

Health and Safety Executive

Business Plan 2015-16

Draft (For approval)

Our mission:

The prevention of death, injury and ill health to those at work and those affected by work activities

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1. Foreword

2014 marked the 40th anniversary of the Health and Safety at Work Act. And this year, HSE reached the same milestone. 40 years on, the health and safety system remains, fundamentally, fit for purpose. This is because of the enduring principle of health and safety law in Great Britain - that those who create risks are best placed to control them, and they should do so in a proportionate and practical way. The focus is on outcomes that need to be achieved, not rules and paperwork – the Act and regulations are designed to enable activities to take place, not to stop them.

There have been a number of reviews of health and safety in recent years and they have all shown that, fundamentally, the system we have in Great Britain is fit for purpose. HSE lies at the heart of this globally respected regulatory system and we will continue to be a catalyst for positive change in organisations that range from the smallest microbusiness right up to the major global players who manage major hazard facilities.

We have made excellent progress with delivering on the recommendations from those reviews, updating processes in key areas such as:

- Simplifying, consolidating and modernising the large amount of regulation which has built up over time;
- Tackling over-interpretation of legal requirements – whether caused through misunderstanding or lack of clarity in guidance; and
- Targeting our inspections and interventions on higher risk premises and activities as well as poor performers.

Whilst much has been done, there is still more to do. 2015 is another busy year and this Plan outlines HSE's contribution to improving the health and safety performance of Great Britain. Some examples of work we will be undertaking in 2015/16 include:

- Focus on key health risks, including respirable crystalline silica, asbestos and asthmagens and carcinogens during our proactive inspections;
- Working with dutyholders to implement revised EU regulations in both on and offshore major hazard industries and embedding the new Construction Design and Management Regulations;
- Continuing to update and refresh our guidance so that it is clear and easy to understand; and
- Working with the Scottish Government and other stakeholders to see how we better respond to health and safety needs in Scotland from within a reserved GB wide HSE.

Our clear strategic intent within HSE is to continue to be a modern, independent and effective regulator. The world in which we operate today is markedly different to the one in 1975 when HSE was established. Looking ahead, the accelerating pace of changes in society will continue to bring fresh challenges and opportunities for HSE. Having demonstrated our ability to evolve ourselves, we are confident that we can rise to the challenges ahead, not only to continue to improve the health and safety system but to adapt and embrace new ways of working and new opportunities.

HSE is immensely proud of what everyone in the health and safety system has collectively achieved over the last 40 years. We are determined to set HSE on the right course for the next 40 and will need to work in partnership with all our stakeholders to realise this ambition.

Judith Hackitt CBE
Chair

Dr Richard Judge
Chief Executive

2. About Us

The Health and Safety Executive (HSE) is an executive non-departmental public body with Crown status, established under the Health and Safety at Work etc Act 1974 (HSWA). It is sponsored by the Department for Work and Pensions (DWP).

DWP Ministers have primary responsibility for health and safety policy in government. HSE also reports to other Ministers on different aspects of health and safety.

Our primary function is to secure the health, safety and welfare of people at work and to protect others from risks to health and safety from work activity. We are responsible for regulating work-related health and safety in Great Britain and work in partnership with local authorities as co-regulators in accordance with the HSWA. HSE is also responsible for regulating risks to health and safety arising from work activity in the offshore oil and gas industry on the UK Continental Shelf (UKCS).

HSE regulates health and safety across a range of sectors and industries including major hazard sites such as onshore chemical plants and offshore gas and oil installations through to more conventional sites, including quarries; farms; factories; waste management and construction. We do this by applying an appropriate and proportionate mix of intervention techniques including inspection, advice and support, awareness-raising activities and, where necessary, enforcement action.

Health and safety is a matter reserved to the UK Parliament. In Scotland and Wales effective working arrangements have been developed between HSE and the respective administrations to ensure that areas of common and close interest are managed appropriately. Where necessary, such areas are underpinned by 'concordats' which set out any arrangements for consultation, information giving and joint working¹.

HSE Structure

HSE is led by a non-executive Board, chaired by Judith Hackitt. The Board sets the organisation's long-term direction, strategy and objectives. The delivery of these, along with the day to day management of HSE is the responsibility of the Chief Executive, Richard Judge and the Senior Management Team (SMT). Further details on HSE's organisational structure can be found on our website.²

Resources

In terms of resources to deliver this Plan, we have 2,572 staff (Full Time Equivalents)³ and a budget of £231.9m (including grant-in-aid of £145.9m) for 2015/16.

