

Health and Safety Executive Senior Management Team Paper SMT/08/73			
Meeting Date:	4 November 2008	FOI Status:	Fully Open
Type of Paper:	Below the line	Trim Ref:	2008/561775
Exemptions:	None		

HEALTH AND SAFETY EXECUTIVE

Senior Management Team

Board Oversight of International Business

A Paper by Stuart Bristow

Advisors: Jenny Eastabrook/Elizabeth Hodkinson

Cleared by Giles Denham on 21 October 2008

Issue

1. A paper seeking Board approval for a new system for Board oversight of international work.

Timing

2. For approval at the November SMT meeting to enable the paper to go to the Board meeting on 26 November 2008.

Recommendation

3. The SMT is invited to consider and agree that the attached draft paper can be submitted to the Board.

Background

4. At its July meeting, the Board made it clear that it expects to be involved more and earlier than HSC was in international business. The paper sets out some broad proposals for how the Board can oversee staff's work effectively, seeking to balance the competing demands of proper accountability and authority for acting, with efficiency and trust for staff's professional judgement.

Argument

5. The Board is still seeking to define its role in detail. Given the volume of and detail involved in international work, it may not be realistic to expect the Board to sustain a high degree of interest in it. Nevertheless, we want to give them as much information and influence as they want to have. We hope we have struck the right balance and we welcome feedback from the SMT.

Consultation

6. Policy teams with active dossiers, Chief Scientist's Unit, LAO, PFPD and Communications Directorate; DWP and UKRep.

Costs and benefits

7. Costs fall only on HSE. The benefits of additional and earlier Board scrutiny of staff's work include efficiency gains from staff getting strategic advice on an influencing strategy earlier than hitherto and better democratic accountability. These cannot be quantified.

Presentation

8. There are no presentational implications.

Financial/Resource Implications for HSE

9. The annual full staff cost¹ (in policy group) for work on HSE's current EU dossiers is estimated at around £2.1m and this will be met from the existing budget allocation. This is based on the assumption that for those involved, EU work constitutes most of their activity. It is anticipated that costs will remain at about the same level for the rest of the SR 2007 period. These costs are affordable within the current Policy Group budget for 2008/09 and indicative allocations for 2009/10 and 2010/11.

10. The additional scrutiny proposed will require, at least in the first instance, a greater number of papers to the Board. If these proposals lead to 8 additional Board papers each year, it is estimated this will cost £11k each year, based on the equivalent of 3 days of work by a band 3 for each paper. This is unfunded and will be accommodated by slowing down other international work in the relevant teams such as preparing briefings and updates to the HSE website.

Action

11. The SMT is invited to agree that the attached paper can be submitted to the Board.

¹ This excludes travel and subsistence costs of about £500k each year, of which 10% is recovered from the European Commission or other bodies.

Health and Safety Executive Board		Paper No: HSE/08/54	
Meeting date:	26 November 2008	Fol Status	Fully Open
Type of paper:	Above the line	Exemptions	None
TRIM reference:	xx	Internet Embargo?	None
Board Oversight of International Business			

Purpose of the paper

1. This paper presents proposals for how the Board's oversight of international business could be exercised.

Background

2. In discussing paper HSE/08/26 in July 2008, the Board signalled its wish to be aware of and to be able to influence international proposals much earlier than previously. A first step towards improving awareness was taken in August 2008 with the addition of an annex to the Chief Executive's monthly report summarising progress with international dossiers. This paper now sets out proposals for ensuring that the Board is able to influence dossiers more effectively. The proposals are written to cover handling EU business, as this is the main source of international work, but the same principles could apply in other fora, such as the International Labour Organisation or International Atomic Energy Agency.

Argument

3. The Board will be aware that influencing in Europe is more effective the earlier it is carried out. Once a proposal has been adopted by the European Commission, there is often limited scope to make significant changes. The former Health and Safety Commission's main involvement in international business was to approve proposed negotiating lines for submission to Ministers. For the Board to be more effectively engaged with international work, it needs to become involved much earlier in the process (a summary of the processes involved in the negotiation of European laws is at annex 1).
4. Like other civil servants negotiating in Europe, HSE staff represent the UK government, not simply Great Britain and not just HSE. Staff will routinely consult relevant other government departments and the devolved administrations before preparing advice for the Board. In particular they will ensure that the Northern Irish authorities have had an opportunity to influence the position recommended to the Board. Where a proposal affects Gibraltar, they will also consult the Government of Gibraltar and keep it informed of developments.

