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Exempt material: The public version of this paper will have exempt material removed from sections detailing members present and apologies and paragraphs 1.1.3 – 1.1.5, 1.2, 2.2, 3.1 – 3.2, 9.4, 7.5, 8.1 and 8.3. The sections are withheld under Exemption 12 of the Code of Practice on Access to Government Information – ‘information that would cause unwarranted invasion of personal privacy’.

Meeting Date: 10 July 2003

Type of Paper: Minutes

The Advisory Committee on Toxic Substances

Minutes of the 81st meeting of the Advisory Committee on Toxic Substances held on 10 July 2003 in the Globe Room, 2 Southwark Bridge, London SE1 9HS

Present

→ ←

Apologies

→ ←

These sections are withheld under Exemption 12 of the Code of Practice on Access to Government Information

Officials Present

Mrs Sandra Caldwell	Chair
Mr John Thompson	Secretary
Ms Carole Sullivan	ACTS Secretariat
Ms Naseem Walji	ACTS Secretariat
Dr Paul Oldershaw	CSD
Mrs Maureen Meldrum	CSD1
Ms Christine Northage	CSD3
Mr Mike Wright	HSL

1	Introduction and apologies
1.1	People
1.1.1	Sandra Caldwell welcomed members to the 81 st meeting of ACTS.
1.1.2	Sandra Caldwell advised that she had brought forward the agenda item on the EU Chemicals Strategy in the hope that it could be considered before lunch, when the Environment representative had to leave.
1.1.3	Apologies were received from → ← This section is withheld under Exemption 12 of the Code of Practice on Access to Government Information
1.1.4	Members joined the Chair in congratulating → ← on the award of an OBE for services to occupational health. This section is withheld under Exemption 12 of the Code of Practice on

	Access to Government Information
1.1.5	Sandra Caldwell informed members that this was → ← final ACTS meeting. → ← has been a member of ACTS since 1995. Sandra Caldwell thanked → ← valued contributions and commitment to ACTS over 8 years of service. These sections are withheld under Exemption 12 of the Code of Practice on Access to Government Information
1.2	Declarations of interest With regards to agenda item 11, → ← said that Polycyclic Aromatic Hydrocarbons (PAHs) were a by-product of the steel making industry. → ← said that PAHs were of interest in the oil industry. Theses section are withheld under Exemption 12 of the Code of Practice on Access to Government Information
2	Reconstitution of ACTS, an update
2.1	Sandra Caldwell advised members that Paul Davies, HSE's Chief Scientist, had agreed that ACTS was a committee outside the scope of the Code of Practice for Scientific Advisory Committees (CoPSAC), but with the proviso that ACTS did not change scientific advice proffered to it by scientific committees.
2.2	An Independent member agreed that ACTS should not try to overturn scientific evidence, agreeing that whilst the Committee makes judgements on science it is not a scientific committee. The member asked whether WATCH provided ACTS with advice or provided evidence. Paul Oldershaw replied that WATCH does both, their scientific advice setting boundaries for ACTS to then take account of socio-economic and reasonable practicability issues that WATCH does not consider.
2.3	Update by John Thompson, who explained that the decision that ACTS was outside the scope of CoPSAC simplified the reconstitution process. However, the process was taking time, partly because ACTS was the first HSC committee to go through the reconstitution process following the shift for management of advisory committees from the HSC to HSE. The position so far was: <ul style="list-style-type: none"> • Kate Timms, Deputy Director General (DDG) HSE, had taken the decision that ACTS would be reconstituted; • ACTS Secretariat had consulted on membership, which will remain unchanged, other than the fact that there would be two new TUC members, → ← from Transport and General Workers Union and → ← from the GMB Union; These sections are withheld under Exemption 12 of the Code of Practice on Access to Government Information <ul style="list-style-type: none"> • Secretariat had drafted new terms of reference, which would need to be approved by Kate Timms [Action: Secretariat]. The new terms of reference link in with ACTS new work plan and were circulated to members; • Secretariat would need to prepare a Register of Members' Interests and had written to members in relation to this issue. John Thompson explained that it is up to members to let the Secretary of ACTS know of any personal information that should be withheld from the public version of the Register; • Secretariat will organise an induction for the two new members before the October ACTS meeting. [Action: Secretariat]; and • The next step will be to send out letters of appointment once formal approval has been given by the DDG. [Action: Secretariat]
2.4	Sandra Caldwell asked if members had any points on John's update. A CBI member had some minor points on the wording of the Terms of Reference and