¹ www.hse.gov.uk/aboutus/howwework/framework/F-2001-3.htm

² www.hse.gov.uk/aboutus/furtherinfo/directorates.htm

³ As at February 2015

3. Plan on a Page

Mission

The prevention of death, injury and ill health to those at work and those affected by work activities

Our core aims

Lead others to improve health and safety in the workplace

A regulator which:

- Uses research and knowledge to prioritise its actions and those of others
- Targets its inspections to areas which give rise to the most serious risk
- Provides guidance and support to enable informed workplace health and safety decisions
- Works in partnership to raise awareness and create behavioural change
- Demonstrates the benefits of proportionate health and

Provide an effective regulatory framework

A regulator which:

- Simplifies and consolidates domestic health and safety regulations to make the law easier to understand
- Negotiates and secures the best possible outcome in Europe for the UK, maintaining the necessary protection for workers
- Acts as the Competent Authority for biocides, pesticides, detergents and industrial chemicals

Secure compliance with the law

A regulator which:

- Investigates work related concerns, accidents, incidents and ill health
- Enforces the law to prevent harm and secure justice where appropriate

Reduce the likelihood of low frequency, high-impact catastrophic incidents

A regulator which:

- Regulates major hazard operators and dutyholders proportionately and effectively;
- Provides authoritative advice in relation to hazardous substance consents and land use planning

Financial aim

A regulator that is financially sustainable with excellent financial stewardship, delivering value for money and which continues to make strategic investment in the future

Our Core Aims

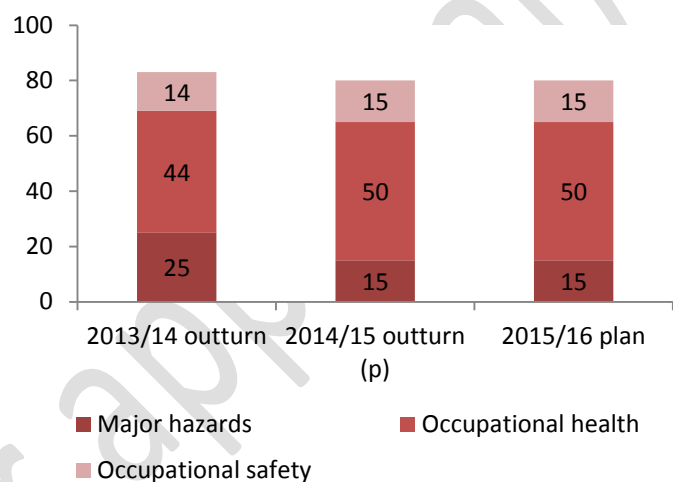
4. Lead others to improve health and safety in the workplace

Where improvements in health and safety are necessary and where HSE can make a distinctive contribution, we will work closely with individual companies, industry bodies, stakeholder groups and others to assist in driving forward sector-led improvements to raise awareness of, create behavioural change and ultimately improve health and safety in the workplace.

Use evidence and knowledge to prioritise our own actions and guide the actions of others

- Maintain a fit-for purpose and robust evidence base on workplace injuries, work-related ill health, and the causes and consequences of health and safety failings, publishing a suite of health and safety statistics in **autumn 2015**
- Commission and deliver research and evidence to enhance our knowledge to support identification and delivery of HSE's priorities (see Figure 1) including research on:
 - Chronic Obstructive Pulmonary Disease (COPD) – final assessment of a large scale epidemiological study to establish the principal causes of COPD by **February 2016**
 - The relationship between shift work and disease - report due by **January 2016**
 - Development of a methodology for the evaluation of workload in process safety industries – initial report due by **May 2015**
 - Development of a rapid detection method for Legionella – report due by **September 2015**
- Review and if necessary, update “The Health and Safety of Great Britain// *Be Part of the Solution*”
- Develop and publish HSE's 3 -5 year strategy for work-related ill health which will integrate HSE's activities on occupational cancer, respiratory disease and other ill-health conditions by **September 2015**
- Assess costs, benefits and impacts (economic, environmental and social) of new policy initiatives

Figure 1: Research reports published by topic⁴



⁴ Data in all figures is based on latest information at the time of production and is therefore subject to change. (p) indicates provisional data at time of publication

Target and conduct inspections of those sectors and activities which give rise to the most serious risks or where risks are least well controlled