Formal stage of negotiation: no changes proposed

5. As far as the **formal process** of agreeing proposed laws is concerned, HSE staff believe we have the processes in place to allow effective Board scrutiny, in particular through consideration of proposed advice to Ministers. Negotiating lines for the UK are agreed by the Cabinet. The UK Permanent Representation to the EU (UKRep) negotiates according to these instructions and any briefings for MEPs that are necessary reflect the agreed lines. We propose that staff continue the **existing** practices of:
 - (a) seeking the Board's approval of draft negotiating lines before putting to DWP (or other) Ministers asking for Cabinet clearance; and

- (b) updating the Board on any significant developments in negotiations. The annex to the Chief Executive's report may suffice for this updating, but in complex or sensitive cases, a substantive paper may need to be prepared. If matters are proceeding in a wholly unexpected way and a revised negotiating strategy needs to be cleared urgently with Ministers, we suggest that the Chair be authorised to signify the Board's approval of the draft revised strategy.
6. Occasionally, the Commission has adopted proposals without having given any prior indication of its intentions and has sought to move them forward quickly.¹ We propose that the Chair be authorised to signify the Board's approval of draft negotiating lines before seeking Cabinet clearance in such urgent cases.

Informal stage: changes proposed

7. The changes proposed in this paper relate to Board scrutiny of our approach to influencing **before a formal proposal** emerges. We have sought to strike a balance between the need for the Board to exercise scrutiny and the need for staff to have a degree of freedom to work in sometimes fast-moving situations without having first to refer back to the Board.² UKRep has pointed out in consultation on a draft of this paper that our mechanisms should not lock-in a particular view at too early a stage. We need to be able to be flexible. We also need to be able, at times, to move quickly and the proposals below provide for a role for the Chair to signify the Board's view when a decision is required urgently. The Board will also wish to note the sheer volume of international business with which HSE staff are engaged on behalf of the UK (see the annex to the Chief Executive's monthly report and annex 2 of this paper). It is unlikely to be practical for the Board to exercise detailed oversight of all this work.
8. Instead we suggest a framework that allows the Board to:
- agree the **overall approach** to a subject; and then
 - **monitor** HSE staff's work to deliver that approach.

9. There are two principal types of process that need slightly different approaches.

New issues with a **definite lifespan**, such as a draft proposal for a new directive.

10. If staff become aware of the possibility of a subject being raised in an EU forum, they will seek Board agreement to an overall approach to the subject (objectives, influencing strategy and stakeholder engagement strategy). They will do this at the first available opportunity consistent with being able to explain clearly to the Board what is at issue and what the implications may be for the UK. Until such an opportunity arises, staff will exercise their professional judgement about how to approach the issue, based on the principles set out in annex 3.
11. The Board will be kept informed about developments by means of the monthly update, or by a special paper if developments are particularly significant. Once the issue reaches the stage of a formal proposal, staff will formally seek the Board's agreement to proposed negotiating lines as explained in paragraph 6.

¹ For example, on the recent proposal to restrict the use of dichloromethane in paint strippers.

² For example, the Environment Committee of the EP was recently invited to resolve to annul a Commission proposal to include a biocide (difenacoum) in annex I of the biocidal products directive. This took place at short notice and HSE staff in cooperation with UKRep had to brief MEPs over a bank holiday weekend to seek to influence the vote.

Subjects that have an **indefinite lifespan**, such as the proceedings of standing committees (for example on biocides), competent authority meetings, standards committees or technical progress committees that sit continually.

12. Often these will be mainly technical subjects, such as whether to add a substance to the annex of a directive or to change the hazard classification of a substance or to specify a technical standard. In these cases, staff will be expected to exercise their professional judgement about how to approach the issues brought before the committee, based on the principles set out in annex 3. Occasionally, it may happen that an issue acquires a high profile or becomes politically sensitive. In such cases, staff will seek Board agreement to the approach to be adopted. The decision about whether to seek Board agreement in a particular case will rest with the SCS lead for the subject area. If developments occur at short notice, staff will consult the Chair.
13. The Board will be kept informed about developments in all such committees after a significant event such as a vote or key decision.