	agreed to send these to John Thompson [Action: CBI member and Secretariat].
3	Feedback from presentation of Forward Look to the HSC
3.1	Sandra Caldwell invited → ← to provide feedback on their presentation of the Committee's Forward Look to the Commission on 13 May 2003 . This section is withheld under Exemption 12 of the Code of Practice on Access to Government Information
3.2	→ ← referred members to copies of the slides that were prepared for the presentation. Explaining the thinking behind their presentation, → ← had been concerned to emphasise that chemicals are a significant risk to workers' health. Consequently, they had considered it important to highlight the continued importance of chemicals in health and safety in their presentation to the Commission. This approach seemed to be justified, in the light of the recently published Strategic Thinking document , which states quite specifically that HSE was moving away from traditional issues to do with chemicals. → ← provided feedback on the presentations, a summary of which is at Annex 1. These sections are withheld under Exemption 12 of the Code of Practice on Access to Government Information
4	Progressing the work plan. Liaison with other advisory committees
4.1	Introduction by Paul Hems, who then invited a TUC representative to give feedback on a visit the member had made to the Paper and Board Industry Advisory Committee (PABIAC) on 1 July 2003.
4.2	The TUC member praised the material developed by HSE to assist volunteers when visiting other committees. The representative is also a PABIAC member and considered familiarity with the subject matter/key issues of the committee a volunteer was visiting, key to the success of the visits. Sandra Caldwell welcomed the member's approval of the PowerPoint slides and communication packs. She said that ACTS Secretariat could put volunteers in touch with the Secretary of the committee they had agreed to visit so that members could obtain the necessary background information. [Action: Members and Secretariat]. The TUC member considered that it would be helpful if volunteers could identify specific substances in use in that industry sector and ask the committee what it is doing to ensure exposure is controlled. If they are not doing anything, then as a minimum, volunteers should encourage them to produce and promote a CE-style control sheet for that substance.
4.3	An Independent member asked how ACTS could maintain links with other committees following visits. Sandra Caldwell said that before future ACTS meetings, ACTS Secretariat would liaise with corresponding Secretariats to check the progress of initiatives prompted by ACTS volunteer visits and report back to ACTS. [Action: Secretariat]
4.4	An Independent member offered to visit the technical subcommittee of the Advisory Committee on Genetic Modification. ACTS Secretariat will contact the corresponding Secretariat to discuss setting up a visit. [Action: Secretariat]
4.5	A TUC member asked why we were targeting subcommittees e.g. the Health in Agriculture (HiAG) subcommittee rather than the main Agricultural IAC. Sandra Caldwell said that ACTS Secretariat would contact Linda Williams (Chief Inspector of Agriculture) to ensure the ACTS member visits the most appropriate committee. [Action: ACTS Secretariat]
4.6	One TUC and one CBI member, who are both proposing to visit IACs for which

