

Offshore Industry Advisory Committee		OIAC/MIN/2/2013	
Meeting date:	8 th October 2013	Open Gov. Status:	Fully open
Type of paper:	Minutes	Paper File ref:	2013/368956
Exemptions:	None		

Minutes of the Offshore Industry Advisory Committee Meeting held on 8th October 2013 at Lord Cullen House, Aberdeen

Present:-

Chairman Susan Mackenzie HSE, Secretariat Mike Readitt HSE, Jim Neilson HSE, James Munro HSE, Howard Harte HSE, Dave Walker HSE, Andrew Taylor DECC, Richard Nevinson BROA, Emily Comyn IMCA, Pete Thomson MCA, Jake Molloy RMT, Robert Paterson Oil & Gas UK, Les Linklater Step Change, John Taylor Unite – TGWU, Brian Negus GMB

1. Introductions

- 1.1 The Chairman extended a warm welcome to everyone, particularly Richard Nevinson the new BROA representative, and to Andrew Taylor DECC, Emily Comyn IMCA, and Pete Thomson MCA who were deputising.

Apologies

- 1.2 These were received from Steve Walker HSE, Nick Woollacott DECC, Neaz Hyder MCA, Allan Graveson (Nautilus International), Jane Bugler IMCA, Ian Russell COTA, Gavin Sutherland IADC, David Walker OCA and Paul Wilkins MCA.

Outstanding Actions from previous meetings

- 1.3 The following Actions were recorded as cleared / still outstanding:-

Action 1 October 12, Cleared:- Circulate the EU Directive 92/91 review findings report once publically available.

Action 3 October 12, Withdrawn:- Neaz Hyder to outline the overlaps between existing offshore mandatory training and seafarer training certification and watch keeping standards and inform John Taylor (Unite – TGWU). See MCA update, Para 1.4 overleaf and the new action.

Actions 4 October 12, Withdrawn:- John Taylor to consider the training overlaps identified by the MCA (Action 3 Oct. 12) and raise with OPITO to consider if additional training needs to be added to existing offshore mandatory training. See MCA update, Para 1.4 overleaf and the new action.

- 1.4 The MCA advised the meeting that there were still some changes required to the OPITO offshore training to align it with the Seafarer Training Certification and Watch Keeping qualifications. They also confirmed they had approached the Head of the Seafarers Standards and Ship Register who had indicated any upgrading of the OPITO training would be supported. MCA stated the problem was that although OPITO is a worldwide standard, it was devised to meet the needs of the offshore industry and it has never been its purpose to assess it against the needs of Seafarer Training Certification and Watch Keeping qualifications (STCW).

Action 1 October 13

John Taylor was asked to liaise with the MCA and discuss with OPITO how its offshore training can be upgraded to take account of the Seafarer Training Certification and Watch Keeping qualification. Proposals are to be presented to the March 2014 meeting.

Action 7 October 12, Ongoing:-

MCA to establish all the potential issues surrounding regulatory responsibility and legislative jurisdiction that will arise from the introduction of the Maritime Labour Convention and work with HSE's Operational Policy Team to address them and update the HSE / MCA Memorandum of Understanding (MoU).

Action 1 March 2012, Cleared:-

Workforce Involvement Group and Step Change to continue to develop the 'Just Culture' guidance and provide a progress report at the October 2013 meeting. See agenda item 7 for update.

Action 2 March 2013, Withdrawn:-

The views of HLG members have been presented to the Chair of OIAC. It was acknowledged there was no support to replace HLG with a standing OIAC agenda item.

Minutes from the meeting held on 19th March 2013

- 1.5 The minutes had been cleared by correspondence and placed on the OIAC web site.

2. Policy Update – European Union Offshore Directive

- 2.1 Jim Neilson provided members with a presentation that informed them on the progress, current activities and work themes necessary to transpose the Directive into UK offshore legislation by 19th July 2015.

- 2.2 The highlights from the presentation were;

- HSE has held implementation project meetings with DECC, and agreed which Articles DECC, HSE and MCA will 'lead' on and which will be jointly progressed. A joint implementation Project Plan is being developed.

- There will be three project work streams, 'Legislative' (taking forward the drafting of the relevant Regulations), 'Competent Authority' (establishing the Authority and its operating remit) and 'Operational Competence' (HSE's and DECC's internal systems and the training of inspectors).
- HSE and DECC lawyers are reviewing the Directive Articles to see where existing UK legislation meets / does not meet the requirements of the Directive. This advice will allow implementation policy options to be developed, including which UK offshore regulations need to be changed to implement the Directive.
- An indication of what the 'Emerging Challenges' for HSE and the offshore industry will be e.g. establishing a legal basis for 'environmental critical elements' and building capacity for verification, what is a 'corporate major accident plan', International reporting – what is to be reported and when, where should well examination requirements be specified and what the transitional arrangements will be for 'non production installations', 'planned production installations' 'planned or existing well operations' and 'existing production installations'.
- HSE's proposals for engaging, informing and taking feedback from the offshore industry.

