

Health and Safety Executive Board		Minutes: HSE/M/01	
Meeting Date:	24 April 2008	FoI Status:	Partially Closed
FoI Exemptions:	Item 9 Section 36, Item 10 Section 35		
Trim Reference:			
Minutes of the HSE Board meeting held on 24 April 2008 in the Globe Room, Rose Court, London			

Present:

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

Also attending:

Geoffrey Podger (Chief Executive), Alex Brett-Holt, Peter Buckley, Sandra Caldwell, Vivienne Carlton, Giles Denham, René McTaggart & Lorraine Cassell (all items), Mike Weightman & Len Creswell (for item 3), Jenny Eastabrook & Teresa Quinn (for item 4), Elizabeth Gibby & James Barrett (for item 5) and Mike Lacaille & Alison McKenzie-Folan (for items 9 and 10)

Minutes:

Ann Marie Farmer

1	Agenda Item One: Welcome and Introduction
1.1	Judith Hackitt welcomed everyone to the first meeting of the newly formed HSE Board and in particular David Gartside who was attending his first meeting as a non-executive Director following his appointment on 1 April 2008. The Chair also announced that Sayeed Khan would take on the role of the whistle-blower Board Champion.
1.2	The draft minutes of 12 February 2008 were agreed.
1.3	<u>Matters Arising</u> The Chair reported on the progress on the actions arising from the February meeting: <ul style="list-style-type: none"> a) A Carbon Monoxide paper and update on gas safety would be produced for the May or June meeting. b) The list of Local Authorities (LAs) who had signed up to the 'Myth Buster' Campaign would be circulated to members for information.
2	Agenda Item Two: Chief Executive's Report
2.1	As well as his written report Geoffrey Podger highlighted the following issues: <ul style="list-style-type: none"> a) Grangemouth – current industrial action will lead to a shut down of the plant which has associated health and safety issues. HSE were in close contact with the plant operators to ensure the risks are being managed. b) Construction Fatal accident figures 2007/08 – A press release was issued on 9 April which provided unvalidated data on the number of fatalities. The data showed a reduction of 10% on the previous year,

	<p>which was welcome, but by no means an indication of major improvement.</p> <p>c) The Oval Cricket Ground Planning Application – On 3 April HSE had requested that Secretary of State for Communities and Local Government consider this application. The Board would be advised on the outcome of this case.</p> <p>d) The Governments Enterprise Strategy – plans to introduce ‘Regulatory Budgets’ could have significant implications for HSE. HSE were in discussions with BERR and would report back on progress.</p> <p>e) Staffing – The SMT had begun the latest round of formal visits to HSE offices to brief staff on developments. Additionally the HSE Board were informed of the assistance being provided to Rose Court staff who wish to redeploy rather than move to Bootle as part of the HWWW programme.</p>
2.2	<p>The Board thanked Geoffrey for his report and raised the following issues:</p> <p>a) On the Governments Enterprise Strategy the Board suggested that Sarah Anderson, who was conducting an independent review to determine how government across the board can deliver clarity and certainty in guidance to deliver compliance with the law, should be invited to attend a meeting of the Small Business Trade Association Forum (SBTAF) to help inform her review.</p> <p>b) The HSE Board also noted that it was essential to maintain the role of independent regulation and BERR should be reminded of HSE’s independent status as part of the Sarah Anderson review.</p> <p>c) The Board commended officials for publishing the un-validated Construction figures but cautioned on using percentage swings as an indicator of performance as, without a full explanation of the influencing factors, it does not always reflect the true story. The Board agreed that the use of long term trends is a better indicator.</p> <p>d) The Board commended the ‘Shattered Lives’ campaign and stressed the importance of maintaining the momentum it had achieved while recognising the need to manage resources so as not to divert effort from other priorities.</p> <p>e) The Board welcomed the support given to staff wishing to redeploy. That said the Board also noted concerns over the low numbers prepared to transfer to Bootle and the manner in which this could be mitigated.</p>
2.3	<p>Geoffrey Podger responded that there were advantages in being able to start policy work largely afresh in Redgrave Court. Planning was in place to fill key vacancies with those staff wishing to relocate, staff from the recruitment exercises, and existing Bootle based staff.</p>
Action point 1	Advise the Board on the Outcome of the Oval Cricket Ground Application.
Action point 2	Report back on progress on discussions with BERR on the Enterprise Strategy.
Action point 3	Invite Sarah Anderson to attend the SBTAF.