	isocyanates are an issue, requested more specific information on relevant work and research being undertaken by research HSE. They emphasised the need for members to give a consistent message to different IACS on similar substances.
4.7	Sandra Caldwell suggested that it would be helpful if members who have carried out visits between now and the next meeting could provide ACTS Secretariat with feedback on their presentations. [Action: Members]
5	Progressing the work plan development of the ACTS website
5.1	Presentation by Nick Summers, including a demonstration of the existing ACTS website (http://www.hse.gov.uk/aboutus/hsc/iacs/acts/index.htm) and an outline of a proposed Toxic Substances web page within the HSE website.
5.2	Sandra Caldwell considered that the Internet was a powerful medium and was an issue the Communications Working Group (COWG) could consider.
5.3	Members were generally supportive of developments in relation to both ACTS and the Toxic Substances websites. They considered ease of use/searchability to be fundamental features of successful websites. Members welcomed a proposal by Sandra Caldwell that HSE arrange for its web team to make a presentation to the committee.
5.4	A CBI representative asked for clarification on the purpose of the new Toxic Substances web page. Nick Summers explained that one purpose would be to help take forward HSC/E's Chemicals Strategy. An Independent member said that the toxic substance site was an excellent principle. ACTS Secretariat will provide members with a password and user name to enable them to access the website (http://www.hse.gov.uk/testbed/) as soon as it is ready to be tested [Action: ACTS Secretariat] . ACTS Secretariat would welcome feedback from members.
5.5	An Independent representative questioned why members' names were withheld from papers on the ACTS website. John Thompson explained that the formal position was that members' names should be disclosed on the website and that ACTS' position was an exception. Some members had previously objected to the disclosure of their names in public versions of documents because of concerns for their personal health and safety. He said that members should write to him to let him know if they were content for their names to be disclosed in public versions of documents [Action: Members] . The member considered that withholding names was not conducive to transparency.
6	Review of ACTS' sub-groups – update from members' review group
6.1.1	Update by John Thompson. He explained that the Working Group on ACTS' sub-groups had met twice since the 13 March 2003 ACTS meeting. At the first meeting on 29 May, HSE agreed to provide a list of tasks that ACTS needs to take forward during its period of constitution. A paper was presented to the second meeting on 8 July, which included an annex detailing these tasks. This paper had since been revised and was tabled on 10 July. It was agreed at (the 8 July meeting) that the name WATCH should be retained, but with the acronym now standing for <u>W</u> orking Group on <u>A</u> ction to <u>C</u> ontrol <u>C</u> hemicals.
6.1.2	John Thompson said the tabled paper recommends that the revised WATCH should serve to both quality assure the science and technology work put before it and to advise HSE and ACTS. It would continue to deal with risk assessment but also would provide risk management advice.
6.1.3	John Thompson explained that the membership would comprise individuals drawn from a spread of disciplines. It would be tripartite in nature, with a core

	<p>membership of 10-12 members, with the ability to co-opt additional members with particular expertise as necessary. There would be benefit from having at least one layperson, who might bring other expertise to the committee e.g. communication skills, experience with SMEs. This would also comply with the requirements of the Code of Practice for Scientific Advisory Committees.</p>
6.1.4	<p>John Thompson explained that there was one significant issue that the Working Group still needed to resolve. This concerned the European Union (EU) limit setting process, and the nature of ACTS, WATCH and the Working Group on European Exposure Limits (WEELS) involvement in this process: who does what and when?; what are the opportunities for stakeholders to have an input? HSE will further consider these issues and put the results of the work to the next meeting of the Working Group on ACTS sub-groups [Action: Working Group on ACTS sub-groups].</p>
6.2	<p>Sandra Caldwell asked if members present at the 8 July meeting wished to add to John Thompson's opening remarks.</p> <p>A TUC representative thanked HSE for amending and tabling the paper presented to the Working Group meeting on 8 July and commented that the analysis within the paper was very helpful. The member stated that as the paper was fully open and due to be placed on ACTS' website, it was essential that it fully reflected the views of the working group members on the issue of the EU limit setting process. Although working group members were content for HSE to proceed with reconstituting the revised WATCH, having a mechanism for engaging with the EU limit setting process was, in the member's view, a fundamental part of the sub-group's work. This issue was not resolved at the 8 July meeting and will be the subject of the next meeting of the Working Group.</p> <p>The member considered that WATCH's involvement with limit setting should not be confined to scientific support on domestic limit setting, but should be extended to include limit setting wherever it originated. The member emphasised that this approach was not intended to second-guess the work of the Scientific Committee on Occupational Exposure Limits (SCOEL). However, in relation to WEELS, the member was not convinced that ACTS needed a sub-group that just advised on how to influence the EC more effectively in relation to limit setting and on the socio-economic aspects of the Indicative Occupational Exposure Limit Value (IOELV) proposals. Since ACTS deals with the socio-economic aspects of limit setting, why did we need a separate body to handle socio-economic aspects of the IOELV proposals? The member considered that it would be helpful if the paper could be amended to give a fuller reflection of the discussion that took place on these two issues at the 8 July meeting.</p> <p>Sandra Caldwell suggested that the paper could acknowledge that further work needed to be done in relation to these two issues [Action: Julia Soave], she then opened up a general discussion on the agenda item.</p>
6.3	<p>An Independent representative considered that a layperson with risk communication skills would bring tremendous benefits to the revised WATCH, emphasising that risk communication shouldn't be a bolt-on extra and must be considered from the outset</p>
6.4	<p>Another TUC representative was unsure when and why WEELS had been set up. John Thompson explained that WEELS was a long-standing subcommittee of ACTS, and that perhaps this was a point that had not been made sufficiently clear in the past. WEELS had fallen into abeyance until approximately two and a half</p>

