

Health and Safety Executive Board		Minutes: HSE/M/02	
Meeting Date:	28 th May 2008	FoI Status:	Partially Closed
FoI Exemptions:	Item 6 Section 36, Item 7 Section 35		
Trim Reference:			
Minutes of the HSE Board meeting held on 28 May 2008, in Conference Room 7, Redgrave Court Bootle, Liverpool			

Present:

Judith Hackitt – Chair Sandy Blair, Sayeed Khan Hugh Robertson
Judith Donovan John Spanswick Robin Dahlberg
Danny Carrigan David Gartside

Also attending:

Geoffrey Podger (Chief Executive), Alex Brett-Holt, Peter Buckley, Sandra Caldwell, Vivienne Carlton, Jane Willis, René McTaggart & Lorraine Cassell (all items), Elizabeth Gibby (for item 3), Steve Coldrick and Richard Bishop (for item 4), Steve Dennis and Sarabjit Purewal (for items 6 & 7)

Minutes: Ann Marie Farmer
Apologies: Liz Snape, Giles Denham

1	Agenda Item One: Welcome and Introduction
1.1	Judith Hackitt welcomed everyone to the first meeting in Redgrave Court of the newly formed HSE Board. In particular the Chair welcomed Jane Willis who was attending on behalf of Giles Denham.
1.2	The draft minutes of 24 April 2008 were agreed.
1.3	<u>Matters Arising</u> a) The Chair reported that the consultation on the health and safety law poster had begun and could be accessed via the website. The deadline for response is 11 August 2008.
2	Agenda Item Two: Chief Executive's Report
2.1	As well as his written report Geoffrey Podger highlighted the following issues: a) The two recent major hazards conferences were deemed to be a success and were well received by those who attended (including the Chair and Danny Carrigan who attended the London and Edinburgh events respectively). b) The Commission on Scottish Devolution - HSE has offered to provide oral evidence via the Chair and Paul Stollard, Director Scotland. c) 'Able' exemption application - HSE had completed its work to consider the application and Sandra Caldwell was to deliver outcome of her consideration shortly (within a few days) after the Board meeting. d) HWWW/recruitment – Two litigation lawyers and 19 policy staff had now taken up post in Bootle. A number of Rose Court based staff had been successful in transferring to other posts (both within Government and outside).

2.2	<p>The Board thanked Geoffrey for his report and raised the following issues:</p> <ul style="list-style-type: none"> a) With reference to the Oval planning application (as raised in the written report) it was agreed that as part of the considerations for developing the new HSE Strategy that societal risk should be again be formally considered by the Board. b) The Board raised the issue of domestic gas and the potential for damage to the reputation of HSE due to misunderstanding about HSE's role. This misunderstanding was thought to be as a result of the lack of a clear departmental lead on gas safety issues. It was therefore agreed that greater clarity needs to be provided on the roles and responsibilities of the key players, inc HSE. c) On related gas safety issues the also Board noted that discussions with BERR were planned and that the results of the tender exercise for the gas installers competency regime would be brought to the Board in the summer. d) The Board welcomed the feedback on the offshore worker involvement day in Edinburgh and the indication that the health and safety performance of the sector was improving. The Board also noted that at its meeting in Aberdeen that the introduction of a single permit to work scheme on all UK enforced Oil rigs (ie a system similar to that operated in UK construction sites), was requested. The Board asked for an update on progress at a meeting in the near future. e) The Board expressed dismay at the fatal incidents listed for April (four in agriculture and six in construction). In particular, the Board noted the two trench collapses as significant and agreed the need to take action to ensure this was not the start of a trend. f) The Board encouraged a properly robust response to the Christopher Booker article in the Telegraph (on weekend of 25th May) which misrepresented the facts on the agricultural sector. Geoffrey assured the Board that a rebuttal had been commissioned and a copy would be sent to them when finalised.
Action point 1	Secretariat to arrange a discussion on Societal Risk/Land Use Planning at the July meeting.
Action point 2	The scope of the consumer gas safety paper to be broadened to include departmental responsibility and related issues.
Action point 3	Kevin Myers to update the Board on progress with the Permit to work scheme in the offshore industry.
Action point 4	Geoffrey Podger to copy the rebuttal to the Booker article to the Board members.
3	Agenda Item Three: Future Plans for Tackling health and safety in agriculture (HSE/08/24)
3.1	<p>Elizabeth Gibby introduced the paper outlining marketing research undertaken to inform Judith Donovan's proposed strategy with the following comments:</p> <ul style="list-style-type: none"> a. Oxford Strategic Marketing had reviewed HSE's work on agriculture to develop 'insight' on the way forward. They focussed on farming rather than other segments due the high numbers of deaths and injuries in this part of the agricultural sector.