Committees with an indefinite lifespan and a wide remit.

14. We believe this approach will be suitable in many cases. However, there are some cases where a slightly different approach may be required. For example, the Commission's Advisory Committee on Safety and Health at Work ('the Luxembourg Advisory Committee') and the Senior Labour Inspectors' Committee discuss a wide range of topics. Many of these discussions are on existing dossiers, and the UK Government Members (members of HSE staff) seek briefing from the relevant policy lead on how to participate in these discussions. If a vote is called, the UK Government member will vote in accordance with briefing from the policy lead, whether in HSE or elsewhere in government.³ If the briefings are from HSE staff they will of course be based on an approach previously cleared with the Board. However, it is not always possible to predict what subjects will arise in these meetings. Rather than saying nothing and losing the opportunity to influence, we suggest that staff sitting on such committees be authorised to work within the standing principles at annex 3.
15. Information from such committees that is likely to be of interest to the Board will be included in the monthly update.

Committees of personal experts and an indefinite lifespan

16. A second example is the various expert committees on which HSE staff are invited to sit because of their professional standing, rather than as a representative of HM Government, for example the Article 31 Expert Group on Basic [Radiological] Safety Standards. While it would not be proper for such an expert to seek to represent a UK government position, it is nevertheless not unreasonable to expect that staff will offer their expert views in a manner consistent with the UK government's general approach to international business. We believe this can be based on the principles in annex 3.

³ A recent example of this in the Advisory Committee is where a vote by the committee's written procedure was called on proposed amendments to the Pregnant Workers Directive, where the lead is with BERR. The UK Government Member voted in accordance with briefing from BERR, who coordinated views across government.

Issues where HSE does not have the lead

17. In some areas of policy HSE has operational responsibilities (e.g. on pesticides) or an enforcing role (e.g. on machinery safety) but the strategic policy function lies with another department (Defra and BERR respectively in the examples cited). However, in these areas HSE may be invited to initiate the development of a negotiating strategy. In such cases the Board's views will be sought and remitted to the responsible department as a contribution to their policy formulation process. HSE staff will keep the Board updated on any significant disagreement with the other department on the final negotiating line as well as developments during the EU negotiations that have implications for HSE's operational roles.
18. If the Board agrees these proposals, we propose to keep them under review and return in one year to take the Board's view on how the system has been working.

Consultation

19. Internally and with DWP and UKRep.

Resource Implications for HSE and Costs and Benefits Analysis

20. The annual full staff cost⁴ (in policy group) for work on HSE's current EU dossiers is estimated at around £2.1m and this will be met from the existing budget allocation. This is based on the assumption that for those involved, EU work constitutes most of their activity. It is anticipated that costs will remain at about the same level for the rest of the SR 2007 period. These costs are affordable within the current Policy Group budget for 2008/09 and indicative allocations for 2009/10 and 2010/11.
21. The additional scrutiny proposed will require, at least in the first instance, a greater number of papers to the Board. If these proposals lead to 8 additional Board papers each year, it is estimated this will cost £11k each year, based on the equivalent of 3 days of work by a band 3 for each paper. This is unfunded and will be accommodated by slowing down other international work in the relevant teams such as preparing briefings and updates to the HSE website. The benefits of additional and earlier Board scrutiny of staff's work include efficiency gains from staff getting strategic advice on an influencing strategy earlier than hitherto and better democratic accountability. These cannot be quantified.

