

Health and Safety Executive Board			HSE/09/M9
Meeting Date:	23 September 2009	FoI Status	Open
Trim Reference:	2009/453502		
<b>Minutes of HSE Board Meeting – 23 September 2009 Radisson Blu Hotel, Edinburgh</b>			

**Present:**

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

**Also attending:**

Geoffrey Podger, Kevin Myers, Alex Brett-Holt, Steve Dennis, Gaynor Coldrick, Jane Willis, Gordon MacDonald, Sally Sykes, Paul Stollard, Elaine Harbour, Anne Robinson (all items); Rosalind Roberts, Marcia Davies, Amanda James (Item 6); Kate Haire, Peter Brown (Item 7).

**Minutes:** Laurence Monaghan

Open Session	
<b>3</b>	<b>Welcome and introductions</b>
3.1	<u>Introduction</u> The Chair opened the meeting by confirming that Board meetings in Scotland, and Wales, are to be regular events.
3.2	<u>Minutes</u> The minutes of the August meeting were agreed with requests for clarification of the work with DEFRA recorded under item 4 and the inclusion of a point under item 6 about learning lessons from the Ryder Cup about the use of temporary structures.
3.3	<u>Matters arising</u> a) 1000 organisations had now signed the pledge. To promote the sensible risk management message Extreme Dreams, the 1000 <sup>th</sup> organisation to sign, had taken part in an abseiling event with HSE. b) HSE had published its response to Ministers on the ICL Inquiry report on 27 August and had begun a preliminary consultation on the report's recommendations. c) There had been a HSE stand at the TUC Congress in Liverpool to promote the Strategy, particularly its worker involvement goal.
<b>4</b>	<b>Chief Executive's Report – HSE/09/82</b>
4.1	Geoffrey Podger presented his written report to the Board. The following points were made in its discussion: a) ICL Report - The consultation on Lord Gill's recommendations had now begun and the industry agreement had been published. HSE's pipe replacement programme had been driven by the risk assessment work of an external expert which outside parties, critical of the programme's timing, had not been party to. b) Digital changeover activities - While still early days, the <i>Don't switch off to safety</i> initiative was thought to be going well and was not picking up significant problems. c) <i>e.coli</i> outbreak – The HPA was leading on the <i>e.coli</i> outbreak and had set up an independent inquiry into the Godstone incident. In parallel to the inquiry, the

	<p>HPA was seeking additional inspections, mostly by Local Authorities, to confirm farms were following guidance. Some HSE inspection of working farms that also operate as petting farms would be required and HSE would be taking a proportionate, risk-based approach to resourcing this work. It was planned to issue a joint HPA/LA/HSE statement explaining this aspect of the response to the outbreak.</p> <p>d) <i>e.coli</i> outbreak – Following media comments from Professor Pennington, the Department of Health had announced its intention to ask the Advisory Committee on Dangerous Pathogens to review relevant HSE guidance. HSE would seek to be involved in this work.</p> <p>e) ASA Complaint - The ASA had published its decision to uphold a complaint by Professor Bridle about HSE’s use of statistics.</p> <p>f) Rita Donaghy Report - Further work was planned to analyse the evidence considered by the Secretary of State’s Inquiry into construction deaths.</p> <p>g) Accreditation - Although not involved, HSE was supportive of the work to develop accreditation arrangements for medical professionals.</p>
<b>5</b>	<b>Significant Developments in Scotland – HSE/09/83</b>
5.1	<p>Danny Carrigan introduced this item with an overview of the changes in the Scottish political landscape since plans for a Scottish Government had first been announced 13 years previously. Recent HSE interactions with the Scottish Government had seen the Chair and Paul Stollard provide evidence to the Calman Commission and the Board attend a HSE reception at the Scottish Parliament the evening prior to this Board meeting.</p>
5.2	<p>Paul Stollard introduced the paper by summarising HSE’s relationships with the devolved institutions in Scotland and with the new health and safety unit within the Crown Office Procurator Fiscal Service. The paper did not report on the ICL Inquiry report; although many of the staff most involved work in Scotland offices the issues arising from the Inquiry are Great Britain wide rather than Scotland specific.</p>
	<p>In discussion of this paper the following points were made:</p> <p>a) HSE secondments to the Scottish Government were working well. A further secondment in 2010 was hoped for as was a Scottish Government secondment into HSE.</p> <p>b) The Partnership on Health and Safety in Scotland (PHASS) and the Scottish Centre for Healthy Working Lives (SCHWL) had recently held the first of what will be regular joint meetings.</p> <p>c) Discussions were already taking place about applying the lessons from the ODA to the Commonwealth games.</p> <p>d) Work was being undertaken to move health and safety up the agenda for Local Authorities; the challenges when working with Scottish LAs were reported as much the same as those across the UK in general.</p> <p>e) Work on the 2010 strategy for agriculture shows was underway and it would be in place for the Scotland season.</p> <p>f) HSE had put great effort into improving asset integrity in the offshore industry and would be seeking to maintain standards through the difficult economic environment.</p> <p>g) The first demonstration of carbon capture would be in Scotland and HSE was currently considering how best to approach such emerging energy technologies.</p>