3	Agenda Item Three: Generic Design Assessments (GDA) of New Nuclear Reactors End of Step 2 Reports (HSE/08/02)
3.1	<p>Mike Weightman presented an update on the progress Nuclear Directorate had made on the generic design assessments programme of work and the work of his division more generally. His presentation covered:</p> <ul style="list-style-type: none"> • The new two stage Nuclear Licensing Process. • The 4 Step Generic Design Acceptance process. • Openness and public involvement. • Inspector recruitment. • International cooperation. • Review of nuclear regulation.
3.2	<p>The Board thanked Mike for his presentation and made the following comments:</p> <ol style="list-style-type: none"> a) The Board were pleased with the progress made and the handling of the work undertaken. b) While the Board recognised the need for a technical approach to the GDA process website it felt that the scope for making it more accessible to non-experts should be explored during the next phase of the programme of work. c) The Board welcomed the global interest in the GDA process but agreed it was important to pursue the involvement of other EU Regulators. d) The Board agreed that it was important to ensure that public confidence in HSE's ability to ensure appropriate health and safety management of the industry continues to be maintained.
4	Agenda Item Four: BRE/NAO Report on HSE's Hampton Implementation Review (HSE/08/03)
4.1	<p>Jenny Eastabrook and Teresa Quinn provided a progress report on the action being taken in light of HSE's Hampton implementation review report. The introduction included the following points:</p> <ol style="list-style-type: none"> a) The final report, which was published in March 2008, was broadly positive and commended HSE on its transparency and outcome based approach. b) The report outlined several areas for improvement all of which HSE had already identified and had put in place steps to address them. c) The main areas to be addressed were the need to improve intelligence/evidence gathered and the need to improve on performance in influencing the 'hard to reach' groups. d) The Board were informed that steps were being taken including the fine-tuning review targeting intelligence project (underway since September 2006) and the first stage of work to improve the influence of advice and guidance (as outlined in Annex 3 of the paper). Further steps would be considered as part of the new strategy. e) The Board were asked to agree to the paper being used as the HSE response to the recommendations of BRE/NAO's final report.

4.2	<p>The Board thanked Jenny and her team and made the following comments in response:</p> <ul style="list-style-type: none"> a) The Board requested that milestones be included in the delivery plan for addressing the recommendations of the report. b) The Board agreed the need to ensure that adequate resources were available to deliver the work outlined (especially any communications work). c) The Board also asked for more information on the role of the intelligence officers and the lessons learnt from their work. On the use of intelligence the Board also stressed the importance of ensuring intelligence is actually used and shared. d) The Board also agreed the need to continue to influence the outcome of the BERR BRE review of low risk and SME businesses to ensure that the review reflects the roles and functions of the HSE and LA inspectors.
4.3	<p>Judith Hackitt concluded the discussions by confirming that the Board were content with the approach being taken and to the paper, subject to the comments above, being published as HSE response.</p>
Action point 4	<p>Jenny Eastabrook subject to amendments above to arrange for the report to be provided as HSE's response to the review.</p>
Action point 5	<p>Sandra Caldwell to provide information on the lessons learnt from the regional intelligence officers pilot.</p>
5	<p>Agenda Item Five: An Update on the health and safety performance of the waste and recycling industry (HSE/08/04)</p>
5.1	<p>Elizabeth Gibby and James Barrett introduced the item with a short presentation which provided an update on performance in the waste and recycling industry and HSE's work in this sector. The points covered included:</p> <ul style="list-style-type: none"> a) This is a relatively new, rapidly developing industry with a high political and public profile. The sector has been massively influenced by wider Government policy on environmental and recycling and includes public, private and voluntary organisations. b) HSE identified this sector as an area of concern and in 2004 HSE initiated a project to tackle the issues. c) The project has focussed on the main causes of accidents, awareness raising, targeted inspection, productive partnerships, research and managing risk. d) Intelligence shows that the accident frequency rates peaked in 2003/04 and dropped by 12% to the end of 2005/06. e) This reduction occurred at the same time as numbers employed in the industry expanded rapidly. f) While HSE has had some success there is clearly more to tackle. The HSE has proposed a strategy that addresses procurement, contract management, poor performers, scoping ill health and continuing its work with stakeholders to develop their role as delivery bodies.