Action

22. The Board is invited to agree the proposals in paragraphs 5 to 18 of this paper.

Paper Clearance

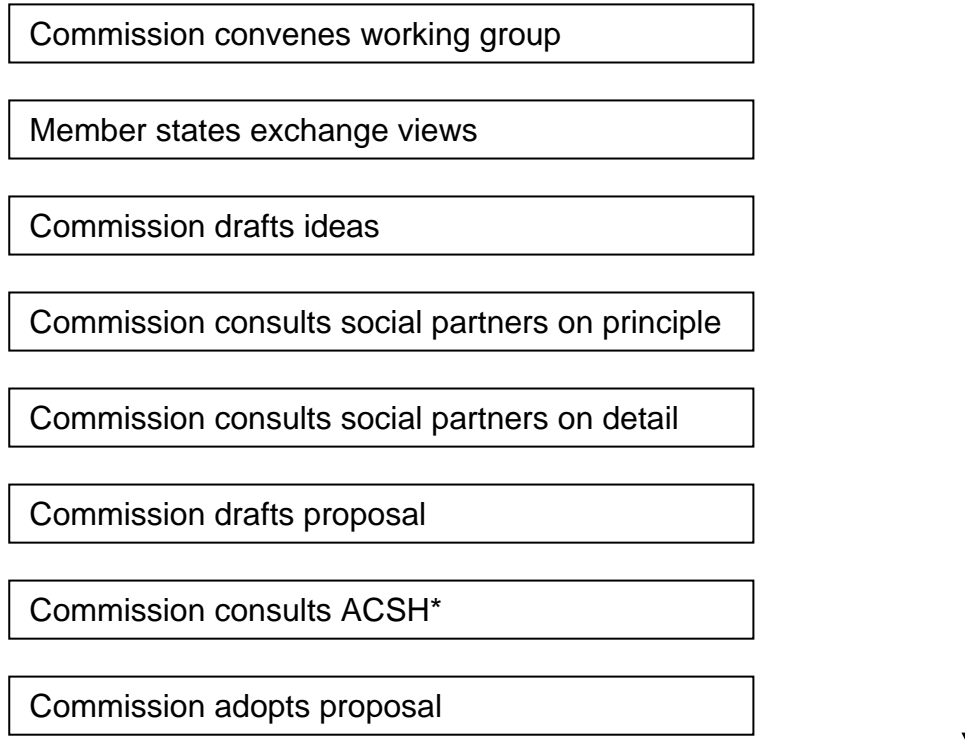
23. This paper was prepared by Stuart Bristow and Stephen Taylor, International Unit (020 7717 6898 and 6677) and cleared by the Senior Management Team on xx.

⁴ This excludes travel and subsistence costs of about £500k each year, of which 10% is recovered from the European Commission or other bodies.