2.3 Members welcomed the detail provided and asked for the presentation to be circulated so they could consider the implications of the 'challenges' and transitional arrangements'. It was agreed a 'special' OIAC meeting would be organised towards the end of January / early February 2014 to consider and comment on the public consultation document and its proposals.

Action 2 October 2013:- The secretary to circulate the EU Offshore Directive presentation to members.

Action 3 October 2013:- The secretary to liaise with members to organise a suitable date to hold a meeting to discuss the public consultation proposals.

3. Operational Issues Update & Health and Safety statistics

Health and Safety statistics report

3.1 The statistics report had been circulated to members in advance of the meeting, which provided a 5 year statistical review on fatal and major injuries, over three-day / over 7 day injuries, dangerous occurrences and hydrocarbon release figures. James Munro summarised some of the key information as follows;

- There was an increase in 'Major injuries' in 2012/13 from the previous year.

- There were 88 'over 7 day injuries' reported in 2012/13 an increase of 3 on the previous year.
- There was an increase in the number of 'Major' hydrocarbon releases (HCRs) from 3 in 2011/12, to 9 in 2012/13. However, there was a significant drop in the number of 'significant' HCRs from 54 in 2011/12 to 36 in 2012/13.

Enforcement Activity

- 3.2 Since April 2013 HSE had issued 15 Improvement Notices (INs), with 9 of them issued in relation to major accident hazards. 3 Prohibition Notices (PNs) had also been served. Some examples of Energy Division's enforcement activities associated with these notices covered a range of risks, for example;
- Under torqued bolts on a gas compressor discharge pipe.
 - PIG launcher operations – work round.
 - Fire and blast wall integrity, and
 - Combined operations alarm systems issues.
- 3.3 Members were introduced to Energy Division's Intervention Priority Grid for new and changing installations and duty holders. The grid has been developed to assist with identifying the Division's intervention priorities and will contribute to other operational intelligence as part of the new approach to risk ranking.

4. KP4 Ageing and Life Extension Programme

- 4.1 This presentation had been scheduled to provide members with an overview of the topics and activities covered by the programme and the next steps. Howard Harte delivered a comprehensive overview of the project. He emphasised that the objectives of the programme was to raise the awareness and the consequences of ageing and life extension issues, understanding and forecasting degradation rates of safety critical elements, reducing hydrocarbon releases, sharing knowledge and working jointly with the industry to learn lessons, equip people with the right skills and competences and to capture best practice within guidance.
- 4.2 It is expected that 33 offshore and onshore KP4 inspections will be completed by November 2013. Following this, HSE will analyse the data from the inspections and produce a final report (expected April 2014), which will include recommendations for both the regulator and industry.
- 4.3 There has been worldwide interest in the programme, the UKCS is a leader in ageing and life extension management and best practice is being identified and embedded into working practices and industry is investing both time and money to improve ageing and life extension management.

5. Discussion on Offshore Accommodation issues

- 5.1 Robert Paterson informed members that at a recent engagement between Oil & Gas UK Board members and the Business & Energy Minister Michael Fallon, the matter of cabin occupancy numbers and limits had been raised as a factor restricting investment for certain fields. The Minister requested further information. An informal written note was sent to the Minister by Malcolm Webb OGUK Chief Executive. It was pointed out that the views expressed within the correspondence are not OGUK policy and may not be supported by all operators.
- 5.2 The communication explained to the Minister that there was a lack of available bed spaces on some offshore installations which was felt to be constraining the development of the oil and gas fields on the UKCS. To increase the number persons on board, the installation operators concerned have a number of options available e.g. the use of flotels, building new accommodation and shuttling people by helicopter as required. But all of these options are not necessarily practicable or may result in increased risk to people. However, the most effective and risk neutral option of increasing cabin occupancy is currently constrained by interpretation of existing offshore legislation and guidance.
- 5.3 There was opposition from the unions to the proposal of increasing cabin occupancy which was supported by concerns regarding privacy, welfare and health and safety. It was agreed, however, that the issue was too important not to be addressed. HSE advised that there would be future negotiations over any proposed amendments to the EU Directive 92/91 (concerning the minimum requirements for improving the safety and health protection of workers in the mineral extracting industries through drilling). Any future negotiations would provide an opportunity for the UK to establish a position on cabin occupancy and defend it in Europe.
- 5.4 It was agreed that Oil & Gas UK would engage with the unions and HSE to identify possible proposals that would enable the UK to establish an agreed position on cabin occupancy for use in future Directive negotiations.