	<p>b. The process involved interviews with key stakeholders and a literary review that produced 10 strategic conclusions and identified the barriers to success - many of which cannot be influenced by HSE.</p> <p>c. Based on the exposure to hazards and HSE's ability to reach and influence the industry groups to target were considered in three key ways: demographics, behaviour and attitude.</p> <p>d. The work undertaken by Oxford Strategic Marketing had also produced a proposed influence map for farmers that will assist HSE in reviewing stakeholders relationships in order to refresh its partnerships and build new relationships with new partners.</p>
3.2	<p>Judith Donovan thanked Elizabeth for her introduction and hard work in supporting her in the development of her thinking. Judith then outlined her strategy which included the following points:</p> <p>a. HSE currently has a ten point strategy for agriculture and the recommendation was to reduce it to five:</p> <ul style="list-style-type: none"> • Communications/Marketing/Publicity/Positioning • Intervention/Reviews/Challenges/Inspections • Training/Skills/Competencies/Education • Suppliers/Manufacturers/Distributors/Supply Chain • Stakeholders/Partners/Shareholders/Third Parties. <p>b. It was important to identify target markets to improve the impact of the communication tools used. For example targeting the families of farmers/farm workers with emotive messages will enable HSE to tap in to the influence that 'loved ones' have . As part of this approach the strap line – "Farming Kills Farmers and Their Families" was suggested.</p> <p>c. In addition to the new approaches it was suggested that existing publications, the website, advertising, mail shots, press and PR should also be reviewed.</p> <p>d. While recognising the excellence of SHADS it was suggested that there is still room for improvement. Primarily, it was suggested that the cost to HSE could be reduced by reducing the number of HSE personnel that attend them and by contracting out as much of the service as possible. It was also suggested that greater consideration should be given to venue, and the invitation/follow up process should be more rigorous.</p> <p>e. Better positioning of the HSE stand at agriculture shows was needed to ensure that farmers, rather than members of the public, visit the stand – for example HSE should be positioned next to stands featuring the heavy equipment.</p> <p>f. It was proposed that there was scope to widen the range of stakeholders on the advisory committee.</p> <p>g. While recognising the importance of ensuring the measures taken were having the desired effect, it was strongly suggested that any evaluation should be uncomplicated and quick, perhaps through short questionnaires to test attitude changes.</p>
3.2	<p>The Board thanked Elizabeth and Judith for their excellent presentations and made the following comments in response:</p>