Annex 1

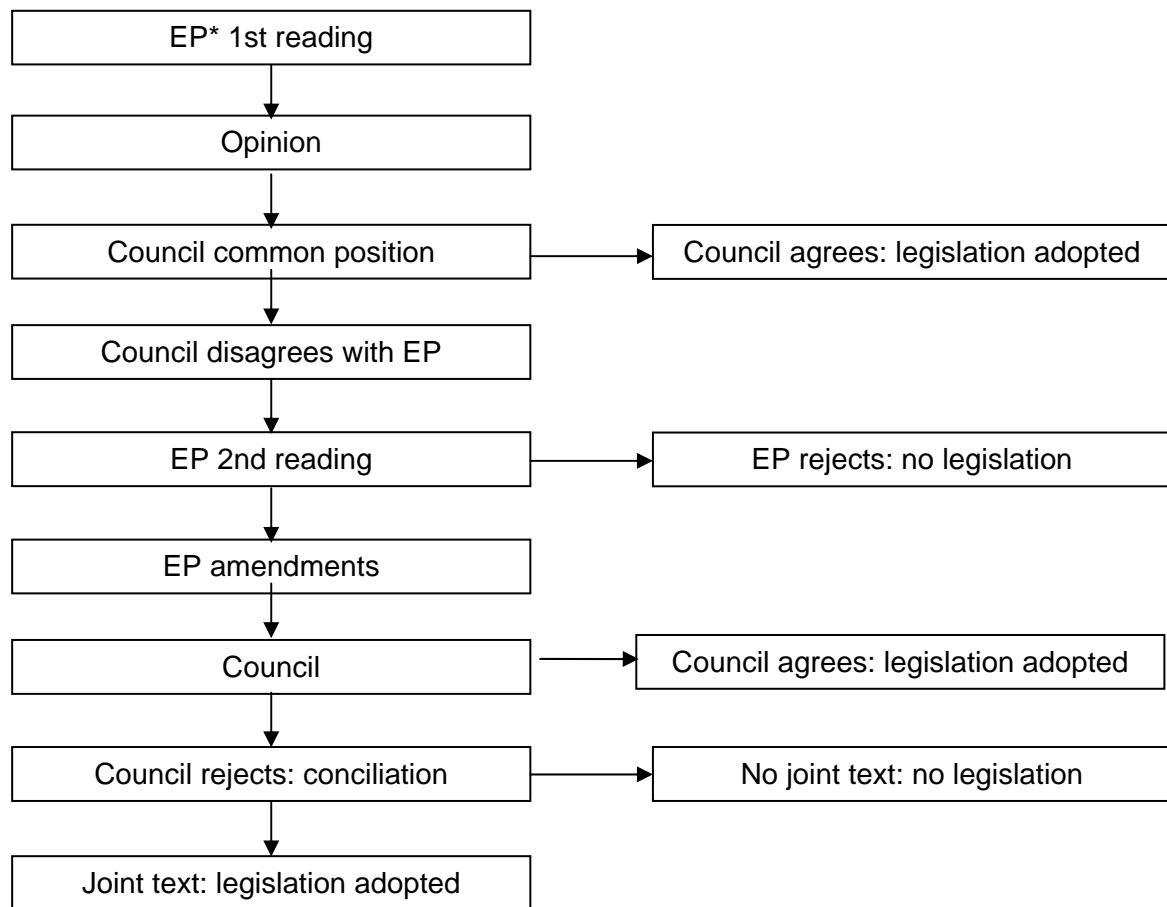
The Process of Agreeing EU Legislation

1. Pre-proposal (social partner and ACSH consultation stages only for social legislation)



* ACSH means the Commission's tripartite Advisory Committee on Safety and Health at Work

2. Post-proposal (co-decision procedure)

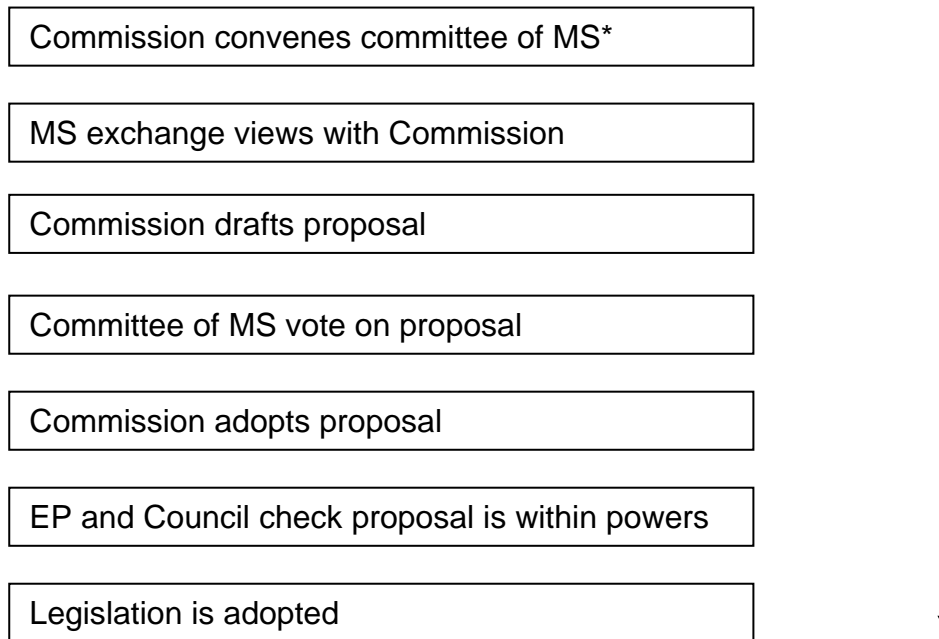


* EP means the European Parliament

This simplified diagram does not show the details of the process of Council working groups in which HSE staff participate, often with UKRep, nor the processes HSE staff engage in seeking to influence the European Parliament's committee and plenary votes.

Timescales for the progress of legislation depend on many factors and are not in general predictable. However, as a general guide, it could take about a year to move from Commission adoption of a proposal to Council common position. Progress thereafter depends on the substantive issues of contention between the EP and the Council (and within the Council, between member states).

