

Health and Safety Executive Board			HSE/12/M03
Meeting Date:	28 th March 2012	FoI Status	Open
FoI Exemptions			
Trim Reference:	2012/214211		
Minutes of HSE Board Meeting – 28th March 2012 Marriott Hotel - Cardiff			

Attending

Judith Hackitt – Chair	Richard Taylor	Hugh Robertson	David Gartside
John Spanswick	Sandy Blair	Frances Outram	Robin Dahlberg
Nick Baldwin	Liz Snape		

Apologies

Paul Kenny Geoffrey Podger

Also attending

Sue Johns, Rukhsana Dumbrell, Kevin Myers, Steve Dennis, Peter McNaught, Gaynor Coldrick, Jane Willis, Sally Sykes, Sarah Dean-Kelly

Minutes Rukhsana Dumbrell

Open Session	
7	Welcome & Introductions
7.1	The Chair opened the meeting and welcomed observers to the meeting in Cardiff. The Chair noted apologies from Paul Kenny and Geoffrey Podger.
7.2	Minutes: The minutes were cleared with no comments
7.3	Matters Arising: The Chair acknowledged and thanked two Board members Sandy Blair and John Spanswick who had come to the end of their six years of service with the Board; and Sally Sykes the Director of Communications who was moving on to EEF, and Terry Rose who was retiring. The Chair thanked them all for their time, support and invaluable contribution to the work of the HSE.
8	Chief Executive’s Report
8.1	Kevin Myers presented the CEO’s report. He drew the Board’s attention to the following: <ul style="list-style-type: none"> a) HSE’s performance at the top of the league table of Departments and Agencies in terms of Impact Assessments rated as fit for purpose. b) The 2012 construction intensive inspection initiative which covered a larger number of sites than in previous years; the Board noted that the statistic in relation to poor conditions in 1 in 6 sites was an improvement from previous years.

	<p>c) Over 140 applications had been received in response to the launch of the Challenge Panel II, demonstrating a clear enthusiasm for the agenda.</p> <p>d) North Sea Gas Leak on the Elgin Wellhead platform: Shortly after midday on Sunday 25th March 2012 a gas release occurred on the Elgin wellhead platform. Non-essential personnel from the Elgin production platform were down manned. Early on Monday 26th March the decision had been made to down man all remaining personnel from the Elgin platform. At the time of down manning all wells were shut down and power isolated on the Elgin platform. HSE had been kept informed of all events through the duty inspector. HSE and DECC were collaborating in providing technical advice to the SOSREP. HSE would continue to communicate with Total about the developing situation and its recovery. An investigation team had been formed and would monitor the situation and commence its investigation when appropriate.</p> <p>e) Potential industrial action by road tanker drivers: Unite the Union had balloted its petrol tanker drivers on industrial action citing health and safety concerns over driver training as one of their concerns. HSE and DfT had advised that current legal requirements for safety in the carriage of dangerous goods by road tanker were appropriate and proportionate, and that there was no current evidence that standards of vocational training for the drivers of tankers carrying dangerous goods were deteriorating. DECC officials had co-ordinated the cross government response and had requested advice from HSE to advise their Minister on safety implications and what duty holders should be doing. HSE confirmed that it would, as a result of the concerns raised by Unite, make further enquiries into this issue.</p> <p>f) The Board noted the fatality statistics.</p>
9	Chair of the Office of Nuclear Regulation Report to the HSE Board
9.1	<p>Nick Baldwin presented his report. He drew the Board's attention to the following:</p> <p>a) The work of ONR had featured in both national and local media due to the first anniversary of the Fukushima nuclear accident. Mike Weightman had accepted the invitation from the Japanese Government to act as a special advisor on a new nuclear regulatory body in Japan.</p> <p>b) The clauses for the new Energy Bill had been finalised and would be announced in the Queen's Speech in May.</p> <p>c) The number of increased inspections has been a consequence of the decommissioning programme and the work on building a new reactor (Wylfa B).</p>
10	Annual Review of Activities in Wales
10.1	<p>Rosie Edwards (regional director FOD, Wales, Midlands and South West) and Jane Lassey (Head of operations FOD Wales) presented the paper setting out the strategic significance of Wales in relation to HSE's work by highlighting a range proactive and reactive work, including the chemical industries, the COMAH Competent Authority and the Agricultural sector.</p> <p>The following comments were made in discussion:</p> <p>a) The Board acknowledged that the transition of the Environment Agency Wales into a new body should be seamless to enable a continued workable regime on COMAH sites. The Board noted that Wales would always have some differences from England and HSE would be sensitive to this and recognise the different interfaces to enable constructive engagement.</p>

