**Minutes of HSE Board Meeting – December 2010**  
Hilton Hotel, Leeds

**Present:**  
Judith Hackitt – Chair  
Paul Kenny  
Robin Dahlberg  
John Spanwick  
David Gartside  
Hugh Robertson  
Sandy Blair  
Sayeed Khan  
Liz Snape  
Frances Outram

**Also attending:**  
Geoffrey Podger, Kevin Myers, Steve Dennis, Peter McNaught, Gaynor Coldrick, Sally Sykes, Jane Willis, Sue Johns, Laurence Monaghan, Jane Kirk (all items); Gordon MacDonald, David Sowerby, Ron Griffiths (items 4 & 11), Sarah Shore (item 8), Taf Powell (item 9), Kären Clayton, Mark Lawton (item 10), Patrick MacDonald (item 11).

**Minutes:** Jane Kirk

### Open Session

The Chair welcomed observers.

### 6. Minutes and Matters arising – HSE/10/M11C

6.1  
- The draft minutes from the November meeting were agreed without comment.  
- There were no matters arising

### 7. Chief Executive’s Report – HSE/10/91

7.1 Points highlighted from CE report were:  
- The Chair had responded on the Board's behalf to the Law Commission's consultation on Criminal Liability in Regulatory contexts.  
- Progress is being made in the online risk assessment tools for low risk workplaces. The online tool for small low risk shops is currently out on consultation and the tool for charity shops is due to be put out for consultation later this month.  
- SMT are concluding their series of HSE office visits. The feedback from the visits has been positive with a strong desire from staff for further visits when more information is available.

7.2 The Board:  
- Agreed that attendance by Board Members at a second round of visits is optional as the dates are likely to clash with the rescheduled LA visits, but asked to be informed of the dates.  
- Sought reassurance that any comments which are made which concern HSE
in the Mid Staffs Public Inquiry are being properly monitored and managed.  
- Raised further concerns over the number of fatalities in the Construction sector. An update on activities in this sector was requested for early next year.

**Action 3**  
The Board to be informed of dates of any future SMT visits.

**Action 4**  
An update on activities in the construction sector to come to the Board early next year.

8. **The COMAH remodelling Programme – feedback following implementation of the new COMAH regime – HSE/10/92**

8.1 Gordon MacDonald and Sarah Shore introduced the paper which reported on the implementation of the remodelled COMAH regime.

- The Board welcomed the changes taking place and commended the modernising and improving approach particularly the emphasis of onsite inspection.
- A more proactive approach to the publication of the site ranking system was encouraged by the Board.
- A further update in spring 2011, was requested.

**Action 5**  
An update, if appropriate to come to the Board in spring 2011.

9. **HSE regulation of emerging energy technologies (EET) – HSE/10/93**

9.1 The paper which outlined the strategy for regulating EET was introduced by Taf Powell, EET Programme Director.

- The Board agreed that the work being done in this area should now be embedded into HSE 'business as usual' by disseminating the work through the organisation as appropriate.
- It was agreed that the regulatory starting point for all EET activities should be the Health and Safety at Work etc Act, 1974 (HSWA). However, the Board would consider recommending new legislation should it be shown to be required.
- The Board agreed that the report ‘Health and Safety in the New Energy Economy’ was very clear and succinct and should be made public via HSE’s website.

**Action 6**  
The report ‘Health and Safety in the New Energy Economy’ to be made publicly available on HSE website.

10. **Delivering for health: HSE action on occupational respiratory disease – HSE/10/94**

10.1 Kären Clayton introduced the paper which updated the Board on progress in delivering the priorities on tackling respiratory disease risks arising from exposure to hazardous substances. The paper also highlighted the advice of the Advisory Committee on Toxic Substances (ACTS) on this issue.

- The Board gave endorsement for the work that is being delivered in this area.
- The Board favoured continuing with a targeted rather than generic approach towards dust at this time.
The importance of the advice ACTS gives to the Board was acknowledged. The action of TUC representatives who sit on ACTS in recommending a lower precautionary exposure threshold for dust to their members was noted. However, HSE will not pursue the lowering of current exposure limits on present evidence.

Woodworking was recognised as one of the priorities in this area of work. The Board wants work in this area to continue and to be kept under review, particularly health surveillance and further research on those affected and indicators. They requested to be kept informed of developments emerging from research on any COPD related activity when it becomes available.

**Action 7**

When research on any COPD related activity becomes available, this should be notified to the Board.

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11. **Implementing Lord Young’s recommendations to amend RIDDOR – HSE/10/95**

11.1 Ron Griffiths introduced the paper which sought the approval of the Board to publish a consultative document on increasing the period of incapacitation of a worker after which a report is required from over three days to over seven days.

- The Board agreed that because of the limitation on time due to HSE's commitment on the delivery of this work, the consultation should go ahead but the questions at the end of the CD should be reworked to take account of the comments made.
- Questions in the document should be reworked to address the following:
  - the impact (positive and negative) of the changes on business
  - consultees views on the calculation of the costs and benefits in the impact assessment
  - Other factors which should be taken into account in the impact and equality impact assessments
  - Possible consequences of the loss of the data if the changes are implemented
- The Board were keen to ensure that views from all stakeholder groups are collected and taken into account.
- The Board questioned if this was also an opportunity to explore the simplification of the reporting process under RIDDOR.
- It was agreed that the Chair could sign off the revised questions on behalf of the Board following amendment.

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12. **Current and future needs for statistics: developing a sustainable data and strategy for HSE – HSE/10/96**

12.1 Patrick McDonald introduced the paper and sought the agreement of the Board on the overall direction proposed in the data strategy.

- It was noted that the strategy is currently work in progress and is dependent on two vital pieces of information which are not yet available; what the total budget for this area of work will be and what the cost of collecting the data next year will be.
- The Board welcomed the paper and overall agreed with the outlined strategy. However, some concerns were raised about the loss of the value of some of the statistical exercises from which it was proposed to withdraw.
- It was agreed that once the revised budget is known there will be a need to look again at whether some of the sources of statistics which had raised
13. **Future Agendas – HSE/AG/01/2011**

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<th>13.1</th>
<th>The following items are to be scheduled on the forward look for next year:</th>
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<td>Review of construction</td>
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<td>Review of waste and recycling</td>
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<td>Review of LPG</td>
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<td>Annual review of activities in Scotland and Wales</td>
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<td>All items are subject to change of timing but the Board would like to see an indication of when they might be on the agenda.</td>
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**Action 8**

An updated forward look including the proposed above-mentioned agenda items to be made available to the Board.

14. **Any other business**

| 14.1 | There was no other business discussed. |
| - | The Chair wished everyone a very happy Christmas. |