

Health and Safety Executive Board		HSE/12/26	
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Update on review of health and safety guidance

Purpose of the paper

1. The purpose of this paper is to:
 - a. To provide an update on the progress and future plans for the external guidance review and the website improvement project.
 - b. To advise on plans for taking this work forward including proposed revisions to the website where guidance has been withdrawn, embedding important principles relating to producing guidance that have been developed through the review, and ensuring HSE's practical and proportionate approach to guidance is maintained once the review is completed.

Background

2. The external guidance review aims to make sure that HSE's portfolio of guidance is practical and proportionate; making it easier for employers to understand and therefore meet their legal obligations.
3. Work in this area is also enabling us to respond to wider drivers to the review of guidance including:
 - The "Common Sense, Common Safety" report with the focus on simplifying requirements for low risk businesses;
 - The Government's growth agenda to ensure that guidance is proportionate and focused on compliance;
 - Professor Löfstedt's report "Reclaiming health and safety for all: An independent review of health and safety regulation" and the ongoing Government regulatory reform initiative, the Red Tape Challenge - both of which are aimed at ensuring health and safety legislation is easy to understand, administer and enforce and to enable employers make sensible and proportionate decisions about managing genuine workplace risks.
4. The Board received a paper in May 2011 (HSE/11/31) on the scope and methodology for the guidance review and the use of HSE brand on third party guidance and in partnership marketing.
5. Good progress has been made on the range of projects associated with this work including:
 - **External guidance review** - By the end of December 2011, 99% (approximately 880 publications) of guidance was under review. ACoPs and guidance provided for major hazard industries will not be included in the review. The target for 25% of the guidance to have been reviewed by

March 2012 had been delivered. Additionally, progress to review the most popular guidance (i.e. the Top 100 publications) is on track. Completion of the review has been impacted by work emerging from Löfstedt's report and the ongoing Red Tape Challenge. The review is likely to run until the end of the 2012/13 financial year.

- **Future Access to Services (FASe Programme)** - The Board received a detailed update on FASe at the December meeting. The headline news, set in the context of associated projects, is that the FASe Programme was completed on time with all the objectives and targets met.
 - **Incident Contact Centre** - The new delivery model for the Incident Contact Centre was delivered on time and the new call centre facility for reporting major and fatal incidents implemented successfully with JobCentre Plus. Duty holders are also readily able to use the new on-line forms with over 80% now received this way.
 - **Infoline** - The closure of Infoline was delivered on time without adversely affecting HSE's normal business. In the first 3 months following closure, HSE offices received only a small number of calls, which were well within predicted volumes. In addition, the Gas Safety Advice Line operation transferred to Capita Gas Registration and Ancillary Services with no adverse effect on customers and at no cost to HSE.
- **Web Improvement project** - Improvements have been made to priority areas of HSE's website to make it easier to find commonly used information, share it and keep up to date. Since September 2011 visits to the site have increased by almost 20% compared to the same period in 2010. A free email bulletin service is now attracting an additional 1000 - 2000 customers daily, with over 800,000 subscriptions in total. In the most recent customer satisfaction survey (2500 responses) 91% said their overall opinion was 'very good' or 'good'. HSE has been awarded the AbilityNet Trustmark for web accessibility and usability.
- **Rationalising Operational Guidance** - Having successfully removed 30% of operational guidance documents no longer required for front line staff, the remaining work, impacted due to priority work in other areas, will resume after March 2012. From March 2012, a single new operational guidance website will replace the separate intranet collection and FOI website copies thus reducing the effort and risks in maintaining two sites and further improvements will be added later in the year.

Argument

6. As work has progressed, a number of issues have arisen which have had an impact on the review, and our approach to ensuring guidance is maintained once it is completed. The Board will want to be aware of;
 - **Good practice and best practice.** Trades Union raised concerns about whether HSE's guidance can go *beyond* the requirement laid out in the law (i.e. best practice). Subsequently, HSE has clarified its position and TUC are content with the following statement:
 - New guidance is not limited to explanation of the requirements to meet the law. HSE are interested in publicising good practice which is used to describe action that is compliant. Where it is appropriate

to describe best practice, it will need to be identified as such so as to distinguish it from what is necessary for legal compliance.

- *Impact of the Löfstedt review.* The outcome of the Löfstedt review, in particular guidance associated with ACoP, will have an impact on the delivery of the external guidance review. However, the guidance review will proceed as planned (to the revised timetable – paragraph 5), with guidance derived directly from ACoP material subject to a further review once the ACoP review is complete.
- *Stakeholder consultation.* HSE has worked closely with stakeholders through the review, in particular where revised guidance has resulted in a change of policy. This has provided important feedback which has helped inform the review. There are ongoing discussions in specific areas with Trades Union and Trade Associations to resolve issues particularly relating to the inclusion of “best practice” in guidance and access to the HSE brand on guidance.
- *Keeping audiences informed of changes.* One of the outcomes of the external guidance review is that some guidance, previously available in a publication, will be moved to web pages or in some cases picked up by industry. Users of the website will be informed of the new location of the guidance.

7. The Board will want to be aware of future plans

- *Essentials and Core Guidance.* In response to calls to develop simpler and more interactive guidance for SMEs, the ‘Essentials for Health and Safety at work’ publication is being revised. This work compliments HSE’s review of external guidance. The intention is to release the revised Essentials as a set of interactive web pages that will allow small businesses to navigate quickly to areas of interest. A hard copy publication will also be available to purchase for those who prefer this format. Essentials will sit alongside a series of simplified core, cross-cutting guidance that support each of the key topics in Essentials, forming a complete package for businesses to help them comply with health and safety law.
- *Online developments.* Following Professor Löfstedt’s report and output from the Red Tape Challenge, HSE has an ambitious plan to continue improving its website. Maintenance and ongoing development are critical to its success. The main priorities include:
 - making it easier for small businesses and infrequent users to find relevant information in user friendly manner;
 - managing information so users get easy access to information that is relevant to them and they are not overwhelmed;
 - making more of search, mobile technologies, subscription services, social media and multimedia;
 - building effective links with other websites (including the Government’s ‘single domain’);
 - using our data on visitor behaviour, survey results and user feedback effectively; and
 - increasing income by making it easier for those who want to buy our products.
- *Legacy arrangements.* To ensure HSE’s guidance portfolio remains proportionate, practical and coherent an information architecture has been

established based around a series of short statements on generic cross-cutting issues (e.g. risk assessment, training, consultation etc) and cross-cutting topics (e.g. falls, hand-held machinery, workplace transport etc). In sector guidance, these short statements will be augmented with specific industry context and will be used multiple times across HSE's portfolio. This modular approach will help future-proof guidance to ensure consistency of message; provide clarity to businesses; and enable HSE to update information in an efficient manner. The external guidance review has established a robust process for producing and reviewing guidance which includes a set of publishing principles and a third party endorsement protocol. Once the review is complete this process will remain.

Action

8. The Board is invited to:

- note the significant progress and range of work already undertaken to review HSE's external guidance;
- note the issues which have arisen that have had an impact on the review; and
- endorse the approach for future-proofing guidance to ensure it remains proportionate, practical and coherent.

Paper clearance

This paper was cleared by the Senior Management Team on 7 March 2012.