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Exempt terial:

HEALTH AND SAFETY COMMISSION

ADVISORY COMMITTEE ON TOXIC SUBSTANCES (ACTS)

Current Developments

1. 2nd European Commission Directive on Occupational Exposure Limit Values (IOELVs)
2. Carcinogens Directive
3. The Working Group on European Exposure Limits
4. Standing Committee on Hazard Information and Packaging (SCHIP)
5. European Week for Safety and Health at Work 2003
6. Occupational health aspects of nanotechnology
7. WSA Challenge Fund
8. HSE's work on *Managing sickness absence and return to work*
9. Worker Involvement and Consultation

1. 2nd European Commission Directive on Indicative Occupational Exposure Limit Values (IOELVs)

In the last Current Developments paper (ACTS/17/2004) HSE provided members with an update on progress with the adoption and implementation of the 2nd IOELV Directive. As it currently stands, this draft Directive contains occupational exposure limits for 34 substances which, following adoption by the European Commission, Member States will be required to implement into domestic legislation.

Regrettably, little progress has been made on the issue since last March. The meeting of the Technical Progress Committee of Member States' representatives, which was due to be held in late April was cancelled at short notice and without explanation.

HSE will be writing to the Director General of DG Employment and Social Affairs to express our disappointment with the handling and continued delay in adopting this Directive.

HSE has already embarked on preparatory work to implement the proposals contained within the draft Directive into the COSHH Regulations.

2. Carcinogens Directive

The European Commission (EC) has consulted Social Partners on the possibility of a revision of the Carcinogens Directive (90/394/EEC). These revisions comprise five separate areas of work:

- i) extending the Carcinogens Directive to substances toxic to reproduction for male workers, and for female workers outside pregnancy, breastfeeding or having recently given birth;
- ii) establishing occupational exposure limit values (OELVs) for carcinogens and substances harmful to reproduction not yet listed in the Directive;
- iii) revising OELVs for carcinogens already listed in the Directive;
- iv) introducing the possibility of adopting indicative OELVs for carcinogenic and mutagenic substances and those toxic for reproduction, which will simplify and better adapt the procedure to technical progress; and
- v) dealing with environmental tobacco smoke in indoor workplaces.

HSE has provided initial views on the EC's document to Cabinet Office, which was consulted in its role as a UK public sector employer.

An internal HSE meeting is planned for mid-July, in order to hold preliminary discussions on these issues and to initiate a debate on a UK line.

3. The Working Group on European Exposure Limits (WEELS)

The last ACTS meeting had on the agenda as an Information Paper, an account of the activities of the Working Group on European Exposure Limits or WEELS (ACTS/11/04). Since the March ACTS meeting WEELS has held one further meeting in May.

At that meeting members discussed the potential future Indicative Occupational Exposure Limit Value (IOELV) for isocyanates and industry's reaction to it, and the relationship between WEELS and the newly-constituted Working Group for Action on Toxic Chemicals (WATCH). Members were updated on the progress of the 2nd IOELV Directive (see paragraph 1) and on the recent European Commission activity with regard to changes to the Carcinogens Directive. An update was provided on the work of the Scientific Committee on Occupational Exposure Limits (SCOEL), and members were asked to consider a list of priority substances prepared by HSE for consideration at a meeting in July of the National Experts Working Group on Occupational Exposure Limits (NEWG).

Members were given access details to a new dedicated webpage established by HSE which is password-protected and to which only WEELS members will have access. This webpage will contain all meeting papers together with any other useful documentation received by HSE. Having the webpage will allow members to access information easily and quickly without having to search through a paper filing system. HSE intends to enlarge and enhance the information on the webpage during the forthcoming months.

4. Standing Committee on Hazard Information and Packaging (SCHIP)

SCHIP met on 23 April 2004. The main issue for discussion was the future of SCHIP proposed under the routine review of SCHIP and its membership. Members considered possible options. Overall, Members' views indicated that they wished SCHIP to continue but regular meetings were deemed inappropriate as the pace and nature of EU developments had slowed and no major changes could be foreseen in the medium term (2–5 years). HSE is now drafting a more comprehensive paper on the outcome of SCHIP's considerations for ACTS to consider but would want SCHIP Members to comment on the draft beforehand. This has taken longer than expected but the paper will be ready for the next ACTS meeting. However, it is possible to say that the emerging recommendation is that SCHIP continues as a 'virtual' committee with the option of a 'physical' meeting once a year.

5. European Week for Safety and Health at Work 2003 - National Awards Ceremony

A successful European Week for Safety and Health at Work drew to a close on Tuesday 23rd March 2004 with an awards ceremony at the Royal College of Physicians, Regents Park, London.

