

Health and Safety Executive Board		Paper No: HSE/08/38	
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Chief Executive's Report to the Board			

Developments with BRE SMEs Review

1. We are expecting publication within the next few days of the Better Regulation Executive's Review of health and safety in small and lower risk businesses. The report is now with Ministers for final approval.

Government Response to the DWP Select Committee Report

2. The Government Response to the DWP Select Committee was published on Wednesday 2 July. On 9 July the Permanent Secretary DWP and Secretary of State DWP appeared before the Committee. The Committee was critical of some aspects of the Government Response.

Review of progress with KP3 issues

3. The Secretary of State DWP last week asked HSE to review the progress made by the offshore industry in tackling issues identified by Offshore Division in the report on installation integrity (KP3) published in November 2007. The review will be carried out during the remainder of this planning year and will be completed by April 2009. A report will be prepared for Ministers shortly afterwards and the report will be published.
4. Offshore Division is currently developing a strategy for undertaking the review which will involve key stakeholders including industry and Trades Unions. A review of workforce involvement and the role of safety representatives offshore is being taken forward by the Industry Advisory Group's Workforce Involvement sub-group as a parallel work stream following the offshore workforce engagement event in Edinburgh.

Secretary of State commissions from HSE an investigation into recent deaths in the construction industry.

5. The Secretary of State (SoS) attended a meeting on vulnerable workers at 10 Downing Street on 24 June 2008. At this meeting, the SoS undertook to commission from HSE an investigation into recent deaths in the construction industry.
6. Within the Construction Division scrutiny of fatal accidents is already carried out to inform the plan of work. Within that current plan there is a project dealing with vulnerable workers, which has already carried out some analysis of accidents to vulnerable workers and recently agreed to fund two outreach workers in East London as a pilot exercise. HSE sees the new commission as an opportunity to gather valuable intelligence that can help shape future strategy. HSE proposes to deliver this commission by, among other things, engaging independent external researchers to examine the underlying causes of fatal accidents in construction, including vulnerability, and identify levers for change both within and beyond the health and safety system. The research will be phased in order to deliver early information.

Application for an Exemption to Import Asbestos

7. On 17 June 2008 Sandra Caldwell made a final decision to grant Able UK Ltd a Certificate of Exemption to import asbestos contained in the French ship Q790 (formerly the Clemenceau) into the UK. The company applied for the exemption in order to dismantle the ship at their Teeside Environmental and Recycling Centre (TERRC), in Hartlepool. HSE has imposed strict conditions governing the removal of asbestos from the vessel. The Environment Agency announced that they have granted a Waste Management Licence for the TERRC site on 26 June.
8. HSE granted an exemption to Able UK Ltd in 2003 to allow the importation of asbestos waste on 13 US ships (the 'Ghost ships'). Four of these ships are currently at Able UK's TERRC facility in Hartlepool waiting to be dismantled. Able are required to have appropriate management arrangements in place to comply with the conditions laid down in both Certificates of Exemption, particularly if the asbestos removal work on the American ships runs concurrently with the removal of asbestos from the French ship.
9. There has been considerable media and public interest and we are currently dealing with the first of the anticipated disclosure requests.

Release of Fatal Injury Statistics.

10. The latest provisional fatal injury statistics were released on the internet on Monday 30 June. This was the final release of quarterly fatal injury data and completed the picture for 2007/08. Although there was a small reduction in the overall number of workers killed (down to 228 compared to the finalised figure of 247 for 2006/07) there is no room for complacency since the average figure for the last five years is 230. The rate of fatal injury is 0.8 deaths per 100,000 workers (to one decimal place – identical to last year). Following the pattern of previous years the largest proportion of fatalities occurred in two industries, Construction with 72 (down from 79 in 2006/07) and Agriculture with 39 (up from 36 in 2006/07). Waste and Recycling continues to have a rate substantially above the overall average – although the number of fatalities fell from 16 in 2006/07 to 13 in 2007/08.
11. A short press release was prepared (<http://www.hse.gov.uk/press/2008/e08034.htm>) with a clear message from the Chair that the small reduction was no room for complacency. Some media interest was forthcoming, in particular the BBC's "Farming Today" carried an interview with Elizabeth Gibby on 1 July.
12. The full statistics for 2007/08, including injuries, ill-health and enforcement data, will be available in the Autumn.

How and Where We Work

13. Rose Court and Redgrave Court staff have been informed about our currently favoured option of releasing 5 floors in Rose Court to a single bidder, with HSE retaining one floor. We want to finalise this deal by no later than this autumn, the target date for vacating the 5 floors is mid September 2009. In the meantime there have been several expressions of interest from organisations wanting space in Rose Court so our plans will remain flexible.