	<p>years ago. At that time HSE needed a mechanism to handle the first IOELV Directive, taking into account HSC's view that HSE should not re-visit SCOEL's science, but should look at other issues, for instance, socio-economic issues. HSE wanted to use WEELS to get information from industry and trade unions as early as possible to enable it to consider the reasonable practicability implications of the IOELVs. This informed the development of proposals which went out to consultation.</p> <p>Carole Sullivan explained that, whilst member states were obliged to introduce an occupational exposure limit for substances in the IOELV Directive, legal advice was that UK could implement a limit significantly above the IOELV on reasonable practicability grounds. The process had involved looking at many substances in considerable detail. HSE considered that this work would have tied down ACTS in minutiae and that its sub-group, WEELS, was the most appropriate forum to take forward this work.</p>
6.5	<p>Carole Sullivan explained that the other issue that WEELS considers is the difference between technical feasibility and reasonable practicability. The UK was the only member state that used the concept of reasonable practicability and therefore it was important that stakeholders understand technical feasibility, so that they can work with UK Government in developing negotiating and lobbying positions with other Member States.</p>
6.6	<p>Another TUC representative did not think that WATCH could take on the work of WEELS. EU limit setting needed a forum in which it could be discussed, but the member considered that this was not ACTS or WATCH.</p>
6.7	<p>A CBI representative was concerned that ACTS did not have access to advice from a scientific and technical committee whilst WATCH was in the process of being reconstituted. Sandra Caldwell said that she had consulted colleagues in relation to this issue and was not aware of any issues on the horizon that would make us vulnerable whilst WATCH was being constituted. However, she assured the committee that if an emergency arose, HSE had the means to establish a tripartite group of people, perhaps previous members of WATCH, to focus on the issue. HSE did not want to reconstitute the old WATCH only to have to then constitute the new committee not long after.</p>
6.8	<p>A TUC representative asked how many members the new WATCH would have and if the committee would retain its tripartite nature. Additionally, what was the previous constitution of WATCH members. John Thompson confirmed that the committee would remain tripartite, and in the same proportion as the previous WATCH. Sandra Caldwell asked Paul Oldershaw to start work on looking at the membership of WATCH [Action: Paul Oldershaw], but could not guarantee that HSE would follow the previous WATCH constitution, but this issue could be considered by the Working Group [Action: Working Group on ACTS' sub-groups].</p> <p>Sandra Caldwell pointed to the ability to co-opt additional members to WATCH to enhance the core membership of the committee as and when required. This was a more flexible approach. Sandra Caldwell also said that there would have to be a limit on its size to enable it to carry out its business effectively.</p>
6.9	<p>The Environment representative asked how ACTS was kept informed on the work of its subcommittees. Additionally, how could the members obtain the minutes of subcommittee meetings. John Thompson said that in the past ACTS had been kept informed of subcommittee work as appropriate and that ACTS and</p>