Des Browne, the then Minister for Work, Hans-Horst Konkolewsky, Director of the European Agency for Safety and Health at Work and HSC Chair, Bill Callaghan, supported this event.

This year's campaign, based around the theme of dangerous substances, received tremendous support from companies of all sizes up and down the country. A total of 1800 feedback forms were received. Twelve national winners were chosen together with one small firms winner and an overall winner.

In addition, due to their high standard, the judges awarded commendations to two entrants, Cumbria County Council and H J Heinz Company.

The overall winner for this year's European Week was Scottish Water who ran an extensive campaign throughout the week based on the free web tool e-COSHH Essentials.

For full details of winners and their campaigns, contact Louisa McNamara on 020 7717 6086 or by email, louisa.mcnamara@hse.gsi.gov.uk

6. Occupational health aspects of nanotechnology

Nanotechnology is an emerging science involved with the production and application of structures, devices and systems by controlling shape and size at nanometre scale. As part of its horizon-scanning activities, HSE has been exploring the current state of knowledge, from an occupational health and safety perspective, of exposure to materials arising from this novel technology. The current immediate and medium term health and safety issues related to nanotechnology are centred on exposures to very small particles – their potential toxicity, as well as fire and explosion concerns. In these areas there is very limited scientific evidence and it is not possible to read across existing knowledge to predict the effects of nanoparticles.

HSE has produced an information note on the health and safety issues surrounding nanotechnology (Horizons Scanning Information Note No. HSIN 1) (available on request from alexander.tsavalos@hse.gsi.gov.uk) and will continue to review the information in this to ensure that it remains up-to-date and relevant. In the meantime, the Royal Society and the Royal Academy of Engineering are reviewing the possible benefits and problems associated with nanotechnology (<http://www.nanotec.org.uk/>) and an international symposium on the occupational health implications of nanomaterials is being organised by HSL, in collaboration with HSE and the US National Institute of Occupational Safety and Health, to be held in Buxton in October 2004 (<http://www.hsl.gov.uk/>).

7. WSA Challenge Fund

Getting workers involved in health and safety is a key part of the HSC Strategy for workplace health and safety in Great Britain to 2010 and beyond. This challenge has been recognised by Government and have created this fund. The money will support partnerships to develop and enable Worker Safety Adviser's (WSAs) to enter small organisations and facilitate communication and joint working between staff and employers on managing health and safety. The fund opened at the end of March 2004 and has now selected those projects to run this year from July to March 2005. 12 projects encompassing 40 partners from trade unions, trade associations, chambers of commerce, local authorities and voluntary organisations have come together and will support 28 WSA's. Many thousands of workers and employers will benefit from this and procedures for evaluating the first year results are being put in place. HSE will be reporting to Ministers regularly and an official announcement by Andrew Smith, Secretary of State for Work and Pensions, will be made of the award winners on the 30th June. A large audience of project partners, MP's, HSE staff and press should ensure a high profile start to the fund.

8. HSE's work on Managing sickness absence and return to work

HSE has developed a best practice approach to help employers work in partnership with their employees to manage long-term sickness absence and help those off work sick, whatever the cause, to return to work – this is called *Managing sickness absence and return to work*

The best practice approach is based upon extensive research and consultation and combines helping the ill individual with appropriate organisational responses.

HSE is planning to launch its work on *Managing sickness absence and return to work* in conjunction with the Department for Work and Pensions *Framework for Vocational Rehabilitation* in late Summer 2004.

HSE has developed a communications plan to work in partnership with key stakeholders to deliver key messages and to encourage employers and line managers to know more about and practice managing long-term sickness absence and return to work. This will be supported by the development of presentational and educational material aimed at particular stakeholder needs.

HSE has also commissioned the Institute of Occupational Medicine to develop a simple tool for employers to collect, record and monitor sickness absence. This will help them to intervene before absence becomes a serious problem. The tool will be launched later this year.

9. Worker Involvement and Consultation

HSC's Statement on Worker Involvement and Consultation was launched on 3 March. Its purpose is to make the case for worker involvement and consultation and highlight what a collaborative approach between partners can achieve. It sets the long-term agenda and describes the measures the Commission considers necessary to achieve our goal.

Measures to take forward the work outlined in the statement are currently being developed. A first area of work is to look at the role of HSE and LAs in getting more workers involved in health and safety. We would welcome ACTS thoughts on how we do this and would want to maintain contact with all Advisory Committees to gather ideas and help implement solutions.

The statement is based on the core principle that workers who have a voice and given the ability to influence health and safety are safer and healthier than those who do not. The statement can be found on HSE's website at:

<http://www.hse.gov.uk/workers/involvement/index>

ACTS members wishing to comment/contribute should contact: Matthew Holder, tel: 020 7717 6977