

Health and Safety Executive Board		HSE/14/80	
Meeting Date:	1 st October 2014	FOI Status:	Open
Type of Paper:	Above the line	Exemptions:	
TRIM Reference:	2014/334438		

Publication of revised Approved Code of Practice: L146 Consulting workers on health and safety

Purpose of the paper

1. To inform the Board of the final proposed version of ACOP L146 Consulting workers on health and safety and seek approval for publication by end of October 2014.

Background

2. In response to a recommendation in the Lofstedt review, HSE reviewed its ACOPs and, in summer 2012, carried out an initial consultation on a number of these, including L146.
3. The consultation proposed that no changes were required for this ACOP at that time. Of the 91 definitive responses received, 89% agreed no changes were required and 11% disagreed. A further six responses were received which provided no clear view on the proposal.
4. Results from the initial review concluded that there was no significant evidence to suggest the need for wholesale revision. The generally held belief was that it clearly explains the requirements for compliance, particularly in respect of roles and responsibilities of employer and employee representatives. This helps to avoid misunderstanding and conflict in the workplace that would clearly impact upon employment relations and business performance

Argument

5. L146 has been reviewed and minor amendments have been made. These are largely corrections to reflect changes to other regulations, ACOPs and guidance that have occurred throughout the implementation of the Lofstedt review. Other amendments can be summarised as:
 - HSE website house style changes
 - removal of duplicate text where appropriate
 - replacement of gender specific terms with "their"
 - plain English improvements
6. There have been no changes to policy or to ACOP material. The changes are unlikely to make a difference to how the ACOP is understood by the reader. We intend to publish L146, in October 2014, as a 2nd edition (with amendments) rather than a new edition.

Consultation

7. TUC and Small Business Trade Association Forum members have been informed of the nature of the revisions and offered the opportunity to comment.

Devolved Administrations

8. ACOP L146 applies to duty holders in England, Scotland and Wales. Stakeholders within the devolved administrations have been informed of the amendments and comments welcomed.

Action

9. The Board is invited to note the approach taken to the amendments to ACOP L146 and to approve publication in October 2014.

Paper clearance

10. Paul Logan on behalf of Jane Willis Head of Cross Cutting Interventions Directorate (CCID).