- Undertake proactive inspections where robust evidence and intelligence indicate health and safety performance is of serious concern and where inspection is the most effective intervention to secure compliance (see Figures 2 and 3) including
 - Issuing licenses and undertaking 1,000 inspections to asbestos licensed contractors and removal operators to provide assurance of the competence of those participating in those activities
 - for 2015/16 inspections will be focussed on key health risks including:
 - respirable crystalline silica (RCS) - a co-ordinated programme of inspections and engagement with industry trade associations to improve the control of exposure in stonework, foundries, brickmaking and the ceramics industry
 - Asthmagens and carcinogens - within the woodworking, plastics production and fabricated metal industries
 - Asbestos - focussing on licensed asbestos removal work, management of clearance activities on site and waste transfer stations
 - Musculo-skeletal disorders (MSD) within construction and food manufacturing (including meat/poultry/dairy premises)
- Roll out the 'Priority Local Inspection (PLI) identification pilot project' across all Divisions to improve our targeting of places to inspect
- Ensure a more consistent and proportionate approach to inspection and enforcement activity by local authorities by:
 - Continuing to monitor local authority compliance with the National Local Authority Enforcement Code and publish data on local authority interventions and prosecutions during 2014/15 by **December 2015**

Figure 2: Total number of proactive inspections delivered by HSE

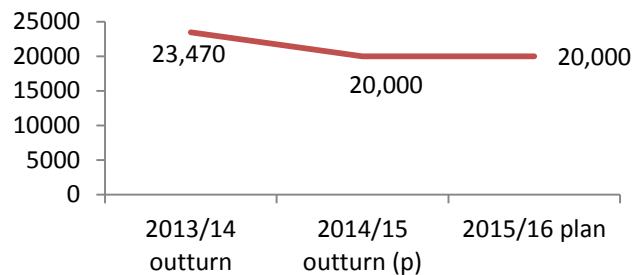


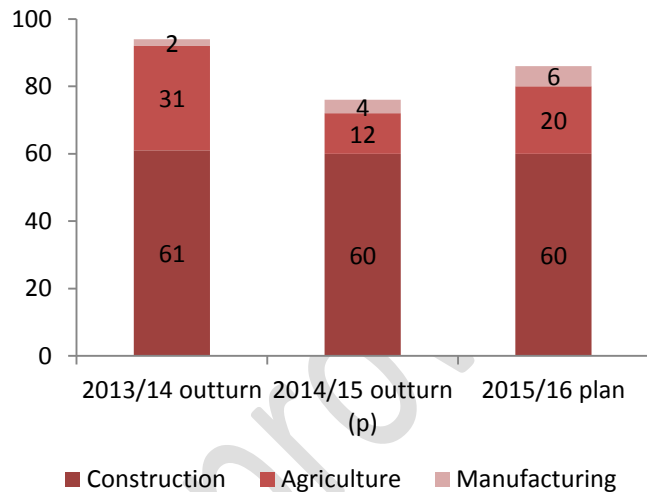
Figure 3: Inspections by sector 2014/15



Provide guidance and support to enable informed workplace health and safety decisions

- Deliver and participate in awareness raising events on key health and safety issues, seeking opportunities for cost sharing, focussing on higher risk industries including construction, agriculture and manufacturing
- Provide and maintain concise, straightforward and up-to-date guidance, ensuring it is proportionate, fit for purpose and, where possible, provide expertise to enable others to develop, produce and disseminate their own guidance. In 2015/16 we will:
 - Deliver the 2015/16 programme of theme based reviews of guidance⁵ including:
 - Public services
 - Fire and rescue services
 - Docks and ports
 - Hospitality and catering
 - COSHH Essential e-tool updated and launched – **June 2015**
 - A new web-based 'Dust Hub' designed to simplify and improve access for dutyholders to guidance on occupational dust - launched by **July 2015**.
 - Update Asbestos Essentials task sheets - published **March 2016**

Figure 4: Safety, Health and Awareness Days and Other Events by Sector



The 2015/16 planned number is the maximum to be delivered

Work in partnership to raise awareness and create behavioural change

- Implement and evaluate asbestos awareness and behaviour change campaign including:
 - Evaluate the success of the Beware Asbestos campaign by **July 2015**
 - Subject to the findings of the evaluation, commence work on potential for future campaign activity
- Deliver a further six roll-outs of Estates Excellence⁶ with the aim of reaching 800 Small and Medium Sized Enterprises (SMEs) and explore delivery via a Community Interest Company

⁵ All guidance will include web content, publications, posters, pocket cards, leaflets, flyers, campaign materials, DVDs and interactive tools