	<p>subcommittee Secretariats had determined between themselves what needed to be reported to ACTS. He proposal that there should be better communication between ACTS and its subcommittees and that, as a minimum, subcommittees should submit an annual report to ACTS [Action: sub-group Secretariats].</p> <p>In relation to the minutes of subcommittee meetings, Sandra Caldwell tasked ACTS Secretariat to liaise with individual Secretariats and Kenny Macdonald of HSE's Directorate of Information and Advisory Services to see if a better IT support mechanism could be developed for members [ACTS Secretariat, Subcommittee Secretariats and Kenny Macdonald]. Sandra Caldwell asked if the Committee was content to give HSE the go-ahead to proceed with the reconstitution of the WATCH. It was understood that there were issues that still needed to be resolved, but these would be addressed via the Working Group on ACTS' sub-groups. This was agreed.</p>
9	The EU chemicals strategy - update
9.1	<p>Update by John Thompson. He explained that the co-authors of the new registration, evaluation, authorisation, and restrictions of chemicals (REACH) system, Directorate-General's (DG's) Environment and Enterprise, had published the proposals for the REACH system on the 7 May. The full Commission will not consider the proposal until after the consultation is finished on 10 July. John Thompson advised that the UK Government response to the legislative proposals for the REACH was published today – (Annex 2), and referred members to this document. Summarising the implications for occupational health and safety, John Thompson said that the UK response suggested that there were overlaps with existing occupational health legislation, which needed to be considered and managed carefully. There was a risk of confusion particularly for down stream users, which could undermine the benefits of existing occupational health legislation. Without an integrated and straightforward approach, REACH might present an extra level of requirements which could present difficulties for prioritising and could result in a loss of credibility of the existing occupational health and safety framework.</p>
9.2	<p>The Environment representative asked how the UK's position on REACH was developed. John Thompson explained that HSE had been working with other government departments on the analysis of the proposals, looking particularly at occupational health and safety. Bob Warner additionally explained that a tripartite Rapid Reaction Force had been set up by HSE in the early stages of REACH to provide key soundings from stakeholders in relation to REACH proposals. In order to review the draft proposals this group held a special meeting on 3 June to which ACTS members had been invited. Bob Warner offered to invite ACTS members to any future meetings [Action: Bob Warner].</p>
9.3	<p>A TUC representative asked HSE officials what they foresaw as HSE's involvement in REACH in the years to come? Was there a bigger role for HSE? Who was going to take the lead? Sandra Caldwell replied that the lead for the whole of REACH is with DEFRA and that HSC has indicated that it does not wish to take a significant role in approval and registration. The issues are for UK plc, to decide how to develop across the board for UK plc. The extent of HSE's role will depend on the extent to which REACH impacts on occupational health and safety legislation, for which HSE is responsible.</p> <p>Sandra Caldwell said that HSC intends HSE to continue to have responsibility for</p>

