

Health and Safety Executive Board			HSE/09/M02M2
Meeting Date:	25 February 2009	FoI Status	Open
FoI Exemptions			
Trim Reference:	2009/114355		
SAS Radisson Hotel, Liverpool			

Present:

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

Also attending:

Geoffrey Podger, Kevin Myers, Caroline Croft, Giles Denham, Steve Dennis, Sally Sykes, Gaynor Coldrick, Elaine Harbour and Dan Manghai

Apologies: Alex Brett Holt

Minutes: Elaine Harbour

Open Session	
1	Agenda Item One: Welcome and Introduction
1.1	<u>Introduction</u> Judith Hackitt welcomed everyone to the HSE Board meeting. The Chair also welcomed Caroline Croft who was deputising for Alex Brett-Holt
1.2	<u>Minutes</u> The draft minutes of the 28 January meeting were agreed as drafted.
1.3	<u>Matters Arising</u> The Chair provided a brief update on matters arising since the last meeting. Her report included: <ul style="list-style-type: none"> a) Thanking the Board and SMT for their attendance at the strategy consultation workshops which had gone well, with over 800 people attending; b) Thanking the Board for accompanying SMT members on visits to HSE offices; and c) That HSE has appointed Gaynor Coldrick & Steve Dennis on their appointment to Director of HR and Director of Finance respectively.
2	Agenda Item Two: Chief Executive's Report (paper HSE/09/20)
2.1	As well as his written report Geoffrey provided an oral update highlighting the following issues: <ul style="list-style-type: none"> a) The House of Commons Justice enquiry in which the question of centralising prosecutions was considered. Peter McNaught gave evidence for HSE and we must now await the Committee's report; b) The Gas Safe Register referring Board members to paragraph 8 and the actions listed in appendix 1 which concentrate around the handover date; c) Phase 2 of the Shattered Lives campaign launched on Monday 9 February. The first phase of the Shattered Lives campaign had been a success in getting public attention but that attention had decreased over time and the evidence suggested that other reinforcing activity was required and this would be taken into account in phase 2; and

	d) That several hundred people had applied for the construction FTA Inspector posts and 86 people had been invited to interview.
2.2	The Board thanked Geoffrey for his report and expressed strong support for the recruitment of construction FTA's but were concerned that potentially good candidates with the necessary experience would be screened out if they did not hold a degree. The Board asked that Geoffrey return to the Board on this issue.
Action point 43	Geoffrey to commission an HSE Board paper on Inspector recruitment with consideration of qualifications versus relevant experience
3	Agenda Item Three: Oral presentation on Nanotechnology (paper HSE/09/21)
3.1	Patrick McDonald provided the Board the latest in a series of longstanding updates on nanotechnology, concentrating on nanomaterials and made the following comments: <ul style="list-style-type: none"> a) DEFRA run a voluntary product registration scheme but there is much speculation but little evidence about the number of products containing manufactured nanomaterials in the UK and even less information about how many of these products are manufactured in the UK. b) Nanomaterials are treated as chemicals and are subject to the same regulatory regime. The framework this provides is widely agreed to work. c) There is no evidence that of exposure to harmful nanomaterials to environment or public d) HSE's involvement is proportionate but there are some gaps on the role of other parties. HSE is involved in research to plug some of the gaps in our knowledge
3.2	The Board thanked Patrick for his presentation and made the following comments: <ul style="list-style-type: none"> a) The Board agreed that there were some excellent guidance on nanomaterials that should be promoted more b) The Board asked that a below the line open paper to outline the role of HSE and others which will allow us to promote HSE's guidance
Action point 44	Secretariat to add a below the line paper to the HSE Board forward look
4	Agenda Item Four: Oral presentation on HSE's current and future Science Plans (paper HSE/09/22)
4.1	Patrick McDonald presented the HSE Board with HSE's first annual Science report, which replaces the previously quarterly report, and made the following comments: <ul style="list-style-type: none"> a) This is a first attempt at an annual plan. The plan does not cover ND research or PSD but PSD's science they will be integrated during the next spending review. b) Two thirds of the science spending is in supporting of day to day frontline support The money spent on science includes activities such as forensic investigation, land use planning, safety cases etc. c) The aim is to get to a position where there is a rolling three year spending plan d) There are proposals to improve and extend how HSE assesses the quality of its work and publication in a scientific journal will be a pre-requisite for any extra mural contract awarded. e) HSE is reviewing what it is doing on horizon scanning – both scientific and socioeconomic