⁶ <http://www.hse.gov.uk/estatesexcellence/>

- Support industry fora to create sustainable partnerships to take ownership of and tackle their industry's problems, including the Waste Industry Safety and Health (WISH) forum within the waste and recycling sector and the Farm Safety Partnership within the agricultural sector. In addition, we will:
 - Agree a three-year health and safety plan for forestry with the Forest Industry Safety Accord (FISA) to improve the health and safety performance of the forestry industry - by **September 2015**
 - Support FISA working groups to develop strategies for behaviour change in the forestry industry – by **March 2016**
 - With the Chemical & Downstream Oil Industry Forum (CDOIF) take forward to develop approaches to tackle high rates of occupational disease including:
 - Publish a summary, outlining the main findings from the report into incidents, prevalence and relative risks due to chemical exposure in the chemical industry – by **June 2015**
 - Carry out the second phase of research and produce a report looking into the further underlying causes of exposure in the problem areas identified by the initial research – by **December 2015**
- Promote awareness of occupational disease issues, including in partnership with stakeholders on the following key priority areas:
 - Dust
 - Welding fume
 - Quarries; and
 - Continue to develop the web-based occupational health community
- Commission and deliver insight research to enhance our knowledge of the agriculture industry by **December 2015**
- Continue to promote the key roles that leadership and worker involvement play in improving health and safety outcomes, including:
 - Publish research on safety leadership standards in the Ports industry and agree action plan to improve leadership with Logistics Forum by **March 2016**
 - Monitoring implementation of the actions agreed by the offshore industry partnership (Step Change in Safety) as set out within the UK Oil and Gas Industrial

Strategy: Business and Government

Action Plan, including:

- adoption of the Step Change Workforce Engagement toolkit within the offshore industry
 - ensuring that there is strong and sustainable leadership within the industry which demonstrates accountability for delivery of improved health and safety performance
-
- Monitor the delivery of the Gas Safe Register, and Gas Safe Advice Line and work with them to raise awareness of gas safety and carbon monoxide risks. In addition, in 2015/16 we will:
 - Undertake the annual review to evaluate Gas Safe Register's performance against the Key Performance Indicators by **June 2015**
 - Review interfaces with other regulators and where appropriate update Memoranda of Understanding (MoU) ensuring they reflect best practice and clear accountability by the **end of 2015**

Demonstrate the benefits of proportionate health and safety

- Run the Independent Regulatory Challenge Panel⁷ enabling businesses to challenge specific health and safety regulatory advice they believe to be unreasonable
- Run the Mythbusters Challenge Panel⁸ for those who wish to challenge claims made about health and safety requirements by non-regulators, reporting findings on HSE's website and other media channels
- Use appropriate channels to focus on the core aims of health and safety, rebutting and correcting trivial or ill-informed criticism

⁷ <http://www.hse.gov.uk/contact/challenge-panel.htm>

⁸ <http://www.hse.gov.uk/Myth/myth-busting/index.htm>

5. Provide an effective regulatory framework

Over the past three years HSE has undertaken an extensive review of health and safety regulations and has simplified and streamlined the regulatory framework, making legislation easier to understand with the consequence that compliance levels should increase. During 2015/16, the remaining significant parts of this work will be delivered – as demonstrated below.

We will also continue to negotiate and secure the best possible outcome for the UK within Europe, minimising burdens on business whilst maintaining necessary protection for workers.

Simplify and consolidate domestic health and safety regulations to make the law easier to understand

- Amend, clarify and where appropriate revoke unnecessary existing health and safety legislation and consolidate health and safety regulations in specific sectors. In 2015/16 this will include:
 - Implementing the new COMAH Regulations by **June 2015**
 - Reviewing all Health and Safety explosives legislation to deliver an integrated suite of updated legislation and underpinning guidance by **September 2015**
 - Complete the review of the Dangerous Substances in Harbour Areas Regulations (DSHAR) 1987 – by **March 2016**
- Take on responsibility for licensing SAPO⁹ sites on behalf of DEFRA and the devolved administrations from **April 2015**
- Deliver a revised Code of Practice on the use of plant protection products by **December 2015**
- Continue to contribute to the Government's wider Better Regulation agenda, including taking forward actions arising from the Better Regulation Executive (BRE) review of the chemicals industry by:
 - Completing arrangements for assisting businesses to transition into the COMAH regime from **April 2015**
- In line with the Better Regulation Agenda, review and develop revised hazardous substance consent arrangements, working with DCLG. We will agree the approach and

⁹ Specified Animal Pathogens Order

scope within government and business **by October 2015**

- Embed the new Construction (Design and Management) Regulations (CDM) 2015, which come into force in April 2015, ensuring understanding of, and compliance with, CDM 2015, particularly amongst clients, small businesses, health and safety professionals and designers

