

HEALTH & SAFETY EXECUTIVE

Minutes : 33rd meeting Occupational Health Advisory Committee

HSE, Rose Court, London

07th March 2002

These are the minutes for the 33rd meeting of OHAC, the 3rd since it's reconstitution for the 2001 – 2004 period. **Main topics** discussed included an update on the Priority Programmes for Musculoskeletal Disorders (MSDs) and Stress, the final version of the OHAC Plan of Work, horizon scanning and the functioning of advisory committees.

Members Present :

- **Mrs Sandra Caldwell** HSE (Chair)
- **Mr Roger Alesbury** CBI
- **Mr Steve Bailey** BIOH/BOHS
- **Ms Carol Bannister** RCN (Chair, MSD Working Group)
- **Dr Ruth Chambers** RCGP
- **Prof Tom Cox** BPS (Chair, WR Stress WG)
- **Mr Andrew Foster** CIEH
- **Dr Keith Palmer** BMA/Som/FoM
- **Mr Doug Russell** TUC
- **Prof David Stubbs** Ergonomics Society
- **Ms Claire Sullivan** TUC
- **Ms Kim Sunley** TUC (Chair, Genetic Screening WG)
- **Dr Derek White** CBI

Assessors Present :

- **Ms Brenda Stephens** National Assembly for Wales
- **Dr Peter Wright** DSS

Observers Present :

- **Ms Elizabeth Gyngell** HSE
- **Dr David Snashall** Chief Medical Advisor HSE

Secretariat Present :

- **Mr Paul Roberts** HSE (Secretary)
- **Ms Kimra Argus** HSE (Minutes Secretary)
- **Mr Alex Masri** HSE (Deputy Assistant Secretary)

Apologies received from : **Nola Ishmael, Dr Nerys Williams and Dr Arthur Johnston.**

1. INTRODUCTION

1.1 The **Chair** welcomed Kim Sunley back to OHAC after her leave.

2. PRIORITY PROGRAMMES

2.1 Stress (Paper OHAC/25/02)

Stuart Bristow, Psychosocial Issues Unit, Health Directorate asked for advice on a warm-up strategy for Euro Week 2002¹ (stress theme), member contributions and the level of support to SMEs.

OHAC recognised that in comparison with other countries, Great Britain is making good progress tackling work related stress. A warm-up strategy was agreed as a good idea. But there was concern on the dangers of getting “off message” citing recent Appeal Court rulings² from which poor health and safety advice is being derived, despite OHAC members regarding the rulings (when read fully with codicils) as acceptable. The problem is the line being “spun” by 3rd party advisers to businesses. OHAC decided that Euro Week 2002 will provide an opportunity to put the right messages across.

OHAC discussed good sources of information and current work on stress that could be promoted via reciprocal hyperlinks on websites, NHS Executive, Euro Agency, RCN is preparing data and Northern Ireland also has some excellent work.

Action 2.1 OHAC members to share information collected from the media on the Appeal Court rulings and stress case studies via the Secretariat.

Action 2.2 Secretariat to pass on OHAC’s suggestions for Euro Week 2002 website links to Health Directorate A5.

2.2 MSDs

Oral report by **Elizabeth Gyngell**, Head of Health Directorate A who reported progress on the MSD Priority Programme.

Compliance Targets are on track with 142 Improvement Notices being issued. Enforcement is now seen as an option for tackling MSDs rather than relying on just Risk Assessments. Revised DSE³ Regulations are on target to be published in time for RSI⁴ day next year.

Continuous Improvement is continuing a GB wide approach with evaluations of Back In Work⁵ projects, ongoing work by Working Backs Scotland and a mapping exercise identifying MSD initiatives in Wales.

¹ European Week for Health and Safety

² Case Nos: B3/2000/3074; B3/2001/0171; B3/2000/3472; B3/2001/0334; Neutral Citation Number: [2002] EWCA Civ 76 IN THE SUPREME COURT OF JUDICATURE COURT OF APPEAL (CIVIL DIVISION) ON APPEAL FROM LIVERPOOL COUNTY COURT His Honour Judge Trigger, Royal Courts of Justice, Strand, London, WC2A 2LL, Tuesday 5th February 2002 ... and three other cases.

³ Display Screen Equipment

⁴ RSI Day – likely to be 28th of February 2003

⁵ England only initiative.

2.2 MSDs cont'd

Knowledge - the Robens Institute has just completed a report for HSE on Work, Inequality and Musculoskeletal Health⁶ and this was presented at an HSE Chief Scientists Seminar on 5th March 2002. A DSE Club⁷ has been set up to share good practice focusing on the Local Authority sector.

Skills – work is going on to improve Inspectors' ergonomic knowledge with training sessions on the Manual Handling Assessment Criteria (MAC).