14. Rose Court staff have been informed about the structure of the residual London policy presence. Following on from this the final exercise to determine the preference of Rose Court staff is underway and we should know the results of by the end of July.
15. PCS colleagues have voted to take industrial action short of a strike. We do not expect a disruption to business as a result of the vote. However, PCS have outlined a number of work to rule actions including non-cooperation with the second preference exercise.

GEOFFREY PODGER

Annex to the Chief Executive's Report: 17 July 2008**Management**

- The Senior Management Team met on 2 July and discussed the monthly finance and staffing paper; continued its discussions on recruitment plans for this financial year; agreed proposals for developing a HSE efficiency plan for the next three years; considered proposals to move to an electronic expenses claims system; and took a paper on team enforcement designed to build a new approach to deliver pan-HSE enforcement policy and procedures.

Operations

- 28 fatalities were reported to HSE in June. Brief details are given in Annex 2

Significant prosecutions in June included:

- Dennis Eagle limited was fined £166,000 and ordered to pay £22,612 in costs when an employee working under a vehicle using wheel chocks that were inadequate, when the parking brake released and the vehicle moved forwards over him, resulting in the death of the employee.
- Saint Gobain Building Distribution Ltd were fined £120,000 and ordered to pay £51,000 costs after being found guilty of breaching health and safety law.
- Schenker, of Feltham, Middlesex were fined £45,000 and ordered to pay £19,000 in costs, for breaching sections 2 and 3 of the HSWA, and regulation 5(1) of the Provision and Use of Work Equipment Regulations 1998, when an employee's head was crushed between the truck and a wall when the truck reversed.
- Berser International Cargo Services Ltd, was fined £22,000 with costs of £18,000 having pleaded guilty under Regulation 5(1) of the Workplace Health, Safety & Welfare Regulations 1992, when a lorry-driving employee, was killed when a sliding metal gate weighing 0.4tonnes fell onto him as he was closing it, on the company's site.
- Alexander's of Twickenham Ltd, was fined £20,000 and ordered to pay costs of £16,905 after pleading guilty to breaching Section 2(1) of the HSWA, in that it failed to ensure the safety at work of its employees.

Myth of the Month

- Health and Safety laws banned poles in fire stations.

FOI Requests

- 585 Freedom of Information requests were made to HSE in May.

Consultations

- There were no consultations in June.

Events, Campaigns and Publications

- HSE targeted North East furniture manufacturers to raise awareness of the health risks associated with wood dust and woodworking in general
- Colchester Borough Council has signed up with the Health and Safety Executive campaign to combat the growing number of myths that are undermining health and safety legislation.
- HSE held an event on Shetland which had been planned specifically for those working on crofts and small farms. The event was very practical and hands on with real-life scenarios being acted out on the day. There were 6 scenarios each lasting approximately 15-20 minutes

Parliamentary Business

There were 8 PQs in June. Also, there was the Adjournment debate on the 20th Anniversary of the Piper Alpha on 2nd July.

FATALITIES REPORTED TO HSE DURING JUNE

These initial notifications are not validated in that investigation has not as yet confirmed that all the deaths were work related.

AGE	REGION	INDUSTRY SECTOR	DESCRIPTION
49	East Linton	Agriculture	Trapped by pre-cast concrete panel
35	Middlesex	New build	Steel beams fell onto DP
83	West Lothian	Services	Fell from her bedside chair
57	Invergarry	Agricultural	Drum exploded onto DP's face
81	East Sussex	Manufacturing	Slipped on the staircase
79	Wrexham	Services	Fell from window
65	Aberdeenshire	Agriculture	Pinned between the bucket and wall by a telehandler
40	Lancs	Services	Found with head between mattress and bed rail
21	West Midlands	Manufacturing	Trapped and crushed by skid steer loader
18	Wilts	Services	Pushed into the water and subsequently drowned
58	Dorset	----	Motorist came off the road and drove onto DP.
---	N Lincolnshire	Window cleaning	Fell off ladder
26	North Yorkshire	Armed Services	Crushed against vehicle
32	Manchester	Services	Received fatal injuries during firearms training exercise
77	London	----	Fell down flight of stairs
25	Lanarkshire	Scrap metal	A large scrap fell onto DP
84	Newcastle Under Lyme	Services	Ejected from her electrically adjustable chair by mistake
67	Tiverton	Construction	Fell from the roof
42	Portsmouth	Services	Died while on a diving training session
----	Liverpool	Services	Died from pulmonary fibrosis
56	Mid Glamorgan	Waste	Crushed between reversing vehicle and skip
62	West Sussex	Education	Slipped down external staircase sustaining head injuries
85	Surrey	Services	Slide down the bath and sustained fracture to left fibia
18	York	Race course	Struck by a vehicle
61	Aberdeen	New build	Fell from ladder
24	East Sussex	Construction	Fell into the basement while on a night out