coordinating Group.

16. Ministerial interest is likely to remain high and Stephen Williams and the Olympics Coordinator will accompany Lord McKenzie on the Minister's second visit to the Olympics site in January 2008.

17. HSE will attend an Olympic Risk Assessment Committee with Cabinet Office Civil Contingencies Secretariat.

Legislative activity

18. Work with Joint Local Authority Building Control (JLAB) will be taken forward both directly and through JLARS to ensure a joined up approach between health and safety and Building Control Regulation is monitored.

Regulatory Activity

19. Key over the next period will be our planned early intervention activity as the principal contractors for each element of the project are announced. The construction teams have met with Team Stadium and Team Aquatic and will meet further with design teams, clients and contractors to ensure CDM compliance.

20. Other issues for resolution will include detailed arrangements for emergency out-of-hours call out which will be confirmed in December 2007 and proposals for flexible warranting which will be kept under review.

Organisational arrangements

21. We expect core membership of the Olympics Coordinating Group will remain unchanged but others will be invited to meetings where further contribution is necessary. We will be looking for opportunities to involve others in HSE in the Olympics project to ensure coherence with wider initiatives e.g. on migrant workers. A meeting has been held with the Health and Safety Laboratory to map their current work and identify where this could inform the Olympics project e.g. crowd modelling, update of the safety climate tool.

Communications

22. The Olympics Coordinator will continue to provide regular updates/briefing to Communications Directorate. Opportunities will be sought to maximise good publicity for HSE's regulatory role in promoting exemplary standards of health and safety and the contribution this makes to this showcase event.

Consultation

23. Internal consultation has been achieved through the Olympics Coordinating Group. There has been close communication with PEFD colleagues.

Presentation

24. Further meetings are planned with Communications Directorate to establish a communications strategy to ensure that HSE's position and perspective are correctly represented. Our current presentation policy is to use the event to show case improvement possibilities for construction health and safety and to show HSE as a modern, exemplar regulator.

Costs and Benefits

25. The key risk for HSE is the potential for failure to meet its own milestones in the intervention plans and so fail to influence dutyholders and impact on health and safety management. The determining factor in this will be availability of resource. Resources will therefore be kept under close review by the Director for FOD and the Chief Inspector.

Financial/Resource Implications

26. Costs to date - Costs to date of the Olympics Programme are estimated at £100,000 based on FEC ready reckoner rates (this includes staff costs for those working directly on the Olympics Coordinating Group - external relations work and construction policy at £80,000, staff costs of £10,000 for the coordinating group meetings and £10,000 in staff-related costs).

27. Programme management costs - Costs for managing the ongoing project (including oversight of the Olympics Coordinating Group) are estimated at £90000 per annum (FEC Band 2 London) plus occasional Band 5 support (maximum 20 days per annum at £6400), and £1050 per meeting for further Olympics Coordinating Group meetings.

28. Costs of implementing the Olympics Intervention Plans - The intervention plans are still in development and the costs will be available over the next few months as the plans are finalised. The stakeholder, regulatory, legislative and communications plans costs will be calculated when we have explored all options for delivery and deploying resource. These will be included in further updates to the Board. It is not anticipated that any additional resource will be required over and above the staff affordability plans, however this will be monitored and any risks to delivery will be escalated.

29. Research Costs A small amount of research funding is being provided by HSE to support the occupational health mapping project reported elsewhere in the paper. The cost of this is approximately 25k over 5 years.

Other Implications

29. These are set out in HSE Board paper B/06/73.

ANNEX 1

Developments to date

1. Key stakeholder activity

The HSE Olympics Coordinator recently met Jeremy Beeton, Director General of the Government Olympic Executive, to discuss the role of Department of Culture Media and Sport (DCMS) as sponsor of the Olympic Delivery Authority (ODA). Stephen Williams subsequently gave a presentation to the Olympic Board Steering Group to emphasise the importance of the Olympics as an exemplar project and the role of government as client in procurement and best practice. It was agreed that Jeremy Beeton would draft a policy detailing departmental responsibilities for health and safety and HSE would comment if required.

There are regular meetings with the ODA at senior management level. HSE also meets with the Health and Safety Forum, which consists of representatives from the ODA, CLM (delivery partner), the London Development Agency (LDA), professional and trade union bodies.

Close working links have been established with the Joint Local Authority Regulatory Services group (JLARS), formerly known as the 5 boroughs group. The Olympics Coordinator will attend regular meetings of their Safety Advisory Group for the Olympic Park, which consists of representatives from the local authorities, LDA, DCMS, London Organising Committee for the Olympic Games (LOCOG) and the emergency services.

Meetings have also been held with the Environment Agency, Local Development Authority, the Olympics Security Directorate and the Chartered Institute of Environmental Health to examine common areas of interest. Common areas identified include government-as-client issues, flexible warranting, general preparedness and the need for the Games to be a showcase event.

2. Specific legislative activity

The planning application for the Olympic site was finally submitted in August 2007 for the site preparation of the Olympic facilities and their legacy applications. There is a planning condition attached to the permission relating to the requirement to nitrogen-purge the gasholder.

