

Meeting date: 19 November 2008

Open Gov. Status: Fully open

Type of paper: Minutes

Paper File ref:

Exemptions: None

Minutes of the meeting of the Offshore Industry Advisory Committee held on 19 November 2008 in Lord Cullen House, Aberdeen

ATTENDEES

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<p>Present</p> <p>Ian Whewell – Chairman Julie Voce - HSE Louisa Cooper - Secretariat Ian Tasker – STUC Jane Bugler – IMCA Edmund Brookes - BROA Robert Paterson – Oil & Gas UK Tom McLaren – HSE Steve Walker - HSE John Monks - IADC Duncan Macdonald - MCA Phil Ley - OCA Jake Molloy – RMT Susan Elston - COTA</p>	<p>Observers</p> <p>Willie Gibson – Workforce Involvement Group Karen Daniels – HSE Pauline Knight - HSE</p> <p>Apologies</p> <p>Brian Negus – GMB Allan Graveson – Nautilus Andrew Campbell – WSCA John Taylor – Unite (TGWU Section) Mark Robinson – Unite (Amicus Section) John Arnott - DBERR</p>

Item		Action
1	Introduction, apologies and minutes from last meeting	
1.1	Ian Whewell opened the meeting by inviting members to observe a one minute silence in memory of Graham Tran.	
1.2	Ian welcomed everyone to the meeting and introduced new and visiting members.	
1.3	Apologies were received from Brian Negus, Allan Graveson, Andrew Campbell, John Taylor, Mark Robinson and John Arnott.	
1.4	The draft minutes of the meeting held on 20 June 2008 were accepted as a true record of the meeting.	
1.5	There was some discussion around the actions arising from items 5.3 and 5.4 regarding training and additionally imposed costs. Robert Paterson confirmed that applications for training should come from the employer and that workers have to be employed before applying for basic induction courses. David Doig commented that OPITO provides clear guidance to workers to refrain from spending money on training in order to secure employment.	
1.6	With reference to item 10.3, Steve Walker confirmed that OCA will be invited to join the research group.	

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1.7	<p>Tom McLaren informed members that the Crown Office and Procurator Fiscal Service have recently announced the creation of a dedicated, specialist Division for the investigation and prosecution of all cases which are reported to the Procurator Fiscal by the Health and Safety Executive.</p> <p>Led by a senior prosecutor, the new Division will consist of experienced lawyers working in 3 teams: Scotland North, working closely with HSE staff in Aberdeen; Scotland East, working with HSE staff in Edinburgh; and Scotland West, working with HSE staff in Glasgow. This move has been welcomed by HSE.</p>	
2	OPITO presentation	
2.1	David Doig gave a presentation on OPITO. David's presentation covered the purpose of OPITO and its objectives. David commented that the hardest challenge facing OPITO is to understand where it can add value. This was a useful opportunity to gain an insight into areas of concern and for members to raise any issues.	
2.2	Ian Whewell thanked David Doig for his presentation, explaining that competence is an issue in industry and had previously been discussed by OIAC.	
2.3	Members discussed the issue of safety representative qualifications and Willie Gibson asked if accreditation could be given to recognise their work. David explained that when the idea of an NVQ was mooted with safety representatives, the response was fairly muted. David Doig explained that OPITO does not have the ability to create vocational qualifications but that Cogent are the standard setting body. OPITO is, however, creating other qualifications for employees to understand the competencies of jobs and how their performance will be assessed.	
2.4	David Doig said that OPITO standards are reviewed on an ongoing basis. Approval may be removed, or not given, if standards are not met or do not continue to be met. However, approval is generally only removed where there is a threat of injury and it will not be given again until it can be proved that the threat has been removed. This helps to ensure a continual challenge for training companies to maintain the standards.	
3	Lord Cullen Fatal Accident Inquiry Review consultation	
3.1	<p>Ian Tasker informed members that the Scottish Government has commissioned an independent review into the legislation which has governed the operation of fatal accident inquiries (FAIs) in Scotland for more than 30 years.</p> <p>The Review, led by the Rt Hon Lord Cullen of Whitekirk KT, will examine the operation of judicial inquiries into sudden, suspicious or unexplained deaths. The process is designed to ensure that the FAI system continues to be fit for purpose in the light of changes to other parts of the justice system. The Review is expected to report in Summer 2009.</p> <p>The Scottish Government had contacted the STUC requesting suggestions for consultees.</p>	