3. Comitology procedure with scrutiny (generic)



*MS means 'member states'

Most secondary health and safety legislation, in which directives are amended for technical progress or to amend annexes, proceed by Commission directive or regulation. Increasingly such legislation is also subject to the 'regulatory procedure with scrutiny', in which the EP and Council are able to challenge the Commission's use of its powers. Thus, in a recent case, the Council annulled a Commission proposal on the addition of a biocidal product to annex I of the biocidal products directive because it believed the Commission had exceeded its powers.

Annex 2

HSE staff involvement in committees that deal with international business (as at September 2008)

Committee name:	Type: <u>Whitehall</u> (EU/International business only) <u>EU</u> <u>International</u>	Role of committee:	Name of HSE attendee (full member and alternates): Whether personal appointment (PA) or can anyone attend	Role of attendee (e.g. speak, persuade, negotiate, vote on behalf of HSE/HMG or act as an expert):
GENERAL:				
European Commission's (EC) Advisory Committee on Safety and Health at Work (ACSH)	EU	To advise the EC on matters relating to health and safety at work	Stuart Bristow (PA) Alternates: Elizabeth Hodkinson (PA) Robin Foster (PA)	Speak Vote on behalf of HMG
ACSH Working Party (WP) on Strategy	EU	To advise ACSH on implementing the Community Occupational Safety and Health (OSH) Strategy	Stuart Bristow (PA)	Speak, persuade
ACSH WP on Structure of Implementation Reports	EU	To advise ACSH on structure of EU legislation implementation reports	Stuart Bristow (PA)	Speak, persuade
ACSH Technical Working Group on the EU OSH Scoreboard	EU	To advise ACSH on design of a scoreboard to measure MS performance in relation to OSH strategy	Alex Lohead (PA)	Speak, persuade
Governing Board of the European Agency for	EU	To set strategic objectives and the	Elizabeth Hodkinson (PA)	Speak Vote on behalf of HMG

Safety and Health at Work (EU-OSHA)		programme of work and adopt the budget	Alternate: Stuart Bristow (PA)	
European Risk Observatory of EU-OSHA	EU	To anticipate new and emerging risks to facilitate preventive action and too promote Member State (MS) cooperation on information sharing and research	Sandra Gadd (PA)	Act as an expert
EC's Committee of Senior Labour Inspectors (known as 'SLIC')	EU	To provide opinions to the Commission on all problems relating to the enforcement of Community law on health and safety and other social legislation; To exchange knowledge and experience on enforcement of Community law to ensure correct enforcement throughout the Community; To define common principles of (labour) inspection for health and safety at work, and to evaluate the national systems of inspection in the Member States; and To promote exchanges between (labour) inspectors and to set up training	Sandra Caldwell (PA)	Speak, persuade

		programmes.		
SLIC Strategy Working Group	EU	To advise SLIC on carrying out the EU's OSH Strategy 2007-2012	Sandra Caldwell (PA)	Speak, persuade
SLIC Enforcement Working Group – and associated Knowledge Sharing sub-group.	EU	To advise SLIC, in relation to matters concerning enforcement of health and safety, and employment law. The sub-group is developing an EU-wide Knowledge Sharing Site for the exchange of information, and for answering questions from member states on enforcement issues.	Leslie Beaumont (PA)	Speak, persuade.
OCCUPATIONAL HEALTH:				
Psychosocial Risk Management – European Framework (PRIMA-EF)	EU	To develop a European framework for psychosocial risk management with a special focus on work-related stress and workplace violence.	Peter Kelly (PA)	Speak Act as an expert.
Work Environment Advisory Expert Group on Occupational Health Promotion of the European Agency for Safety and Health at Work	EU	To help the European Agency for Safety and Health at Work prepare and implement its Occupational Health Promotion project	Sue Valentiny (PA)	Speak Act as an expert