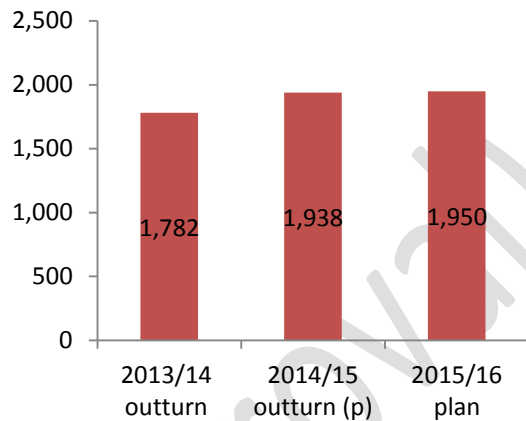
Negotiate and secure the best possible outcome in Europe for the UK

- Represent the UK Government's interests in EU institutions, including the:
 - Advisory Committee for Safety and Health at Work
 - the Governing Board of the European Agency for Safety and Health at Work
 - the European Commission to secure a good outcome from the on-going review of Occupational Safety and Health legislation
 - European Food Safety Authority, the European Chemicals Agency and the European Commission to secure good outcomes for the UK on chemicals authorisation decisions
- Lead the negotiations on a number of Directives and EU Regulations, transpose Directives into UK law and give legal effect to EU Regulations without gold plating or enhancing requirements including:
 - Implementing the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015, including the setting up of a joint offshore competent authority with DECC by **July 2015**
 - Implementing the requirements from the recast of **Civil Use Explosives Directive** 93/15 to incorporate market surveillance by **March 2016**
 - Conducting a review of the impact of the UK agriculture sector of EC Regulation 1107/2009 concerning Plant Protection products to press the Commission for risk-based safety assessment criteria rather than hazard-based criteria
 - Implementation, under EC Regulation 1107/2009, of requirements for comparative assessment of pesticides – by **August 2015**

Act as Competent Authority for biocides, pesticides, detergents and industrial chemicals¹⁰

- Evaluate new and existing active substances for biocides and pesticides within relevant timescales (see Figure 5)
- Evaluate industrial chemical substances
- Consider applications for product authorisation within relevant timescales
- Process all Prior Informed Consent notifications within the relevant timescales
- Provide training and workshops to help industry understand better the application and evaluation process and improve the quality of applications

Figure 5: Biocide and Pesticide active substance assessments and product evaluations processed



¹⁰ HSE delivers operational policy and operation of regulatory schemes for pesticides, biocides, and general chemicals regulation, which includes consideration of the health of workers, consumers, the general public and the effects on the environment. Some of the strategic policy is led by DEFRA.

6. Secure compliance with the law

Investigating health and safety concerns and incidents is an important lever for improving health and safety standards. It enables HSE to determine causes, share lessons and ensure that necessary measures are in place to prevent recurrence.

Investigation also provides the basis of enforcement action to secure justice for people seriously harmed by those who behave in a reckless way or where there has been a serious breach of duty.

Investigate work related accidents, incidents and ill health

- Follow up health and safety concerns meeting HSE’s risk based criteria within agreed timescales (see Figure 6)
- Investigate incidents which meet HSE’s incident selection criteria¹¹ (see Figures 7 and 8)

Figure 6: Number of health and safety concerns meeting HSE’s risk based criteria for follow up

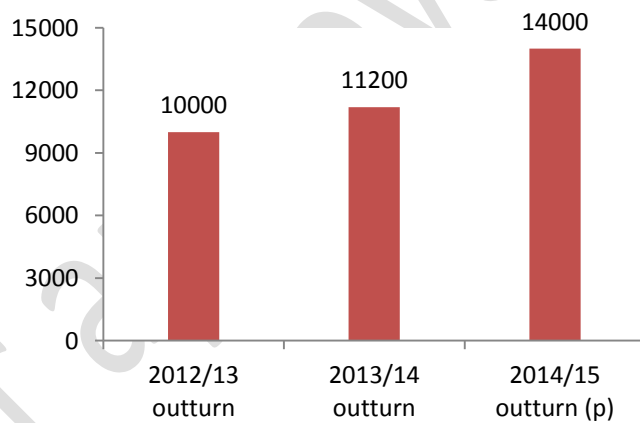
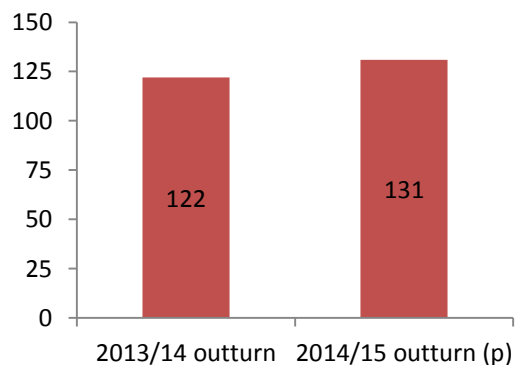
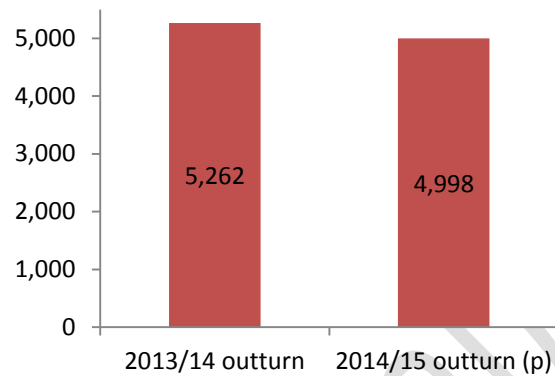