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3.2	Ilan Tasker explained that the STUC are looking at the FAI process, and funding in particular, as it can cost thousands to bring an FAI if not a Union member. The STUC want to ensure as wide a consultation as possible and that recommendations are implemented. Ilan offered to provide feedback on the results of the consultation at a future meeting.	Secretariat to contact supply details to lan.
3.3	There was a general consensus amongst members for Ilan Tasker to reply on OIAC's behalf with members' contact details. Members also expressed a wish to invite the review team to a future OIAC meeting to provide an update.	Secretariat/Ilan Tasker to arrange future agenda item.
3.4	Tom McLaren informed members that some companies facing prosecution for fatal accidents are now considering entering not guilty pleas as they feel an FAI will be held regardless of the plea.	
3.5	Ilan Whewell commented that this was a disappointing attitude and would hope that most companies would be honest and admit when they go wrong, e.g. as happened recently with Talisman.	
4	Future priorities for OIAC	
4.1	<p>Ilan Whewell informed members that this meeting marked the second anniversary of the reformed OIAC, thus providing the opportunity to take stock and look at the work of OIAC, its current priorities and activities. It was also opportune to consider if the OIAC meetings were still productive and to ask if there was a need for more working groups.</p> <p>Ilan Whewell explained that OIAC still has two sub committees - the Workforce Involvement Group (WIG) and the Helicopter Liaison Group (HLG).</p> <p>WIG was set up as workforce involvement was identified as a key area where OIAC could have an impact. WIG is currently concentrating on two workstreams - two workforce involvement events in 2009 and the KP3 report. HLG is a long standing sub group dealing with issues regarding helicopter safety. HLG meets twice a year and reports to OIAC on an annual basis – the next report is due in March 2009.</p>	
4.3	<p>Members discussed the work of OIAC and its profile in industry. Ilan Whewell explained that OIAC used to hold open meetings and suggested these could be revisited if members felt it worthwhile.</p> <p>Edmund Brookes ventured that OIAC should continue but that it should pick up issues as they arose and so did not see the need for more workgroups. He also commented that he supported the open meetings but felt that they did not receive enough public support.</p> <p>Both Phil Ley and Jake Molloy agreed the meetings were not successful with Jake commenting that workers do not know what OIAC is. Jake Molloy went on to suggest that WIG could address the promotional aspect of OIAC to achieve buy in from others in industry and mooted the possibility of using Tea Shack News. Phil Ley commented that other industry committees must have examples of good practice so there may be opportunities to share and exchange information on best practice.</p> <p>The general consensus from members was that OIAC needed to advertise itself and promote its work. Members supported the idea of</p>	OIAC/ Secretariat to draft an article for the next issue of Tea Shack News and explore possibility of producing a

