

Offshore Industry Advisory Committee		OIAC/MIN/2/2014	
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**Minutes of the Offshore Industry Advisory Committee Meeting held on
18th March 2014 at Lord Cullen House, Aberdeen**

Present:-

Chairman Steve Walker HSE, Secretariat Mike Readitt HSE, Jim Neilson HSE, James Munro HSE, Howard Harte HSE, Nick Woollacott DECC, Richard Nevinson BROA, Robert Paterson Oil & Gas UK, Les Linklater Step Change, John Taylor Unite – TGWU, Brian Negus GMB, Russell Ford ABS, Ian Russell COTA and Gavin Sutherland IADC.

1. Introductions

- 1.1 The Chairman extended a warm welcome to everyone, particularly John Pride from HSE who was observing.

Apologies

- 1.2 These were received from Susan Mackenzie HSE, Neaz Hyder and Paul Wilkins MCA, Allan Graveson (Nautilus International), Jane Bugler IMCA, Jake Molloy RMT, David Walker OCA, Ian Tasker STUC, and Graham Duff DNV.

Outstanding Actions from previous meetings

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

Action 7 Oct. 12, Cleared:- 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).

- 1.4 In advance of this meeting the MCA had advised that the draft MoU was currently being considered by the relevant Depts. The Chairman confirmed that it would be helpful if at the next meeting MCA can deliver a formal update on the content of the MoU.

Action 1 March 14 MCA to report to OIAC at the October 2014 meeting of the key changes to the HSE / MCA MoU.

- Action 1 Oct. 13, Cleared 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. The proposals are to be presented at the March 2014 meeting.
- 1.5 John reported that he had spoken with OPITO and had forwarded that correspondence to the MCA. The intention is for OPITO (Dave Doig) to contact the MCA to discuss how the training can be upgraded. Richard Nevinson from BROA confirmed they would be interested in participating in discussions associated with the upgrading of the training.
- Action 2 Oct. 13, Cleared The Secretary to circulate to members the EU Offshore Directive presentation.
- Action 3 Oct.13, Cleared The Secretary to organise a date for a 'special' OIAC meeting early in 2014.
- Action 4 Oct.13, Withdrawn 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.
- 1.6 The Chairman reported recent Ministerial correspondence requesting HSE relaxed its guidance on cabin occupation had superseded this action. In reply, HSE had considered its position and will be writing in the very near future to O&G UK to confirm its cabin occupancy policy.
- 1.7 John Taylor confirmed he remained disappointed by the decision to relax cabin occupancy guidance. But asked if the impact or potential discrimination issues on female offshore workers had been considered, should the sharing of a cabin with male occupants arise.
- Action 5 Oct.13:- Cleared 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 on progress.
- 1.7 It was reported that WIG & WEG following a meeting in 28th Nov. 13 had agreed to merge into a single group to promote worker engagement and safety. The new group will be called the Workforce Engagement Support Team (WEST) and will be co-chaired by Jake Molloy (reporting back to OIAC) and Ian Sharp (reporting back to Step Change).

Action 6 Oct.13, Cleared 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

- 1.8 Howard Harte Chairman of the HLG provided members with an update at agenda item 5.

Action 7 Oct.13, Withdrawn HSE's Dave Walker to discuss with Step Change how 'Just Culture' can be re-branded and provide proposals on how this can be taken.

- 1.9 Resulting from the recent merger between WIG and WEG there was now no clear OIAC working group who could continue to progress this action. The Chairman reminded members that the original action arose from March 2011 OIAC meeting, were the conclusions from the Deepwater Horizon Select Committee where discussed. The Select Committee had concluded that:-

“we recommend that the Govt. should discuss with the industry and unions what further steps are needed to prevent safety representatives from being or feeling intimidated into not reporting a hazard, potential or otherwise”

- 1.10 WIG had been considering the existing 'Just Culture' process (in liaison with Step Change) with a view to producing industry wide 'best practice' guidance on tackling intimidation and bullying, which over time had proved challenging.