4.2	The Board thanked Patrick for his presentation and made the following comments: a) The Board welcomed the new report format and were impressed by the quality of the work undertaken b) The Board considered that that they should be a customer for future planning work (horizon scanning) and they would request a paper in due course.
5	Agenda Item Five: Workforce Strategy (paper HSE/09/23)
5.1	Gaynor Coldrick gave an update on workforce developments in 2008/09 and HSE's future resourcing strategy. Gaynor made the following points: a) We have recruited most of the staff we need, including anticipating meeting the ministerial red line on Inspectors by the end of March 2009 b) there have been difficulties in recruiting specialists and HSE is looking carefully at how we use existing resources and what we can do to improve/address specialist recruitment c) The top reasons for joining HSE were: d) social value, variety of work, work-life balance & flexibility and job security and pension
5.2	The Board thanked Gaynor for her update and made the following comments: a) The Board requested that Board Members be informed about recruitment adverts for general and specialist Inspectors. b) The Board discussed diversity and asked that internal diversity issues be covered in the annual workforce strategy update.
	Agenda Item Six: HSE's future policy on safety alerts and the sharing information following significant incidents (paper HSE/09/24)
6.1	Bernadette Cadman updated the Board on of the current policy on releasing information on significant health and safety risks and made the following points: a) HSE has a policy on releasing information on significant health & safety risks and the policy is followed by staff b) Legal considerations are important and the actual practice is informed by who has the lead – there can be challenges when working with other bodies (e.g. under the Work Related death protocol) but experience suggests we find an agreed way forward c) How we actually release the information is being considered with a portal/gateway being introduced and staff being reminded about the policy
6.2	The Board thanked Bernadette for her presentation and made the following points: a) The Board endorsed the policy statement but were not yet convinced that we have the most effective means of implementation and b) The Board felt that clarity on the roles and responsibilities of other players is needed so we can be clear on where we expect others to be involved
7	Agenda Item Seven: Independent inquiry into underlying causes of construction fatal accidents (paper HSE/09/25)
7.1	The Chair welcomed Rita Donaghy, independent Chair of the Inquiry to the meeting. Rita Donaghy outlined the approach and timetable for her work and made the following points: a) There are three phases to the work and they are at various stages. b) Phase 1 is the production of a comprehensive review of the industry and will contrast migrant and non-migrant workers; it will not be completed before

	<p>phase 2 starts. Phase 1 will culminate in Rita's report in which HSE's views will be fed</p> <ul style="list-style-type: none"> c) Phase 2 is the independent research which has been awarded to Loughborough University and has been commissioned. d) Phase 3 is a detailed study of 25 fatalities selected by the Rita and academic peers. e) Work on all 3 phases is progressing rapidly and the Inquiry is due to report at the end of April 2009 f) The inquiry is only focussing on one industry and any recommendations will be construction specific.
7.2	The Board thanked Rita for her update and welcomed her back at a later date, timings to be finessed to fit with when the report is due (30 April 2009)
8	AOB
8.1	<ul style="list-style-type: none"> a) The below the line Misc paper on the BERR Regulators Compliance Code will not be cleared by the HSE Board as it is the Board's view that there is no need for HSE to respond to the BERR consultation. b) The Board asked Kevin Myers to provide an update on the Able & Clemenceau issues. c) Secretariat were asked to schedule time within the April HSE Board agenda to allow Board Members to meet the SBTAf members who have their meeting in Bootle on the same day.
Action note 45	Kevin Myers to provide an update on Able & Clemenceau
13	Below the line papers
13.1	<p>The following paper was cleared without amendment:</p> <ul style="list-style-type: none"> a. Framework for bodies established under the governance of the HSE Board (HSE/09/26)