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	<p>using Tea Shack News to do this as it is an established brand and a good vehicle for providing information to the workforce. Members also asked Secretariat to look at the possibility of producing a one-off flyer on OIAC.</p> <p>Ian Whewell concluded that as members were happy with OIAC, it would continue as it is now with a review in twelve months time. However members should use meetings to highlight issues of importance.</p>	<p>flyer.</p> <p>Secretariat to include as future agenda item.</p>
5	Permit to work	
5.1	<p>Ian Whewell introduced this item commenting that this was an area of interest to Graham Tran. Although the idea of a common permit to work system is still felt to be some way off, industry are working hard to improve the consistency of systems. Step Change has set up a workgroup to look at this and have found that over 80% of arrangements in place across industry are sufficiently consistent or could be made consistent – that is, a contractor will recognise 80% of systems across industry.</p> <p>Although recent feedback from the group suggests some systems are company specific, they are hoping to understand why specific systems are in place and why they prevent the application of ISSOW. HSE has some concerns about a common permit to work system (CPTW) and it is trying to gain an understanding of how they work and expectations, whilst aspiring to a common system. HSE will monitor progress on this issue but welcomes feedback and contributions from members.</p>	
5.2	<p>Robert Paterson said that the reasons for this are historical in that some companies may use a common system but add extras to help their individual circumstances. Industry is working to increase standardisation but once these additions are in place, it is difficult to take them away. Robert Paterson also said they wanted to encourage companies to continue to improve and that group discussions are a good way to see how consistency can be adopted.</p>	
5.3	<p>Jane Bugler outlined IMCA's view explaining that they are looking at commonality but do not feel that a CPTW system is feasible. They are, however, producing guidance and a DVD about the system.</p>	
5.4	<p>Jake Molloy commented that Step Change have been discussing this topic for a long time now. Both the Dutch and Norwegian equivalents have achieved a CPTW system yet the UK has been unable to do so. John Monks added MODU Owners use Company Specific PTW systems worldwide and pointed out that any introduction of a CPTW System in the North Sea would be asking them to impose a second PTW system on their crews.</p>	
5.5	<p>Ian Whewell responded to the points raised explaining that at a recent meeting, HSE received a presentation from Norway which covered how the trade associations had converted to a new system. HSE understands that whilst the Norwegian system is voluntary and driven by industry, the Dutch system is not. There is also no firm evidence to illustrate that the Dutch and Norwegian systems are as common as suggested. On the subject of MODUs, Ian stated that he understood that any common PTW System would be aimed at fixed installations.</p>	<p>Secretariat to ensure inclusion on next agenda.</p>

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	Ilan Whewell suggested that further discussion on this topic was needed.	
6	KP3 Ministerial review	
6.1	Ilan Whewell introduced this information item. Ian explained that around the time of the Piper Alpha anniversary, there was a debate in the House of Commons led by Frank Doran. During her response in the debate, Anne McGuire MP announced that the Secretary of State had commissioned HSE to review the offshore industry's progress on the issues identified by the KP3 programme. HSE are currently undertaking this review with the report due in June 2009.	
6.2	Ilan Whewell explained to members that he was keen for their input in order to provide the Minister with an accurate picture of industry.	
7	OSD's research strategy and current work	
7.1	<p>Steve Walker's presentation provided members with background information regarding HSE's offshore research strategies and programmes.</p> <p>The presentation was followed by a discussion on the benefits of the WOAD database versus the OGP system. Steve Walker agreed to provide members with a briefing note on the WOAD database.</p>	Steve to provide a briefing note on WOAD.
7.2	<p>In response to a query from Jake Molloy, Steve Walker explained that occasions may arise when research is conducted on HSE's behalf by external companies. In such instances, HSE uses a robust management procedure to ensure the best research company is selected and a technical person from HSE will be involved from the outset. HSE can also request a peer review of the research.</p> <p>Jake Molloy requested that the offshore figures be peer reviewed as he believed them to be inaccurate. Ian agreed to raise this with HSE's statistical team as an issue of concern.</p>	Ilan to raise issue with statistical team and feedback to Jake.
7.3	<p>In connection with Item 5, Phil Ley asked if HSE would consider a project on the perceived benefits of a CPTW system, compared with Norway and Holland.</p> <p>Ilan Whewell agreed this was something worth considering. HSE's Human Factors team have highlighted problems with ISSOWs and will produce guidance for industry. Tom McLaren now works in this field and hopes to update members soon.</p>	
8	Health and safety statistics bulletin	
8.1	Ilan Whewell introduced this update item explaining that the information is the same as that presented recently at Step Change. Ian commented that although there is a slight improvement in the trend for the over 3 day injury rate figures, the fatal and major injury rate has not improved. Although it is concerning that there is not a steady decline, both injury rates remain fairly static.	
9	Workforce Involvement Group update	
9.1	Julie Voce gave an update of the work of this group. She explained that following the launch of the guidance document 'Play Your Part' in January, the group organised a workforce event which took place at Murrayfield stadium in May. The event was a great success with very	

