

**Ministerial Consultation on the Merger of the Health and Safety
Commission and the Health and Safety Executive: Summary sheet on
the proposed amendments to the Health and Safety at Work etc. Act
1974**

To create a new unitary body through merging the Health and Safety
Commission and Health and Safety Executive

This will be achieved by:

- A. Abolishing the current Health and Safety Commission (the Commission) and three person Health and Safety Executive (the Executive) and creating a new unitary body to be called the Health and Safety Executive.

- B. Transferring the functions and powers of the current Health and Safety Commission and Health and Safety Executive to the new Executive, including.
 - the powers of the Commission to establish inquiries (with the consent of the Secretary of State) and investigations; and
 - the restriction on the Commission that prevents it giving directions in relation to individual enforcement decisions.

- C. Extending to the Secretary of State the restriction on intervening in individual enforcement decisions and also not permitting him to withhold publication of investigative and inquiry reports.

- D. Appointing the Chair and members of the new Executive in a similar way to the current Health and Safety Commission except that:
 - the maximum permitted number of members other than the Chair will increase from nine to eleven; and
 - there will be one member specifically appointed following consultation with organisations representing local authorities.

- E. Setting down the means of appointment and key responsibilities of the Chief Executive.

- F. Adding certain provisions to enhance arrangements to support Local Authority regulatory activity.

- G. Imposing a Duty on the new Executive to have regard to the Better Regulation principles in the conduct of its regulatory functions.

- H. Updating and modernising the legal drafting of those parts of the Health and Safety at Work etc. Act which are to be amended in any case.

The Commission's High Level Statement

Vision

To re-energise health and safety in Britain by transposing the expertise and experience of the Health and Safety Commission (HSC) and Health and Safety Executive (HSE) into a new unitary body incorporating the statutory responsibilities of both HSC and HSE.

Mission

To create a new governance model for HSE by migrating the separate legal entities (the Commission and Executive) into a new unitary body with the following tasks: total accountability for HSE's performance; clear control of strategy for the development of 21st century safe and healthy workplaces; significant enhancement of its position as the leading player in the health and safety system; and deeper partnerships, particularly with local authorities.

Values

The new corporate HSE will build on the values of HSC and HSE, being:

- independent in its advice and the way it takes decisions;
- open and inclusive in its approach and working methods; and
- professional, proportionate, consistent and accountable in all it does.

Model

We plan a governing Board consisting of a Chair and up to 11 other members. These members (as now) should be chosen after consulting organisations representing employers, employees, and others, including local authorities and professional bodies. The existing 3 person Executive will be abolished as a separate legal entity. Local authorities will be key partners, especially as co-enforcers alongside HSE staff. The changes are set out in the diagram below.

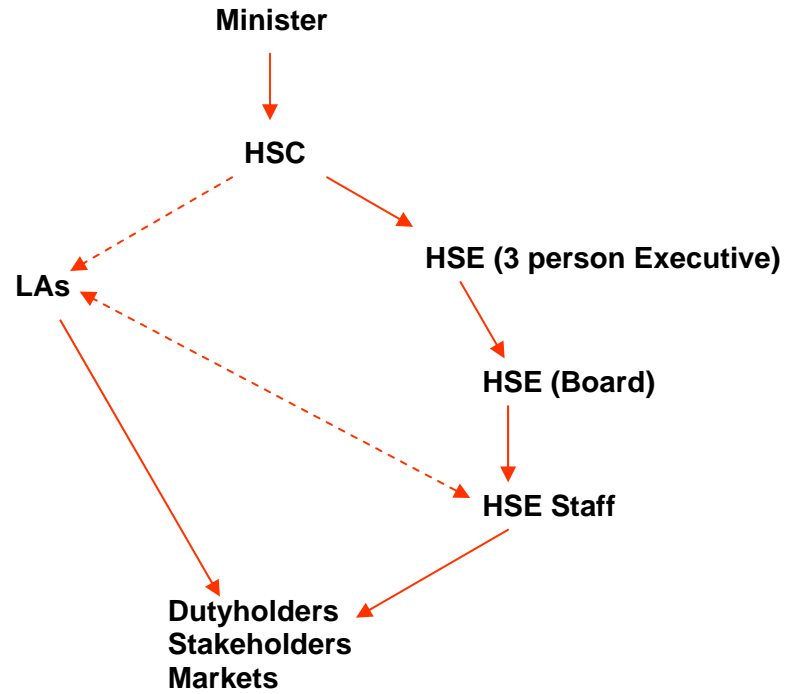
Functions

The main functions of the governing Board will be to oversee all the activities in the organisation, and ensure that high standards of corporate governance and ways of working are maintained. In particular, the Board will:

- provide overall leadership of the health and safety system in Great Britain;
- define HSE's strategic aims, and ensure that HSE makes best use of its financial and human resources to meet its aims;
- review regularly HSE's performance against agreed goals and objectives, and monitor the controls which enable risk to be assessed and managed;
- work in partnership with the senior management team while providing necessary support and challenge; and
- ensure that HSE maintains and enhances its relations with external stakeholders, notably local authority partners, business and employee representatives.

Individual enforcement decisions will continue to be taken by officials in HSE and local authorities.

Existing Model



The New Model