Support The Minister Dr Alan Whitehead launched HSE's guidance on Upper Limb Disorders⁸ at the Armed against ULDs Conference on February 28th.

OHAC were impressed with the range of initiatives being undertaken by the MSD Priority programme and especially interested in the evaluations.

Action 2.3 HSE to feedback information on the evaluation of Manual Handling Assessment Criteria (MAC) when it becomes available, probably at the end of 2002.

Action 2.4 Secretariat to pass on RCN's thanks to Health Directorate A4 (MSDs). "A big thank you to HSE for their help with with our Back In Work projects on effective training for manual handling. We didn't expect to get the volume of help we got. It has been real partnership working whereby the end product is something both can benefit from. We have already had feedback that the product is being found useful".

3. OHAC WORKING GROUPS

3.1 Work Related Stress Working Group

Oral report by Professor **Tom Cox**, Working Group Chair.

The group met in October 2001 and discussed Terms of Reference. Attached as Annex 1.

OHAC agreed the WR Stress Working Group's Terms of Reference.

Action 3.1 The Chair thanked Stuart Bristow⁹ for his work as Secretary of the OHAC WR Stress Working Group. He is moving to a job in HDB to deal with physical and biological agents.

3.2 MSD Working Group

Oral Report by **Carol Bannister**, Working Group Chair. The MSD Working Group has not meet since the last OHAC meeting. But its next meeting has been scheduled for April.

OHAC confirmed that the MSD Working Group's Terms of Reference were agreed as per Annex 2 to this Minute.

⁶ CRR421/2002 By Valerie Woods and Professor Peter Buckle ISBN 0717623122. Available free at http://www.hse.gov.uk/research/crr_pdf/2002/crr02421.pdf

⁷ Now called DSE Forum and attached to Local Authority Unit Newsletter

⁸ Upper Limb Disorders in the Workplace , HSG60 (rev) ISBN 0-7176-1978-8, price £9.50

⁹ from Psychosocial Unit, HSE

3.3 Genetic Screening Working Group (Paper OHAC/27/02)

Oral Report by **Kim Sunley**, Working Group Chair. The WG has been in contact with the Human Genetics Commission. Screening is broken into 2 types – 1. pre-employment testing and 2. sensitivity to chemicals. Although it is thought that there is no work-related genetic screening going on in the UK at the moment, the WG recognised the importance of maintaining a watching brief.

OHAC agreed the Genetic Screening Working Group's Terms of Reference with one slight change to wording. See Annex 3.

Action 3.2 OHAC agreed to evaluate the value of working groups in early 2003.

4.1 Functioning of Advisory Committees

Oral Report by **Paul Roberts**, OHAC Secretary detailed changes in the ways of working for Scientific Advisory Committees.

Register of Interests : OHAC members expressed some security concerns about the Register of Interests information when published on websites.

Open Meetings : OHAC agreed that they didn't want to hold an open meeting for the sake of having an open meeting. If an open meeting were to be held it should be for a specific purpose perhaps linked to the Annual Report and publication of the Plan of Work. However other options which might be just as effective as an open meeting ought to be considered. The discussion was inconclusive and OHAC will return to the issue at a later meeting. (See Action 7.1)

Members' Day OHAC felt that a large conference to meet HSC Commissioners and network with members of other HSE Advisory Committees would not achieve the desired outcomes. But they were interested in meeting HSC Commissioners.

Action 4.1 Secretariat to e-mail Register of Interests Form to OHAC members.

Action 4.2 Secretariat to investigate security issue for Register of Interests information and members to report to Secretariat if they have specific concerns.

Action 4.3 Secretariat to add Conflict of Interests as a standing agenda point at the start of all OHAC meetings.

Action 4.4 Secretariat to investigate what HSE's other advisory committees are doing about open meetings and report back to OHAC.

Action 4.5 Secretariat to arrange for an HSC Commissioner to attend an OHAC meeting.

5.1 Securing Health Together

Oral Report by **Anna Bliss**, Health Directorate A, reported on the progress of the Programme Action Groups and Partnership Board.

OHAC asked what mechanisms were in place to prevent overlap of work between the groups and report back on progress. Anna explained that the groups had regular report backs from other groups on their areas of work.

6. Horizon Scanning

Oral Report by **Kimra Argus**, OHAC Assistant Secretary.

OHAC was asked to consider how to develop an interim horizon scanning procedure to contribute to the horizon scanning review for all HSE Scientific Advisory Committees. Opportunities as well as threats need to be picked up.

OHAC agreed that the members of OHAC formed an important horizon scanning resource as they are professionally involved in scanning literature and actively networked. OHAC Working Groups are already sharing information via e-mail which includes literature scanning, news group monitoring and feedback from their networks. Actions below detail methods considered to strengthen the horizon scanning capability of OHAC.