- 1.11 With this subject being still very relevant and important, members supported the proposal from the Chairman that WEST would be the most appropriate group continue the work. However, it was suggested that WEST looked back at the original recommendation from the Select Committee and re-considers the work undertaken by WIG / WEG to identify a fresh approach to take this forward.

Action 2 March 14 OIAC's Chairman to write to WEST requesting they now take forward the Select Committee's recommendation to address intimidation.

Action 8 Oct.13, Withdrawn OIAC members are to consider the implications of the MLC's medical requirement and inform the Maritime & Coastguard Agency of the issues.

- 1.12 MCA reported there had been no feedback from members on this issue since the last meeting. The Chairman invited members present to provide any comments or observations. As there were none, the action was subsequently closed.

Action 9 Oct. 13, Withdrawn MCA to review the comments received from OIAC members with a view to reconsidering their recognition of the seafarer medical

- 1.13 As there had been no comments from members to Action 8 above, this action was withdrawn.

Minutes from the meeting held on 8th October 2013

- 1.14 The minutes had been cleared by correspondence following a slight amendment to Agenda item 5. They were subsequently placed on the HSE 'OIAC' web site.

2. Policy Update – European Union Offshore Directive

- 2.1 Jim Neilson provided a short presentation informing members on the progress HSE and Dept. of Energy and Climate Change (DECC) are making to implement the Directive into UK offshore legislation.

- 2.2 The key points from the presentation were;

- HSE and DECC had agreed the Safety Case Regulations (SCR) will be the vehicle to deliver most of the Directive requirements (subject to legal confirmation).
- The Safety Case will become the report on major hazards.
- Subject to legal advice, the SCR will include environmental elements and also refer / link to environment assessments and demonstrations undertaken by operators for DECC under existing environmental legislation. DECC will have powers to perform its responsibilities under these regulations.
- An Impact Assessment (IA) to establish the implications and costs on the Oil and Gas industry of the new requirements is being prepared. There had been recent Industry Focus Group meetings to discuss / establish these costs. Once finalised the consultation IA will be presented to the Govt. Regulatory Policy Committee for clearance in April.
- The public consultation document continues to be progressed. It is HSE's intention to share the document with OIAC members for comment in May.

Action 3 March 14

Jim Neilson to circulate the draft Consultation Document to members for comment.

- To comply with Govt. policy it is possible the proposed 12 week public consultation could be reduced to 8 weeks.
- Work is ongoing to finalise the reporting requirements under the Directive. There currently remain issues over reporting duplication, the level of detail required in the reporting forms and data collection. A meeting is scheduled in Brussels on 1st April to discuss these issues with member States.

- 2.3 Members were informed the Directive also required Countries to establish a 'Tripartite Body' to consider safety and environmental issues. The initial view is that OIAC could fulfil this role, but to do this it would need to expand its membership to include representatives from other environmental areas (e.g. the 'oil spill response' and 'emergency response' communities) and revise its terms of reference.

Action 4 March 14:-

Jim Neilson to prepare a discussion paper on the proposals, for OIAC fulfilling the role of the UK's Tripartite body, for discussion at the October 14 meeting.

3. Workforce Engagement Support Team (WEST) Report

- 3.1 Jake Molloy, the joint Chair of WEST was scheduled to provide an update on the work and activities this new group is planning address during 2014. Unfortunately, due to other commitments this agenda item will be re-scheduled to the Oct. 14 meeting.