Figure 7: Fatal investigations where HSE has assumed primacy: Number of investigations due for completion within the 12-month period



¹¹ <http://www.hse.gov.uk/enforce/incidselcrits.pdf>

Figure 8: Non-fatal investigations: Number of investigations due for completion within the 12-month period



Take formal enforcement action to prevent harm and secure justice where appropriate

- Where appropriate, take enforcement action in line with HSE’s Enforcement Policy Statement and Enforcement Management Model (see Figure 9)
- Prosecute where there has been a serious breach of the law (see Figures 10 and 11)

Figure 9: Number of notices issued by HSE

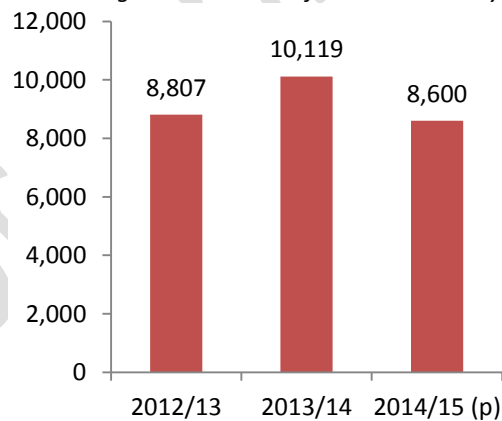
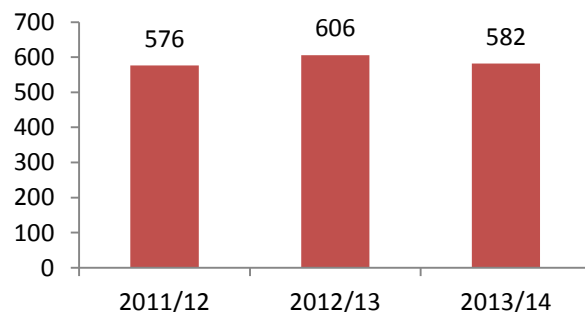
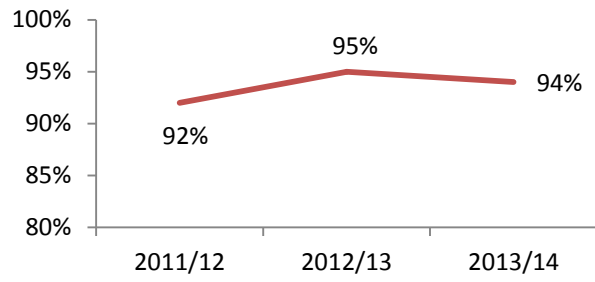


Figure 10: Prosecution cases for health and safety offences, instituted by HSE, and in Scotland, the COPFS¹²



¹² In Scotland, HSE and local authorities investigate potential offences but cannot institute legal proceedings. HSE and local authorities send a report to the Crown Office and Procurator Fiscal Services (COPFS). COPFS makes the final decision whether to instigate legal proceedings and which offences are taken.

Figure 11: Conviction rate for cases heard



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7. Reduce the likelihood of low-frequency, high-impact catastrophic incidents

Great Britain has a number of highly specialised industries which provide essential products and services and are strategically important to the country's economy and social infrastructure, but which can potentially cause serious harm to their workers, the environment and the public if not properly managed.

A relatively small failure of their health and safety regimes could have catastrophic consequences (hence these industries are often referred to as major hazard industries). HSE's programme of work will seek to secure the systematic management of hazardous activities, and provide public assurance that health and safety risks within those industries are effectively managed to reduce the likelihood of low frequency, high impact incidents.