It has recently been confirmed that the joint local authorities will provide statutory building control for the sporting venues, subject to finalising the agreement. Confirmation is awaited as to whether the local authorities will have Building Regulations control for the athletes' village.

3. Regulatory activity

Meetings are scheduled with both ODA and CLM for later in November 2007 and again in December 2007 to discuss key requirements of CDM.

Responsibility for inspection and reactive work will be shared across London and the South East Construction Unit. This will enable London construction teams to deal with other substantial construction projects including Stratford City, which abuts the Olympic Park and probably Crossrail.

Joint warranting is under consideration between HSE and the local authorities. It is envisaged that this will operate through Memoranda of Understanding although construction activity, except for agreed exceptions, will not be included. At present, there are constraints upon this type of working, not least because local authorities are not bound by the same corporate procedures.

4. Organisational arrangements

The Olympics Coordinating Group seeks to include interested parties from within HSE as well as from outside. In particular, a meeting has taken place with the Health and Safety Laboratory to identify where their expertise such as on crowd management issues and revision of the safety climate tool might benefit the Olympics work.

The Office of the Rail Regulator (ORR) attended the most recent Olympics Coordinating Group meeting. Further meetings are planned to discuss the Construction/Railways interface.

Civil Contingencies issues: HSE is contributing to a risk assessment document, to help central, regional and local responders develop or adapt resilience for the Olympic period.

5. Communications

HSE will take opportunities to present itself as a forward-thinking organisation ensuring that the Olympics project remains an exemplar to industry as a whole. Communications Division are represented on the Olympics Coordinating Group. The Olympics Coordinator attends fortnightly meetings of the Construction Communications team and there is good communication with Press Office both directly and through the Communications team.

6. Site Conditions

Work is continuing to remediate the site. A programme of soil washing is now underway. Contamination has been found to be in line with expectation i.e. it includes heavy metals (arsenic and lead), hydrocarbons, asbestos and Japanese knotweed. Asbestos surveys are being carried out. By the time of the Beijing Olympics in 2008, most of the site will have been cleaned and cleared. Construction work will start shortly thereafter.

There has been recent HSE intervention at the Olympic site in connection with radioactive contamination, transport issues (relating to interface with the public) and

a fire in a building scheduled for demolition. This has resulted in meetings to obtain assurance that the ODA and its Delivery partner are confident that the principal contractors have adequate management arrangements in place. The ODA have been asked to ensure that HSE are given promptly the necessary information to be able to check that risks are under control.

The LDA has now completed its task of purchasing and securing the land. One of the travellers' sites has now been moved.

7. Occupational Health

The ODA has stated that there will be exemplary standards of occupational health on site and that the benefits of the occupational health provision will extend beyond work-related issues to lifestyle issues. Occupational health standards achieved through the life of the project and beyond are to be tracked by independent external research. Recent discussion between HSE and the ODA has concluded that the bid from the Institute of Medicine did not incorporate the key performance indicators of Constructing Better Health. Further representation is to be made to the British Occupational Health Research Foundation to ensure that the proposed research enables subsequent useful data capture.

ANNEX 2

HSE Olympic Co-ordinating Group Aims and Objectives

Terms of reference and membership.

The HSE Olympic Games Coordinating Group will oversee and coordinate HSE's contribution to delivering safe and successful games. Its principal aims are to:

- identify and coordinate HSE's total contribution and any resource or other implications;
- ensure that HSE's approach is coherent and consistent and in accordance with best regulatory practice;
- identify and maintain links with appropriate stakeholders;
- map other regulators then ensure a collaborative and coordinated approach, in particular with local authorities;
- identify and optimise opportunities for cross-government working;
- keep under review the relevance of our policy and expertise on public safety issues;
- review the relevance of key extant guidance and make proposals for change as appropriate;
- keep the Board informed of progress, risks to delivery and reputation and the need for internal and external communications.

The group to comprise representatives from:

FOD London
Construction Division
Construction London
HID
ORR
Communications Directorate
Civil Contingencies

Any other HSE staff whose attendance might from time to time be relevant.

ANNEX 3

HSE Olympic Co-ordinating Group Membership and Roles

Name	Role
Stephen Williams HM Chief Inspector of Construction and Director, FOD London	Chair
Gavin Bye Head of Operations FOD, London	Representing FOD London
Kevin Allars Divisional Director HID/Chemical Industries	Representing HID
Richard Boland Head of Construction Operations L&SE	Representing L&SE CD
Mike Williams Principal Inspector Construction London North and East	Operations CD London
Sarah Chaker Olympics Coordinator	Co-ordinates HSE's input to the 2012 London Olympics
Nicholas Booker Civil Contingencies	Representing HSE's approach to civil contingency issues
Andy Fisher Communications Directorate	Assisting with development of communications strategy
Stanley Hart Office of the Rail Regulator	Kent and Anglia area team manager
Steve Miller EHO, London Borough of Newham	London Olympics 5 Boroughs Project liaison (Joint Local Authority Regulatory Services)