	<p>occupational health and safety issues relating to REACH, but that there cannot be an expectation that HSE would run the approval and registration system in the UK. HSC/E will not step into the vacuum, as the driving force behind REACH is not occupational health. HSC cannot make decision on behalf of UK plc.</p> <p>Another TUC representative asked the Chair if she could explain exactly what the HSC's decision had been in relation to approval and registration. Sandra Caldwell promised to send members the minutes of the relevant HSC meeting [Action: ACTS Secretariat].</p>
9.4	<p>The Environment representative welcomed the push to get more joined up government on REACH, but was concerned at what the member perceived as the negative light in which the REACH system was being portrayed by HSE. The member did not believe that the only message HSE should be disseminating was that "if the current legislation isn't broke, don't let's fix it". The member considered that there were areas in which occupational health and safety legislation could be improved.</p> <p>John Thompson did not think HSE was being negative. HSE has been part of the government machinery that has welcomed the proposals. HSE's concerns are that if the proposals should be feasible and deliver, they must not be over complex. As a minimum we must ensure we don't disrupt the benefits of the existing system.</p> <p>Bob Warner asserted that the existing EU based occupational health and safety legislation for chemicals had led, fairly indisputably, to improvements in occupational health and safety. However, the existing EU based legislation for chemicals and their supply had bruised stakeholders and HSE needed to ensure that REACH did not damage the incremental improvements to occupational health and safety legislation. He considered that HSE's view was not negative, but a realistic, experienced view of chemicals supply legislation, in terms of the resources they have captured and the failure to deliver to stakeholder expectations.</p> <p>A TUC representative endorsed this perspective and asserted that trade unions, as well as HSE, had concerns with REACH. The Environment representative wanted to resume this discussion at another time. The member had a different perspective on what the legislation was proposing. Sandra Caldwell explained that the EU Chemical Strategy was a standing agenda item at ACTS meetings, so the Environment representative would have an opportunity to discuss this issue at the October 2003 meeting.</p>
9.5	<p>[→← left the meeting at this point.] This section is withheld under Exemption 12 of the Code of Practice on Access to Government Information</p>
Note:	<p><i>At the beginning of the afternoon session, Sandra Caldwell reviewed the remaining agenda. Since the meeting had already significantly overrun, she proposed that the 'Introduction to the cancer and skin disease strategy' presentation should be carried forward to the October meeting. The presentation on Phase 2 of e-COSHH Essentials would be circulated to members [Action: ACTS Secretariat].</i></p>
7	ACTS Open Meeting finalisation of arrangements
7.1	<p>Introduction by Nick Summers. He explained that publicity for the meeting was progressing well and invited members to identify additional contacts who could be</p>

	invited to the meeting. He explained that the key objective in the paper was to agree the agenda for the open meeting.
7.2	Sandra Caldwell asked members if they were happy with the content of the open meeting agenda. A range of views were expressed in relation to the item on how ACTS members represent their sector's interests (item 5 in the draft agenda at Annex 4 of the paper). Members believed that the open meeting was a useful opportunity to introduce ACTS and explain how it worked. However, some doubted the usefulness of very short individual stakeholder presentations and considered the role of different stakeholders could be handled in other agenda items. Sandra Caldwell proposed that, rather than members explain how they represent their sector's interests, a session be included considering the process by which the new OEL framework was developed. A case study such as this will allow members to show how they (and their sectors) participated in the process.
7.3	A TUC representative suggested that IACs being visited by ACTS volunteers should be formally invited to the open meeting. The member was concerned that there should be adequate worker/trade union representation at the meeting. Carole Sullivan explained that ACTS Secretariat was very concerned to ensure an equitable representation of all stakeholders at the meeting. Sandra Caldwell asked the TUC representative to liaise with Carole Sullivan on measures to ensure sufficient worker/trade union representation at the meeting [Action: ACTS Secretariat].
7.4	It was agreed that members would liaise with ACTS Secretariat on who would present which items, as well as seating plans etc [Action: Secretariat].
7.5	[➔ ← left the meeting at this point] This section is withheld under Exemption 12 of the Code of Practice on Access to Government Information
11	Polycyclic Aromatic Hydrocarbons (PAHs),– a control approach
11.1	John Thompson said that this paper explained how HSE's policy on PAHs had developed, and put forward proposals for a new control strategy for the substance. This was an important issue for HSE, and one into which HSE had put considerable resource over the last few years. PAHs had been an agenda item at the previous ACTS meeting on 13 March 2003. The paper proposing a maximum exposure limit (MEL) had been withdrawn because of problems with the cost/benefits analysis in the Regulatory Impact Assessment (RIA) for the proposal, which had only emerged after the paper had been circulated to members. HSE had undertaken to review the RIA and come back to ACTS with revised proposals. It was now clear that HSE's original doubts concerning the RIA had been well founded. No single MEL was likely to be appropriate for all the industries where exposure to PAHs occurred. HSE therefore recommended that no further action be pursued to develop an occupational exposure limit for PAHs. The new paper proposed a different control approach: <ul style="list-style-type: none"> a) preparation of sector-specific workplace guidance; b) publication of a benchmark biological monitoring guidance value (BMGV); and c) inclusion of PAHs in HSE's carcinogens programme. Sandra Caldwell noted that two CBI representatives had made declarations of interest in relation to this agenda item (see paragraph 1.2).