	g) The Board was therefore asked to provide views on a future programme of work.
5.2	<p>The Board thanked Elizabeth and her team for an excellent paper and congratulated staff more widely on their achievements in reducing the accident rates. The Board also made the following comments:</p> <ul style="list-style-type: none"> a) The Board agreed the need to further segment the sector to address the specific issues faced by those collecting and those disposing and recycling of waste. b) The Board agreed the importance of addressing the factors that influence the performance of the industry including ensuring that health and safety performance is an integral part of the contracting process. c) The Board noted that the industry was rapidly developing, has issues of contractorisation and that training and competence are important issues. The Board were therefore reassured that these issues are being considered as part of the work in this sector. d) The Board agreed that it was important to ensure the project results in the 'health' and 'safety' risks being addressed in this sector. e) In line with its approach to working with stakeholders the Board agreed the need to become more engaged with the Waste Industry Health and Safety (WISH) forum.
5.3	The Board concluded its discussion by emphasising the need for HSE to continue its work in this industry and in particular to seek to influence central and local government at a strategic level, given that the nature of this sector's growth creates a major opportunity to build in integral health and safety as part of strategy development. The Board requested a further update on progress with the HSE project in six months.
Action point 6	Elizabeth Gibby to report on progress in developing the industry led strategy and HSE's role in helping them to deliver them (in around six months time).
6	Agenda Item Six: Formal agreement of the governance documentation for the HSE Board (HSE/08/05)
6.1	The Chair introduced the paper and asked the Board for their formal agreement of the 'Statement of aims' and the 'Code of practice'.
6.2	The Board agreed that, subject to some drafting changes to the code of practice that the documentation should be adopted as agreed. That said the Board also agreed to revisit the documentation at the same time as the performance of the new HSE Board is evaluated.
7	Agenda Item 7: Framework for bodies established under the governance of the HSE Board (HSE/08/06)
7.1	<p>Giles Denham introduced the proposals for a framework for the groups established to support the Board's work and made the following comments:</p> <ul style="list-style-type: none"> a) It was not suggested that HSE should move away from engagement with stakeholders but the merger provided the opportunity to consider what sort of groups the board needs to support its work.

	<ul style="list-style-type: none"> b) There is a clear format for appointing scientific advisory committees but more discretion for the Board in relation to the other groups. c) The Board were asked for comments on the proposed framework for ensuring they receive the support they need.
7.2	<p>The Board thanked Giles for the paper and introduction and made the following comments in response:</p> <ul style="list-style-type: none"> a) The Board recognised the need to keep good practice/ performance where it exists but agreed that a more radical approach may be needed. b) The Board agreed to explore the scope for developing a framework that reflects the need for industry/stakeholders to take a more active lead on improving H&S performance. Therefore the views of stakeholders would need to be sought on what groups/access to the Board they needed to deliver their part of the strategy for health and safety in Great Britain. c) The Board also agreed that the good work undertaken by and good practice in the Industry Advisory Committees needs to be recognised as part of the work to establish a new framework as it was vitally important that stakeholders understand their input has been, and will continue to be, valued.
Action point 7	HSE Board members to provide Giles Denham with proposals on what the role of the groups (IACs, scientific committees etc) should be.
8	Agenda Item Eight: Agenda for the 28 May Meeting
8.1	<p>Agenda was agreed and the Board asked for the following to be added to future agendas:</p> <ul style="list-style-type: none"> a) Report on FoI Requests b) The Influence of the European Health and Safety Strategy c) Early feedback on the major hazards event.
Action point 8	Secretariat to commission the requested items.
	CLOSED Session
→9	
9.1	

9.2	<p style="text-align: center;">←</p>
AOB	The HSE Board noted the release of the Select Committee report and requested a summary of the published views on the report from key stakeholders.
Action point 9	Peter Buckley to provide HSE Board members with summary as requested
	MISCELLANEOUS
	Government Enterprise strategy (MISC/08/08) The Board noted the paper.