4. Civil Aviation Authority (CAA) Report

- 4.1 Oil & Gas UK had requested OIAC discuss the issues and implications for the offshore industry arising from the recently published CAA's "Safety review of offshore public transport helicopter operations in support of the exploitation of oil and gas". Robert Paterson reported that whilst O&GUK broadly welcomed the aims and objectives of the report in terms of aviation safety, the short implementation timescales of some actions will have an adverse impact on installation operational safety. This will be particularly noticeable during the summer months when a considerable amount of safety-critical maintenance activity is planned.
- 4.2 The recommendation that is causing the offshore industry difficulties is that from 1st June 2014, the CAA will prohibit the occupation of passenger seats not adjacent to push-out window emergency exits during offshore helicopter operations (except in response to an offshore emergency) unless the consequences of capsizing are mitigated by all passengers wearing Emergency Breathing Systems that meet Category 'A' specifications.
- 4.3 Members debated the issue and questioned if the CAA had completed an Impact Assessment on the implications the contents / recommendations would have on the offshore industry as a whole. Oil & Gas UK confirmed they would be meeting with the CAA on 20th March to express their concerns and highlight the wider impact and safety issues of the recommendations on the oil and gas industry.
- 4.4 Step Change (Les Linklater), stated that they were aiming to trial new life jackets in April this year with two options to include a 'Category A Breathing System' or an improved 're-breather system'. Whichever system is adopted the new safety equipment would not be available until September or October 14 and would necessitate the industry to introduce extensive additional training on its usage.

Action 5 March 14

Oil & Gas UK to feedback to members on the outcomes of their meeting with the CAA on 'Helicopter operations' scheduled for 20th Mar. 14

5. Helicopter Liaison Group (HLG) Update

5.1 A short update from the HLG Chairman Howard Harte confirmed the outcomes from the meeting on 11th Feb. 14, which were;

- The group in future will be known as the 'Helideck Liaison Group' and the Terms of Reference are to be revised.
- Work to be taken forward during 2014 will include a review fire fighting arrangements on frequently visited Normally Unattended Installations (NUIs), with OGUK arranging an initial meeting with the CAA.
- The next HLG meeting will be scheduled for Sept / Oct. 14.

Action 6 March 14

HLG to present their revised Terms of Reference for approval and report progress on work activities at the Oct. 14 OIAC meeting

6. Step Change Update

6.1 A summary of the current work activities being undertaken are outlined as follows;

- a) The Helicopter Safety Steering Group continues to provide workforce guidance on all helicopter related matters.
- b) Extensive testing of the 'Human Factors Tool Kit' has been successful, the toolkit to be launched in June 14.
- c) A framework has now been developed with OPITO to deliver improved MIST training that will focus on major accident hazards.
- d) Development continues on the industry wide competence framework to include high level guidance to manage competence and improve safety leadership competence.
- e) The first 'tripartite' Teashack Newsletter has been recently published.

6.2 It was reported that a paper to clearly define the roles and responsibilities between Oil & Gas UK and Step Change will be put to the Step Change Board. The paper will propose that Step Change no longer remains a subsidiary organisation of O&GUK and becomes a separate organisation in its own right.

7. Operational Issues Update & Health and Safety statistics

Health and Safety statistics report

7.1 The report had been issued to members in advance of the meeting, James Munro summarised some of the key information as follows;

- Figures showed a downward trend in the number of 'Fatal' and 'Major injuries' also in the number of 'over 7 day injuries' between Q3 and Q4 2013.
- There had been an increase (April 13 – Nov. 13) in the number of HCRs reported which reversed the downward trend for the same period in 2012.

Enforcement Activity

- 7.2 Since January 2013 fourteen Improvement Notices (INs) had been issued associated with major accident hazards. Five Prohibition Notices (PNs) had also been served, mainly as a result of investigative work. Also, during 2014 / 15 HSE's Energy Division will significantly increase inspector time allocated to offshore investigation activities. Other areas of inspection activity included;
- The Nelson platform release is currently under investigation
 - The recent offshore 'Harding fatality' is being investigated jointly with the Police
 - Elgin Franklin investigation is now concluded and the report is with the Procurator Fiscal

8. Any other business

Members attendance at OIAC

- 8.1 The Chairman reported there had been a noticeable increase of members not confirming their attendance or providing apologies for meetings, thus making planning, security and catering difficult to manage. The Chairman requested members consider advising the Secretary of their attendance as soon as possible. It was agreed future meeting invites will be issued via Microsoft calendar meeting invitations.

Date of the next OIAC Meeting

- 8.2 Members were informed the next regular meeting will be held on 28th October 2014, at Lord Cullen House, Aberdeen.