Action 6.1 OHAC members to explore ways of activating their networks to proactively share horizon scanning information with OHAC.

Action 6.2 OHAC members can make recommendations for, or contribute papers to the OHAC agenda.

Action 6.3 Secretariat to add Horizon Scanning to the OHAC agenda on a yearly basis.

Action 6.4 OHAC members are asked to communicate any urgent horizon scanning issues to OHAC via the Secretariat.

Action 6.5 OHAC Secretariat to contribute to HSE Horizon Scanning Review for scientific advisory committees and feedback to OHAC.

7. OHAC Plan of Work (Paper OHAC/22/02)

Paul Roberts, OHAC Secretary presented the revised Plan of Work.

The revised plan of work was agreed.

Action 7.1 Secretariat to schedule further discussions on Open Day for OHAC meeting in 6 months time.

8. MATTERS ARISING FROM AND THE MINUTES OF THE 31st MEETING

8.1 No matters arising.

9. DISCUSSION ON INFORMATION PAPERS

9.1 OHAC Members praised the Current Issues paper (OHAC/23/02) for its usefulness in informing them of HSE activities and wondered if it could have wider circulation.

Action 9.1 Secretariat to investigate how to distribute the information in the Current Issues papers more widely.

10. ANY OTHER BUSINESS

10.1 CBI and TUC representatives were complimentary about the new Directors' Responsibilities for Health and Safety¹⁰ leaflet saying that it had helped them to engage top management in health and safety issues.

Action 10.1 Improving Access to Occupational Health¹¹ Secretariat to make update presentation at the next OHAC meeting.

Action 10.2 Secretariat to inform OHAC of the launch of the electronic COSHH¹². This will be launched on 30th of April 2002 on the HSE Direct Website - <http://www.hsedirect.com/>.

The next meeting of OHAC will be held on Tuesday 16th of July 2001.

OHAC Secretariat
March 2002

¹⁰ ISBN 0717620808 or at <http://www.hse.gov.uk/pubns/indg343.pdf>

¹¹ (formerly known as the OHAC Project Board)

¹² Control of Substances Hazardous to Health Regulations
Minutes-OHAC-070302.doc

ANNEX 1. Work-Related Stress Working Group

- It was agreed to use the term *Work-Related Stress*, rather than *Occupational Stress*, to define the terms of reference of this Working Group. It allows a broader based approach to stress including issues of work-life balance and the effects of stress on society as a whole.
- **The issue of the Terms of Reference and function of the WG was discussed.**
- Agreement was reached on an inclusive approach with emphasis on the prevention and management of work-related stressors. It was noted that many employers currently see the experience of work-related stress as a failing of the employee, which the individual concerned should be responsible for dealing with. It was further noted that it is the legal duty of the employer to have an interest in the causes of stress, in primary prevention and in the treatment and rehabilitation of any of their employees suffering ill-health stemming from work-related stress. It was agreed that dealing with work-related stress should be seen as an organisational responsibility.
- **It was agreed that the role of the WG was to:**
 - be innovative in identifying new opportunities and approaches to the prevention and management of work-related stress;
 - comment on HSE's activities in this area;
 - be aware of and review new developments in this area;
 - report back to the Occupational Health Advisory Committee (OHAC), so that OHAC can advise HSC.

ANNEX 2. MSD Working Group

The following **Terms of Reference** integrate the version prepared by the WG on 2 July 2002 with suggestions from OHAC at its meeting on 31 July 2001:

“To advise OHAC on the musculoskeletal health of people at work, and in particular to consider HSC’s musculoskeletal disorders (MSD) priority programme for 2001/04, and to advise on and assist with:

- its development, delivery, monitoring and quality assurance (including how HSE evaluation plans impact on the MSD programme)
- consideration of psychosocial factors in MSD.”

ANNEX 3. Genetic Screening

Terms of Reference agreed by OHAC.

- monitor the development of the scientific understanding of the human genome with reference to health and safety applications, consider possible criteria for the ethically acceptable use of such applications, and make recommendations to OHAC if necessary;
- monitor any use, or potential use, of genetic testing by employers for health and safety purposes, or to make employment decisions based on health and safety considerations, and consider the likely implications for current policy and practice and make recommendations to OHAC if necessary;
- monitor and, if appropriate, advise on developments in UK legislation and international agreements concerning human genetics and its applications to health and safety policies and practice;
- where appropriate, offer advice to OHAC on how the National Occupational Health strategy, *Securing Health Together*, could take account of the potential impact of developments in genetic science;
- report to OHAC on a yearly basis, or when circumstances require.