	<p>b) The Board noted that construction inspection visits and enforcement activities were at similar levels to last year even though economic activity had been in decline. It was explained that this had been due to the proactive and targeted approach on smaller sites exposing a new flock of dutyholders, highlighting those most at risk</p> <p>c) The Board noted that investigations into the Chevron refinery incident and the Gleision mine incident are on-going; and after both Chevron and Gleision, safety alerts had been put out to industry identifying the immediate issues of wider concern. There had been on-going dialogue with industry within the constraints of the investigation. The Board urged that lessons learnt from major hazard industries should be shared quickly and widely.</p>
11	Update on Review of Health and Safety Guidance
11.1	<p>Jane Willis presented the paper providing an overview on the progress and future plans for the external guidance review and website improvement project.</p> <p>The following comments were made in discussion:</p> <p>a) The Board welcomed the presentation and acknowledged that progress was good and overall they had been reassured about how the project was progressing.</p> <p>b) The Board noted that the information architecture may not suit all audiences. The Board also noted that one of the key drivers for the review was to help organisations comply with health and safety requirements. However, the Board stressed that as well as getting straight forward information to employers with little health and safety experience, HSE also needed to ensure its guidance portfolio meets the needs of other stakeholders. The outcome of the exercise should support compliance from every perspective. The Board reminded colleagues that HSE had access to a range of stakeholders who could help it tailor the information to consider different audience needs, if required.</p> <p>c) The Board noted that there remained some concern that by focussing on compliance with health and safety requirements, it was possible that guidance which goes beyond legal requirements would be lost. It was noted that best practice is still to be included in the revised guidance but best practice would be clearly identified as such and distinguished from what is necessary for legal compliance.</p> <p>d) The Board pointed out that professional bodies and co-regulators who use this information to support their members should be kept informed about the changes as they will have their own sector specific guidance which they may wish to link to. The Board noted that a strategic approach to badging sector specific guidance produced by industry was being considered. The Board noted that the project team had engaged stakeholders and will continue to engage with Trade Associations and Unions.</p> <p>e) The Board observed that information about how to contact the HSE was absent and this should be addressed.</p> <p>f) The Board strongly supported the archiving feature. It was noted that if HSE removed guidance or industry cannot find it, there would be a danger that stakeholders will replace it with their own information.</p> <p>g) The Board also noted that legacy arrangements had been put in place and ownership of both historic and revised guidance would be maintained. The Board agreed that the three year review was very important and encouraged</p>

	<p>that a strategy be developed to ensure an evaluation takes place to learn lessons and enable continuous improvements.</p> <p>h) It was clarified that ONR colleagues were responsible for updating ONR guidance material on the website. HSE would be happy to share lessons learned from the review to support ONR. However, ONR guidance is out of scope of this review.</p>
Action 4	Provide a progress report to the Board in 6 months (November/ December 2012)
Action 5	Provide a project close report to the Board in May 2013, including plans for evaluation and review.
12	Future Agendas
12.1	<p>May Meeting Agenda:</p> <p>a) No comments were made to the draft May meeting agenda</p>
12.2	<p>Forward Look:</p> <p>b) The Board requested an item on security policy be included for a future discussion.</p>
Action 6	A paper on security policy to be included for future discussion.
13	Any Other Business
13.1	No other business was discussed.