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	positive feedback, including a call for more events and to also include the Southern sector.	
9.2	Two events are planned for 2009, one in Norwich for 30 to 50 delegates on 12 March and the second in Scotland (venue tbc) on 11 June. Both events will focus on major hazards and workforce involvement.	
9.3	<p>Julie Voce informed members that the Group are also contributing significantly to the KP3 review. They have produced a project initiation document which will be posted on HSE's website. They have also compiled a framework for the report which was agreed at the meeting on the 18 November and work streams allocated. Although it is not proposed that the report will make recommendations, considerations and options will be put forward for ways in which to improve workforce involvement in the future.</p> <p>This work will continue until at least April 2009. The KP3 review is to be reported back to the Secretary of State by June 2009.</p>	
9.4	Ian Whewell commented that this is a positive group and thanked WIG members for their contributions. Ian also stated that the group is providing valuable groundwork for future guidance.	
9.5	Ian Whewell informed members that he has volunteered to sit on the Step Change workforce involvement group and hoped his input would help to avoid duplication of effort and ensure that any work was complementary.	
10	Operational update	
10.1	Tom McLaren informed members that he now manages a unit in Bootle.	
10.2	Tom McLaren has two presentations for members which will be circulated with the minutes.	Secretariat to circulate presentations with minutes
10.3	<p>Tom McLaren explained that current projects can be found on HSE's website http://www.hse.gov.uk/offshore/workareas.htm. Tom McLaren gave a brief run through of statistics informing members that, to date this year, 33 notices have been issued including six prohibition notices. Improvement notices have been served for large scale issues and three installations have been shut down in the last six months. Four prosecutions are ongoing and three have been completed. Tom McLaren also informed members that, for a variety of reasons, not all safety cases had been accepted. As is stated in the statistical report, the number of significant hydrocarbon releases to the end of September 2008 now stands at 28.</p> <p>Tom McLaren informed members he recently gave a presentation to Step Change on the underlying causes of hydrocarbon releases which will be circulated with the minutes. A recent HSL report into the causes of hydrocarbon releases, which was presented at the NSOAF conference in September, reads the same as the KP1 report. HSE intend to look into this.</p> <p>Ian Whewell commented that the reports illustrate the importance of not forgetting the basics.</p>	

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10.4	Duncan Macdonald commented that he wished to get together with Tom McLaren to seek his views on the Smit Kamara and Belgian Spirit incidents as he was involved for MCA.	
11	AOB	
11.1	Three items were discussed.	
11.2	HSE's Occupational Health Group are working on new guidance for the offshore industry. They are proposing an 'Offshore e-Chemical Essentials', the aim of which is to achieve a common standard of good control practice across the whole sector. If members wish to be involved in this consultation, or would like more information, they should contact Ahsan Saleem at ahsan.saleem@hse.gsi.gov.uk .	
11.3	<p>The second item was for information and covered proposed amendments to the Safety Case Regulations 2005, decisions eligible for appeal. Ian Whewell explained that when the Regulations were rewritten, they introduced a formal appeals procedure. However, HSE did not consider whether its own current internal appeal procedure was still fit for purpose. This has now been considered and HSE has concluded the internal review should be streamlined so to avoid duplication of the Secretary of State hearing.</p> <p>A suggested review procedure has been drafted and HSE will shortly undertake a formal consultation. Members will be invited to comment.</p>	
11.4	<p>The third item was to seek OIAC's support for a proposed joint HSE/industry leadership workshop. HSE is keen to organise an event for the exchange of good practice offshore and will be formally inviting contributions and involvement from trade associations and the workforce.</p> <p>Members supported this venture and agreed to feedback information to trade associations.</p>	