Regulate major hazard operators and dutyholders effectively and proportionately

- Assess dutyholder submissions (**safety cases and safety reports**) against agreed standards to ensure the new or continued safe operation of major hazard installations (see Figure 12)
- Grant and authorise **applications, derogations, licenses, approvals, classifications and notifications** for explosives and genetically modified organisms in accordance with statutory requirements and deadlines (see Figure 13)
- Deliver the agreed **intervention plans** at major hazard sites¹³ (see Figures 14 and 15)
- Inspect **sub-COMAH sites**¹⁴ which present a significant risk because of the quantity of dangerous substances that they handle
- In response to Lord Gill's ICL Enquiry Report:
 - Ensure that **metallic LPG pipework** giving rise to the most significant risks is replaced or managed to ensure that it is fit for purpose by **December 2015**
 - Deliver a survey of commercial customer awareness of LPG responsibility by **December 2015**
 - Final HSE/industry report on the overall safety in the LPG industry to be produced by **March 2016**

Figure 12: Number of safety cases/reports assessed

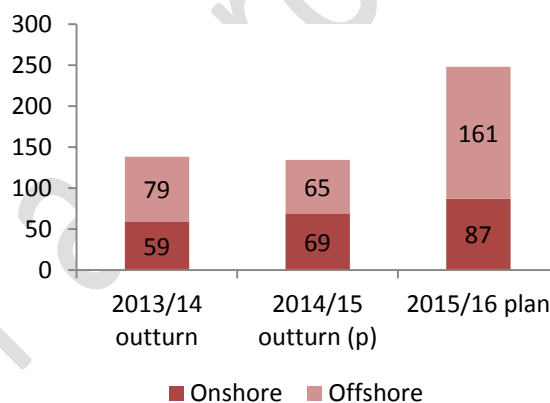
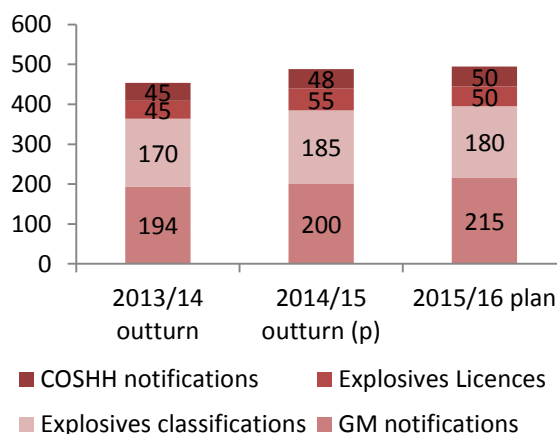


Figure 13: Volume of applications processed



¹³ This includes, chemicals, explosive, mines, offshore oil and gas, and the gas and pipelines sector

¹⁴ Sub-COMAH sites are defined as sites falling below COMAH thresholds quantities with inventories of dangerous substances and where the worst foreseeable event would be comparable to that at a COMAH site

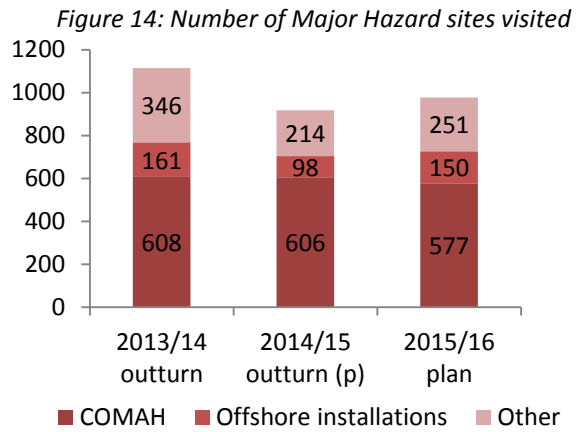
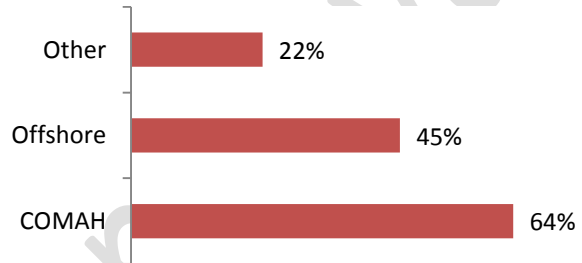


