

Health and Safety Executive Board			HSE/09/M6
Meeting Date:	23 June 2009	Fol Status	Open
Fol Exemptions			
Trim Reference:	2009/336564		
Minutes HSE Board Meeting – 23 June 2009 Redgrave Court, Bootle			

Present:

Judith Hackitt – Chair	Danny Carrigan	Robin Dahlberg	Judith Donovan
David Gartside	John Spanswick	Hugh Robertson	Liz Snape

Also attending:

Geoffrey Podger, Kevin Myers, Alex Brett-Holt, Steve Dennis, Gaynor Coldrick, Diane Tsavalos, Anne Robinson, Lindsay Cairns, Jane Willis (Items 6 – 10), Philip White (Item 5), Peter Brown and Matthew Penrose (Item 6), Gordon MacDonald and Lorraine Medcalf (Items 7), Jenny Easterbrook, Anna Bliss and Tony Bandle (Item 8).

Observer for open session – Mike Draper.

Apologies: Sayeed Khan, Sandy Blair, Sally Sykes

Minutes:

Laurence Monaghan

Open Session	
3	Welcome and introductions
3.1	<u>Introduction</u> The Chair noted apologies from Sayeed Khan, Sandy Blair and Sally Sykes, and advised that both Sayeed and Sandy had provided written comments on the papers.
3.2	<u>Minutes</u> The minutes of the May meeting were agreed with no comments.
3.3	<u>Matters arising</u> The Chair provided an update on matters arising since the last meeting which included: a) The new Strategy had been successfully launched on 3 June. b) The Chair and Chief Executive had given evidence to the Work & Pensions Select Committee on 10 June. The session had gone well and the new strategy had featured prominently. c) The report from the Calman Commission had been published on 15 June. d) On 9 June the Oval Planning Inquiry had published its decision which had gone against HSE's advice e) The Board confirmed they were content with the below the line paper on DEFRA's mining waste off-site emergency planning regulations circulated previously by correspondence (HSE/09/52).
4	Chief Executive's Report – HSE/09/55
4.1	Geoffrey Podger presented his written report to the Board who made the following points in its discussion: a) Calman Commission Report - The Board thanked those in HSE, in particular the

	<p>Chair and Paul Stollard, who had given evidence to the Commission.</p> <p>b) HSE statement on police responsibilities under HSW – The Board asked for a communications strategy to be developed to publicise the statement and counter myths.</p> <p>c) HSE's new website – The Board congratulated the designers of the new website which was felt to now be much easier to use.</p> <p>d) HSE Parliamentary reception – The Board asked that next year's reception be held in June or July at a time and location more accessible for Parliamentary attendees.</p>
5	Public consultation on proposals for the statutory registration of Tower Cranes – HSE/09/59
5.1	Philip White presented the draft consultative document and asked the Board to agree its scope and content prior to publication. Implementation of the register was proceeding against a tight timetable and if agreed the consultative document would be published mid-July.
5.2	<p>In discussion of the document the following points were made:</p> <p>a) Penalties for non-compliance with these regulations would be under the Health & Safety Offences Act.</p> <p>b) Treasury solicitors had indicated that those wishing to view the register could not be charged for access. The Board agreed such an approach was not in the public interest in any case.</p> <p>c) Any charge for registration would be a nominal fixed fee in accordance with Treasury guidance and charging proposals should be framed in the context of the Strategy.</p>
5.3	The Board commended the work that had gone into the consultative document and agreed that it be published with the inclusion of an explicit question to dutyholders about possible charging arrangements.
6	Implementation of the Artificial Optical Radiation Directive – HSE/09/56
6.1	Peter Brown introduced the paper which proposed the Artificial Optical Radiation (AOR) Directive be implemented by the production of new regulations limited to meet the minimum requirements for transposition of the Directive.
6.2	<p>After discussion, which included written input from absent Board members, the Board agreed that the appropriate route to implementation was through a set of minimal new regulations as proposed. It was recognised that this approach may be criticised by some who see little or no value in the new directive; to counter these risks the Board requested that the introduction of the regulations be supported by a robust communications strategy and consultative document that:</p> <p>a) Emphasised the hazards of AOR and the continuing need for adequate risk assessment</p> <p>b) Made clear that the high standards of control already being achieved in the UK mean little further would be required of most dutyholders</p> <p>c) Highlighted the level playing field that would be created for UK business by the harmonisation of standards across the EU.</p>
6.3	The draft consultation document would be presented to the Board for approval in time for consultation in the Autumn. As part of the consultation views would be sought from the next Small Business Trade Association Forum meeting and work undertaken to address the concerns raised by the EEF.
7	Progress on the development of the Single Regulatory Framework (SRF) to govern work with human and animal pathogens – HSE/09/57
7.1	Gordon MacDonald introduced the paper which provided an update on the

	<p>development of the SRF and proposed an extended timetable for implementation.</p> <p>a) Work with stakeholders had progressed well and the project was now entering its third and most challenging phase; combining the three directives and producing the supporting guidance.</p> <p>b) Decoupling the regulations from the aspirational April 2010 timetable would help ensure their successful implementation but would also present reputational risks.</p>
7.2	<p>The Board recognised that getting the regulations right was of greatest priority and agreed the timetable for the SRF could be extended by 6 months. They also asked that a simple to administer system of full-cost recovery be pursued and requested a further update prior to consultation on the Legislative Reform Order.</p>
8	HSE's response to the Strategy's Leadership Goal – HSE/09/58
8.1	<p>Jenny Eastabrook introduced the paper which set out a package of work for the coming year to promote improved health and safety leadership. The proposals, which were at differing stages of development, included establishing national account managers and encouraging industry ownership of the leadership agenda. Forward thinking envisaged more work with LAs and linking to the Strategy pledge scheme.</p>
8.2	<p>The Board endorsed the proposed plans and supported the concept of national account managers and sector specific approaches. The specific intention to increase involvement of LA regulators was also welcomed. To guide future work the Board provided the following direction:</p> <p>a) To ensure coverage stakeholders should be approached via multiple channels.</p> <p>b) Different approaches should be considered for the Public Sector where there was a need to stimulate greater leadership and also raise the profile of health and safety within government procurement exercises.</p> <p>c) Role models within sectors who might act as ambassadors should be identified and engaged.</p> <p>d) Industry sectors should be encouraged to develop their own tailored guidance for directors.</p> <p>e) Delivery plans are to be sought from those who signed the Strategy pledge.</p>
9	July meeting agenda and Forward Look
9.1	<p>a) A visit to the Olympic site as part of the August Board meeting was requested.</p> <p>b) A visit to MacFarlane Smith as part of the September Board meeting in Scotland was confirmed.</p> <p>c) The 2010 residential meeting was likely to be held in Wales in March.</p>
10	Any Other Business
10.1	<p>There was no other business discussed.</p>