Action 4 October 2013

Oil & Gas UK to consult with the industry and HSE to identify and agree a UK negotiating position on offshore cabin occupancy that can be used to support future policy discussions.

6. Updating the Offshore Sector Strategy

- 6.1 In October 2012 Offshore Division published its 'Offshore oil and gas strategy for 2012 – 2015' following consultation with industry. This agenda item was to update members on plans to refresh the strategy, to ensure HSE's and industry's priorities remain aligned and to incorporate offshore pipelines into the strategy. The strategy remains focussed on preventing and mitigating major accidents to avoid catastrophe and addressing the highest conventional health and safety risks. The presentation highlighted a number of key themes underpinning the strategy, these were 'Leadership', 'Competence', 'Asset Integrity', 'Reduction of HCRs', 'Emergencies', 'Worker Engagement', 'Regulating Effectively' and 'Securing

Justice'. HSE informed OIAC that it will work closely with the industry and employee representatives in refreshing the strategy.

7. Review of OIAC Working Group Activities

Workforce Involvement Group (WIG)

7.1 The chairman of the WIG Dave Walker introduced his paper which provided a review of the work undertaken by the group. The WIG's achievements were identified as;

- Running regular 1 day events with safety representatives to share knowledge, good practice and raise awareness.
- Provide input and support to the SI971 project.
- Developed, piloted and introduced the OPITO 'Elected Safety Representatives Development Training' modules.
- Contributed to the development and organisation of the 'Piper 25 Workforce Involvement Day'.
- Organising and running regular conferences for Safety Representatives.

7.2 Some of the current work activities included promoting the 'Elected Safety Representatives training', development of training for offshore managers, organising future workforce events and involving the workforce from 'onshore' major hazard sites. However, there still remains an overlap between the WIG and work undertaken by the Step Change Workforce Engagement Group (WEG), who also undertakes comparable work with the offshore workforce to share knowledge and good practice.

7.3 Discussion highlighted that there should be greater synergy and much closer working between the WIG and WEG with a shared strategy for workforce involvement. The two groups were asked to consider how best to develop a joint strategy for workforce involvement.

Action 5 October 2013

WIG and WEG to explore the feasibility of merging to create a single workforce engagement group with a single strategic agenda. This needs to be progressed swiftly to provide input to the revised sector strategy. Dave Walker / Susan Mackenzie will provide a written update to members on progress.

Helicopter Liaison Group (HLG)

7.4 Howard Harte, chairman of the HLG introduced a similar report as the Workforce Involvement Group, which had been circulated in advance to the members. Howard summarised the groups achievements, identified current work activities and areas of duplication with itself and the Helicopter Safety Steering Group (HSSG), the Aviation Safety Technical Group (ASTG) and other Civil Aviation Groups.

- 7.5 There were differing views between members on where helicopter issues should be addressed and considered. Some believed HSSG was best placed and resourced to address helicopter safety matters, whilst others supported the HLG and its independence to include other key parties, such as the Civil Aviation Authority.
- 7.6 The chairman confirmed that she believed there should be a single body to consider helicopter safety. However, recognised that HLG tended to focus more on helideck issues and perhaps should be re-branded as the 'Helideck Liaison Group'. It was agreed that the HLG should continue meeting for at least a further twelve months and any change be influenced by the outcomes of the inquiries into the Sumburgh tragedy.

Action 6 October 2013

HLG was asked to explore the implications of changing its name to the 'Helideck Liaison Group' with a clear remit of focusing on helideck safety.

Workforce Involvement Group Update

- 7.7 The WIG Chairman reported there had been recent changes to the membership of WIG particularly with the retirement of Phil Ley and the appointing of his successor. He also asked for OIAC's endorsement of the appointment of several new members, Stephen Barton, Terry O'Halloran, Glen Sheppard, George Chyne and Donald MacFarlane. The members agreed to the appointments along with the other recommendations.
- 7.8 It was reported the 4 modules that made up the further training for Safety Representatives course are now fully up and running and proving very popular with the workforce. Equally, the recent one day WIG event held in Norwich, was again well received and seen as a success.
- 7.9 'Just Culture' was discussed at length as the current action (Action 1 March 2012) on WIG to develop a generic approach to intimidation and bullying was proving difficult. It was suggested the development of a 'Learning Culture' may be more appropriate and achievable as such a culture is required to be embedded within the industry and workforce. There was recognition amongst members that there was merit in having a learning culture, but also that it would be difficult to just halt working on the 'just culture' theme. The reason behind this was that the original action arose from the Govt. Select Committee's recommendations on the findings from the Deepwater Horizon incident. It was agreed that the WIG would discuss the proposals with Step Change and develop ideas on how this can be re-packaged and taken forward.