Figure 15: Proportion of Major Hazards sites to be visited in 2015/16

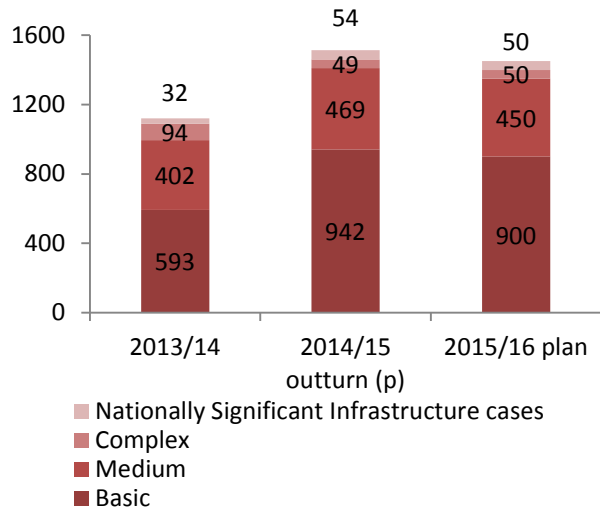


Other – a very small proportion of sub and non-COMAH chemical manufacturing sites are visited and as such have been excluded from figure 15

Provide authoritative advice in relation to hazardous substance consents and land use planning, REACH and Biocides

- Process **hazardous substance consent applications** within agreed timescales
- Provide advice on **complex planning applications** within the non-determination periods in line with the Government’s expectations for responding to applications (see Figure 16)

Figure 16: Number of planning enquiries HSE expects to advise on by complexity¹⁵



¹⁵ Basic advice cases are dealt with by the Land use Planning National Support Centre; medium cases require further advice to be provided; and complex cases also require risk assessments to be undertaken

8. Developing HSE as an organisation

We are putting in place plans that will sustain HSE's position as a high performing world class regulator, that will continue to enable improvements in health and safety outcomes, and that will allow us to adapt to the rapidly changing world in which we operate.

Our plans can be described in terms of the following themes:

Sustaining regulatory excellence

Our aim is to maintain confidence in HSE as the catalyst that both leads, motivates and supports the health and safety system as a whole to further improve Britain's health and safety performance and also holds people to account where appropriate.

We want to demonstrate value for all those providing funding. In part, that will be achieved by using our toolkit of regulatory methods effectively to reduce the toll of workplace injury and ill-health and proactively support economic growth, through effective risk control and management, which benefits everyone. Interventions will be targeted where they have the most impact for the resources invested.

Growing commercial activities

We will capitalise on the excellence of our know-how and specialist facilities through products and services sold on a commercial basis in the UK and internationally. Our aim is to double existing commercial activity by 2020, with associated turnover exceeding £35m. As well as reinforcing our reputation as a world class regulator, this broadens our experience, strengthens UK influence internationally, creates development opportunities for individuals and contributes towards the fixed cost of our specialist laboratory facilities. We will do this in a way that avoids risks to our regulatory brand and HSE's strong reputation.

Investing in people and capability

A structured programme for investing in people and capability will be delivered over the next 3 – 5 years to bring a strong focus on engaging, developing and maintaining a highly capable and flexible workforce. This includes a specific focus on leadership development across HSE, as well as sustaining the strong regulatory, policy and scientific capabilities that in combination, have been at the core of HSE's success over the last 40 years.

Driving operational effectiveness and efficiencies

We will continue to drive operational efficiency improvements across HSE, be more business-like in the way we work and enhance professional experience across corporate functions such as IT. By doing this, and so creating headroom in our budgets, we intend to secure business critical investments in our people, science and facilities.

Funding

We expect funding pressures across government to continue. Embedding and potentially extending cost recovery mechanisms, growing commercial income and creating further efficiencies are crucial parts of our response.

9. Our Financial Outlook

Year	2014/15 Forecast	2015/16 Budget
	£m	£m
Income		
Grant in Aid	142.7	145.9
Total Commercial Income	15.7	20.0
Total Cost Recovery Income	64.2	66.0
Total Income	222.6	231.9
Expenditure		
Staff Costs	136.0	141.8
Non-Pay Costs	82.2	85.1
Capital (Net)	4.4	5.0
Total Expenditure	222.6	231.9

HSE's funding primarily comes from two main sources (Grant-in-Aid from the Department for Work and Pensions and income as a result of cost recovery):

- Grant provided by Government represents about 63% of our total funding for 2015/16. HSE receives Grant-in-Aid to fund our activities in Great Britain. HSE's Grant-in-Aid is planned to reduce by over £82m (36%) in 2015/16, compared to the baseline of £228.1m in 2011/12
- HSE plans to recover approximately 37% of its costs through income, mainly in the major hazard sector (e.g. offshore safety and chemicals), Fee for Intervention (recovering HSE costs where inspections/investigations identify a material breach of health and safety law), approvals (e.g. pesticides and biocides) and sales of specialist scientific products and services to external clients (commercialisation)
- Incorporates £0.5M allocated during the 2014 Autumn Statement to continue the effective regulation of the emerging unconventional gas and oil sector and enhance existing work undertaken by HSE to engage with local communities to explain how this sector is regulated.