	<ul style="list-style-type: none"> a. If successful the innovative proposals could be used in other appropriate sectors. b. The Board agreed that SHADs are an important tool to use in reaching farmers but also agreed that consideration needed to be given to when SHADs take place to avoid conflict with busy farming periods, for example the lambing season would need to be avoided. c. While the proposed strategy focussed on prevention of deaths it was agreed that it was important to also note the effect serious injuries have on farmers and the need to prevent them. d. The Board agreed that there appears to be three main areas that deserve attention (vehicles, falls from height and animals). With this in mind the Board questioned whether the regulatory framework on farms was right especially as other than the general provisions of PUWER there is a lack of regulation for vehicles not used on public highways. e. The Board agreed that tailored, hard hitting messages will be needed to influence this industry. f. The Board acknowledged the need to ensure “buy in” from key stakeholders to this approach so that those with a role to play are actively involved in delivering the strategy.
3.3	The Chair concluded the discussion by confirming the Board’s agreement that that, subject to their discussions, the proposed strategy should be pursued and asked that a delivery/work plan be developed to take it forward. The Chair also confirmed, with the Chief Executive that the work streams to deliver this strategy would be funded from the Board’s project fund.
Action point 5	Elizabeth Gibby and Judith Donovan to take forward the development of a delivery plan for the strategy
4	Agenda Item Four: Presentation on Relationships between REACH, CHIP and COSHH (MISC/08/12 relates)
4.1	<p>Steve Coldrick gave a presentation which considered the similarities and differences in scope and approach between REACH and existing UK legislation. The main points raised included:</p> <ul style="list-style-type: none"> a. REACH is a European Regulation, not a Directive, which means that it is direct-acting with no scope for the UK to write it into UK laws in our own way. REACH is managed centrally by the new European Chemicals Agency. b. The implementation and enforcement of REACH in the UK is the responsibility of Defra, although HSE is the UK Competent Authority. c. REACH places new duties on the manufacturers and importers of chemical substances to assess and identify their characteristics and risks associated with their use, so that users are more easily able to understand these and make better informed risk assessments themselves on the use of those substances. d. Primary responsibility for UK government communications about REACH lies with DEFRA, but HSE was working with DEFRA and a range of stakeholders to help dutyholders understand the new system. e. REACH does not replace COSHH, but rather complements it by

	providing more information for duty holders to use in assessing and controlling risk.
4.2	<p>The Board thanked Steve and made the following comments in response:</p> <ul style="list-style-type: none"> a. The Board were assured that the where CoSHH and REACH require different standards that in the UK the higher level of protection will always apply. b. The Board acknowledged that DEFRA have the lead on communications and noted the planned target approach. The Board also note the work undertaken by HSE to prepare the industry for REACH including the production of information leaflets, industry workshops, etc. c. The Board noted that as well as manufacturers and importers it was also important to consider how to help safety representatives and other downstream users of chemicals.
4.3	The Chair concluded the discussions by acknowledging: the need for the Board to be kept informed of significant developments; the complexity of the system in place to manage the risk associated with working with chemicals, and; by noting that while HSE had a role to play that there were other players who had a major role.
5	Agenda Item Five: Report Back from the Audit Committee March meeting (HSE/08/20) (Fully Closed FoI Section 36)
5.1	In addition to the paper Robin Dahlberg provided a brief summary of the discussions at the March meeting of the Audit committee. In particular he highlighted that audited accounts for 2007/08 accounts and Annual Report were on track to be presented to the June meeting of the Audit Committee.
5.2	The Board thanked Robin and asked that the review of the Corporate Risk Management Plan be undertaken once the work to produce the Annual Report had been completed.
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10	Brought Above the Line – Adventure Activities Licensing Authority Licence fee – Amending Regulations
10.1	The Board noted the CBI concerns over the higher than inflation rise in the cost of the license and asked about the reasons for the increase.
10.2	Geoffrey Podger responded that the licence had not increased since June 2004 and that this was a move towards full cost recovery.
10.3	The Board recommended the increased fee to the relevant Ministers at Westminster and Cardiff.
	BELOW The Line
	<p>All the recommendations in the following below the line papers were agreed by the Board:</p> <ul style="list-style-type: none"> a. HSC Programme of Nuclear Safety Research Evaluation Report for 2006/07 (HSE/08/09) b. HSE Coordinated Programme for Nuclear Safety Research 2008/09 (HSE/08/10) c. Annual Report on the HSE Coordinated Programme for Nuclear Safety Research 2008/09 provided by the Nuclear Safety Advisory Committee (NuSAC) (HSE/08/11) d. The Export and Import of Dangerous Chemicals EC Regulation 2008 (HSE/08/19)
	MISCELLANEOUS
	<p>The following miscellaneous papers were noted by the Board:</p> <ul style="list-style-type: none"> a. Energy Bill 2008 The impact on HSE's business (MISC/08/09) b. HSE's interaction with the Local Better Regulation Office (MISC/08/10) c. Results of Consultation on the proposed European Regulation on Classification, Labelling and Packaging of Substances and Mixtures and Report on Latest Developments in Negotiations (MISC/08/11) d. Relationships between Reach, CHIP and COSHH (MISC/08/12) e. Draft Departmental Strategic Objective (DSO) Delivery Plan (MISC/08/13)