11.2	<p>TUC representatives were unhappy with the proposal and wanted more information on the costings in the RIA. Concerns included the fact that BMGVs had no legal status, and that too much reliance was placed on the use of respiratory protective equipment (RPE) to restrict worker exposure in those industries that would have the greatest difficulty in complying with a MEL. TUC representatives wanted the proposal to include some control measures that were enforceable.</p> <p>An Independent member said that he believed that RPE was the only solution in coke ovens and some other industries with high workplace exposures to PAHs. The member believed it would be difficult to impose an enforceable MEL on these industries and that a MEL could force them out of business.</p> <p>Another Independent member pointed to the proposed new criteria for a Workplace Exposure Limit (WEL) in the proposed new OEL framework. These were different from those for current occupational exposure limits, and he suggested it was irrelevant for ACTS to be discussing a MEL at this stage.</p> <p>Paul Oldershaw considered that setting an MEL was not useful in relation to PAHs, since any limit would have no practical value. Any limit agreed upon would not be 'safe' because PAHs were genotoxic carcinogens.</p> <p>Sandra Caldwell observed that members had expressed a spectrum of views and she was concerned that there appeared to be no prospect of reaching a consensus on this issue. In response, an Independent representative suggested that if coke ovens were removed from this issue, ACTS would not even be having a discussion on PAHs. Sandra Caldwell asked members if they would be content with the proposal if it was accompanied by a commitment to have a dialogue with industry on the suitability of its RPE.</p>
Note:	<p><i>The meeting was temporarily adjourned so TUC representatives could discuss Sandra Caldwell's suggested way forward on the PAH agenda.</i></p>
11.3	<p>The TUC representatives suggested some qualifications that would enable them to support the proposals in the paper. The TUC representatives were content to suspend discussion on development of a MEL pending the implementation of other measures to control exposure to PAHs, namely:</p> <ul style="list-style-type: none"> • Whilst supporting the idea of developing sector specific workplace guidance, which should cover coke oven and coal tar pitch volatile (CTPV) industries, the members wanted assurance that the guidance would be treated as a requirement; • That the proposed BMGV is accepted; and • That HSE make a commitment to review the outcome of this strategy in approximately 18 months to 2 –years time so that ACTS could see if it has worked. If the strategy failed to reduce exposure or to maintain control of exposure, TUC representatives would press for an occupational exposure limit to be set for PAHs. <p>TUC representatives supported the inclusion of PAHs in HSE's carcinogens programme without qualification.</p> <p>Sandra Caldwell considered that this was a sensible package but explained that HSE guidance could not be given special legal status (i.e. to make it a legal requirement). She asked if members would be content to allow work to start on developing sector-specific guidance, with the intention of asking industry to give a</p>