5.3	The Board thanked Paul for the paper and staff in Scotland for their continued efforts. They also recognised the work of PHASS and agreed the proposal from PHASS Chair Danny Carrigan that its work now move to a new level. The Board endorsed the requirement for a PHASS action plan which Danny and Paul Stollard would pursue with PHASS.
<b>Action point 3</b>	Danny Carrigan and Paul Stollard to ask PHASS to consider developing its own action plan.
<b>6</b>	<b>Improving health and safety performance in the health and social care sectors – next steps? – HSE/09/84</b>
6.1	Rosalind Roberts introduced the paper which had been requested by the Board following a previous presentation about injury and ill-health statistics. The paper, which considered only worker health and safety, sought direction from the Board about the development of an intervention strategy for the health and social care sectors. Such a strategy would recognise the wide range of levers that were available and take account of the various interfaces with other regulators. A further paper considering patient health and safety in these sectors would be brought to the Board at a future meeting.
6.2	The Board thanked Rosalind and her team for the comprehensive paper and agreed that a revised strategy towards these sectors which took account of the available evidence and anticipated changes should be developed. A model for effective stakeholder engagement which sought to segment rather than separate the sectors involved, e.g. by geography, was also requested. The work was to map out and consider: co-regulators and other stakeholders; commissioning stakeholders; employers and employees. Who best to engage with, and the use of an advisory committee or alternative forums, would be considered in light of this mapping work. One important means of tackling issues identified by the Board was the commissioning of safe services and this required placing on local authority agendas.
6.3	The requested strategy, which was to be brought back to the Board for agreement, was to consider what work in these sectors can be delivered through: current resources; mobilising others; and, additional resources. The availability of resources to deliver the final strategy was to be taken into account during its development and overambitious commitments were to be guarded against. Where early opportunities for intervention were identified the benefits of doing so were to be fully explored before any resources committed.
<b>7</b>	<b>HSE review of the current approach to workplace temperatures – HSE/09/87</b>
7.1	Jane Willis introduced the paper which presented the report of workplace temperatures by Professor R Kemp and asked the Board to consider the options for taking the issue forward being presented and indicate which were to be developed further.
7.2	The Board recognised that as UK industry and ways of working had changed so the issue of workplace temperatures, and its perception, had also changed. They recognised the issue went wider than just maximum temperature and that the extent of its impact was not fully understood. The Board asked that further evidence be gathered to identify those sectors where thermal environment was an issue and to scope the full extent of the problems presented.

7.3	The Board also recognised there was confusion about the approaches to be taken towards workplace temperatures and accepted that clarification was required about when action was required and what that action should be. The form this clarification would take would be decided in light of the further evidence gathered. Current good practice towards thermal environment issues was to be promoted in the interim.
7.4	A letter would go to the Secretary of State reporting that the Board had agreed the need to act on this issue and requested clarification of the issues involved. The approach to be taken, Approved Code of Practice or guidance, was yet to be decided and would depend on the outcome of the further work HSE would be conducting.
<b>9</b>	<b>October meeting agenda and Forward Look</b>
9.1	<ul style="list-style-type: none"> <li>a) The paper '<i>Putting the health into health and safety</i>' would be discussed at the November meeting.</li> <li>b) An update on inviting Dr Gunnyeon to a Board meeting was requested.</li> <li>c) The paper '<i>Update on activity/the performance of the agriculture sector</i>' to the November meeting will be above the line.</li> </ul>
<b>10</b>	<b>Any Other Business</b>
10.1	No other business was discussed.