Action 7 October 2013

Dave Walker to discuss with Step Change how 'Just Culture' can be re-branded and provide proposals on how this can be taken forward at the March 2014 OIAC meeting.

8. Energy Division Update

- 8.1 The Chairman informed members that since the re-organisation of HSE's Hazardous Installations Division in April 2013 and the establishment of Energy Division, senior management had been scrutinising its enforcement and investigations processes. The objective of the exercise was to improve the planning and prioritising of activities and to effectively manage and deploy the Division's resources. It was confirmed that the Division would continue to retain the effort allocated to Safety Case assessment, but there would be a shift in emphasis so that more resource was allocated to investigation activities.
- 8.2 To further explain how the Division would make best use of its resources, Howard Harte delivered a presentation explaining the 'risk ranking' methodology to be used to effectively target future regulatory interventions. This would be based on gathering data / information on the 'Inherent Hazard', classified into 'high', 'medium' and 'low' and based on the 'Potential Loss of Life' (PLL). Operator Performance would consider performance in complying with the law to control major hazard risk and reviewing and rating strategic topic areas e.g. Control of work and Verification. Other relevant intelligence may include issues arising out regulatory contacted e.g. Safety Case assessment, Incident investigations and complaints. Members raised no issues with the proposed approach.

9. Step Change Update

- 9.1 Les Linklater provided a summary of some of the key initiatives / work themes Step Change are currently engaged in, these covered:-
- a) A new Human Factor assessment tool to be introduced by the end of 2013.
 - b) Taking forward 'culture' issues arising out of Offshore Europe 2013.
 - c) The Competence and MIST review continues to move forward.
 - d) The development of an industry wide competence framework.
 - e) The Helicopter Safety Steering Group continues to support various investigations following the recent helicopter crash in August.
 - f) A new six point learning pack to share best practice (arising from the Piper 25 event) is being developed.

10. Any other business

Integrated Offshore Emergency Response

- 10.1 Pete Thomson from the MCA informed members of two documents soon to be released on the Emergency Preparedness Offshore Liaison (EPOL) Group website that addressed 'Integrated Offshore Emergency Response'. The documents have been developed through close collaboration between Search & Rescue (SAR) agencies, offshore oil and gas industry, helicopter operators and industry regulators (HSE's Energy Division & CAA). The documents provide guidance on how national SAR interfaces with industry provision in response to offshore incidents. The MCA expressed its thanks to HSE's George Boothby and Steve Haddock who contributed significantly to the development of the documents.

Maritime Labour Convention (MLC) – recognition of offshore medicals

- 10.2 Emily Comyn, IMCA, brought to members attention that the Maritime Labour Convention applies to anyone working on board a vessel, and one of the requirements is for everyone to be certified medically fit. It was explained, this will affect large numbers of non-marine personnel on board offshore support vessels and MODUs, but not personnel on a fixed installation. It was pointed out that most flag states have confirmed that they will continue to recognise the offshore industry medicals for non-marine personnel on offshore vessels. However, the Maritime and Coastguard Agency (MCA) is only planning to recognise the Oil and Gas UK medical and the HSE divers' medicals for non-marine personnel on UK ships working on the UKCS. Yet, if a UK ship operates outside of the UKCS the non-marine personnel will require a 'seafarer's medical'.
- 10.3 Currently the MCA have not made a decision on recognising seafarer medicals. IMCA are concerned that the impact of this could lead to additional costs for vessel owners and operators to obtain an additional medical for non-marine personnel and what effect this might have on the North Sea mutual recognition agreement.
- 10.4 The MCA confirmed that they would reconsider the recognition of the seafarer medicals. However, members were first asked to consider the impact this may have on the industry and write to the MCA outlining situation.

Action 8 October 2013

OIAC members are to consider the implications of the MLC's medical requirement and inform the Maritime & Coastguard Agency of the issues.

Action 9 October 2013

Maritime & Coastguard Agency are to review comments received from OIAC members with a view to reconsidering their recognition of the seafarer medical.

Date of the next OIAC Meeting

- 10.5 Members were informed the next regular meeting will be held on 18th March 2014, at Lord Cullen House, Aberdeen.