	<p>commitment to comply with the guidance once it had been published. Sandra Caldwell asked members if they knew of a relevant trade association that HSE could approach.</p> <p>A CBI representative advised that the Coke Oven Manager's Association might be appropriate as a point of contact.</p> <p>A TUC representative asked for an assurance on employer commitment to the eventual guidance. The member explained that the TUC chief concern with the proposal in the paper was the recommendation for guidance in an area where they believed there needed to be active enforcement. HSE proposed that it would work in partnership with industry to develop jointly badged guidance. This could have industry's logo on as well as HSE's, indicating industry's commitment to the guidance. All members agreed this approach.</p>
8	Proposal to introduce a new OEL framework draft consultative document
8.1	<p>Sandra Caldwell explained that this paper sought ACTS agreement to put the proposed consultative document (CD) to the Commission. She established that members were content for the joint presentation by → ← and Michael Topping to be dropped, since the meeting had overrun.</p> <p>→ ← commented that the OEL framework review had been conducted by a tripartite sub-group of ACTS, that the process had been proceeding for several years and that a number of ACTS members had been involved in the process. He asked if there were any members who did not feel comfortable with the proposal and would like to hear the presentation.</p> <p>These sections are withheld under Exemption 12 of the Code of Practice on Access to Government Information</p>
8.2	<p>An independent representative referred members to paragraph 16 of the cover paper. The member considered that there needed to be an audit to ensure that there was indeed no overall reduction in standards for limits that were not taken forward into the new system and for which control advice would, in the future, be available, either through COSHH Essentials, dedicated advice on control or a Chemical Hazard Alert Notice. A TUC representative supported this view.</p> <p>The same Independent representative also referred members to Table 2b [Annex 7, pages 69 - 71]. The member considered that HSE was taking forward suspect MELs into the new system, quoting buta-1,3-diene as an example, which would appear in the new framework with an exposure limit (10 ppm) far in excess of that in other countries. The member felt it would not look good listing limits such as this in a table in what would be a new OEL framework document.</p> <p>Maureen Meldrum responded that since many of these substances were carcinogens, the legal requirement would be to control exposure to as low as is reasonably practicable (ALARP). Consequently, the actual numerical value of these substances was not very important. A TUC representative suggested that, in relation to these substances, text could be added explaining that there is a requirement to control the flagged carcinogens ALARP. It was agreed. [Action: Michael Topping].</p> <p>Sandra Caldwell asked members if they were content for the paper to go to the Commission. It was agreed [Action: Michael Topping].</p>

8.3	<i>[Sandra Caldwell → ← left the meeting at this point. Sandra passed the chairmanship of the meeting to John Thompson]</i> These sections are withheld under Exemption 12 of the Code of Practice on Access to Government Information
13	Minutes of the 80th meeting of ACTS held on 13 March 2003.
13.1	The minutes were agreed.
14	Matters arising and Secretary's report
14.1	No points were raised in relation to the Secretary's report.
14.2	John Thompson drew members' attention to HSE preparations for European week for Safety & Health 2003, including the newsletter and the corresponding CD-ROM. Carole Sullivan informed members that Mr Des Browne, the new minister with responsibility for health and safety, had agreed to launch European Week and Phase 2 of the e-COSHH Essentials on 8 October 2003.
14.3	John Thompson drew members' attention to the recently circulated document " <i>Strategic Thinking – work in progress</i> ". He considered that it was work in progress and that the reference to chemicals needed to be finessed. There was a need to demonstrate that work on chemicals is about health outcomes.

**Health and Safety Commission Meeting
13th May 2003**

Presentation of Forward Look by SACs

Summary of points discussed following presentations from all 5 SACs.

Common Themes:

- Increasing recognition that Public perception is a key issue
- A need for a better understanding of the characteristics of the working population
- Process intensification (doing more with less) is happening but what happens when it goes wrong?

Other points:

- No real new issues
- A need to understand the implications of GM technology
- HSE believe their ability to “horizon scan” within identified sectors is good but improvement is needed for across sector issues
- Should look in more detail at certain, probably self selecting, areas e.g. nanotechnology
- HSE to be seen as an “enabler” rather than a “preventer”

Comment

Listening to the presentations highlighted a significant difference between ACTS and other SACs. ACTS rarely deals with “new” technology, it mainly focuses on well-defined chemicals and uses well tried techniques to assess their potential to cause harm. The “technological” forefront for ACTS is more about the best communication techniques to get the protection advice to the right audience.