PHYSICAL AGENTS:				
ACSH WP on Artificial Optical Radiation (AOR)	EU	To devise a non-binding guide on AOR	Norman Smith (PA)	Speak, persuade
ACSH WP on Electromagnetic Fields (EMF)	EU	To devise a non-binding guide on EMF and advise ACSH on amending Directive 2004/40/EC	Malcolm Darvill (PA)	Speak, persuade
MACHINERY SAFETY				
EC's Machinery Directive Standing Committee and Working Group	EU	To advise on interpretation and implementation of Machinery Directive and related Standards incl Safeguard Actions	Phil Papard	Speak, persuade, present Act as expert (for BERR)
EC's Editorial Group on new Machinery Directive	EU	Write guidance on new Machinery Directive (2006/42/EC)	Phil Papard	Act as expert
EC's Lifts Directive Standing Committee and Working Group	EU	To advise on interpretation and implementation of Lifts Directive and related Standards incl Safeguard Actions	Phil Papard	Speak, persuade, present Act as expert (for BERR)
EC's Pressure Equipment Directive Standing Committee and Working Group	EU	To coordinate implementation of directive on supply of pressure equipment within EU	Steve Shaw	Present, negotiate, persuade Vote on behalf of HMG
EC's Cableways Directive Standing Committee and Working Group	EU	To coordinate implementation of directive on supply of Cableways	Adebayo Ige Mansel Williams	Present, negotiate, persuade Vote on behalf of HMG
Machinery Directive	EU	To cooperate on	Phil Papard (Chair for	Speak, persuade, present

Administrative Cooperation (ADCO) Group of National Authorities meeting		enforcement activity and agree priorities and approaches	2008)	Act as expert (with BERR)
Lifts Directive ADCO Group of National Authorities meeting	EU	To cooperate on enforcement activity and agree priorities and approaches	Phil Papard	Speak, persuade, present Act as expert (with BERR)
Pressure Equipment Directive ADCO Group of National Authorities meeting	EU	To cooperate on enforcement activity and agree priorities and approaches	Steve Shaw	Speak, persuade, present Act as expert (with BERR)
European Notified Bodies for lifts meeting	EU	To coordinate activities of national notified bodies, to cooperate, advise and provide information on implementation of Lifts Directive, standards	Phil Papard	Speak, persuade Act as expert (with BERR)
SLIC MACHEX Working Group	EU	To cooperate on enforcement and agree priorities on AUWED matters and interface with Machinery, PPE and ATEX Directives, including taking directions from SLIC	Phil Papard (PA)	Speak, persuade
CEN/TC 114	EU	To develop EU Standards on Safety of Machinery	Andrew Thorpe	Speak, persuade Vote
CEN/TC 118	EU	To develop EU Standards on safety of hand-held tools	Leo Beirne	Speak, persuade Vote
CEN/TC 144	EU	To develop EU Standards on Tractors and Machinery for Agriculture and Forestry	Tony Mitchell David Butler Bernardine Cooney David Gould Alan Plom	Speak, persuade Vote

			Jason Liggins	
CEN/TC 146	EU	To develop EU Standards on Packaging Machines Safety	Richard Morgan	Speak, persuade Vote
CEN/TC 153	EU	To develop EU Standards on Food Processing Machinery	Richard Morgan Barry Baker Alan Plom	Speak, persuade Vote
CEN/TC 199	EU	To develop EU Standards on Safety of Machinery – Risk Assessment	Nicola Stacey	Speak, persuade Vote
ISO/TC 199	International	To develop International Standards on Safety of Machinery – Risk Assessment of Electro-technical Aspects	Nicola Stacey Phil Papard	Speak, persuade Vote
CONSTRUCTION:				
ACSH WP on Mobile Sites Directive	EU	To devise a non-binding guide on Mobile Construction Sites	Andrew East (PA)	Speak, persuade
CEN/TC 151	EU	To develop EU Standards on Construction Equipment and Building Material Machinery	Donald Lamont	Speak, persuade Vote
MINING AND EXPLOSIVES:				
ACSH Standing Working Party	EU	To advise ACSH on health and safety issues in mining and other extractive	Ian Waugh (PA)	Speak, persuade

		industries		
EC's Working Group on Explosives for Civil Uses	EU	To provide technical input to Directives dealing with Pyrotechnics & with Explosives for Civil Use	Michael Marriott	Speak Vote on behalf of HMG
EC's ATEX Directive Standing Committee and Working Group	EU	To coordinate implementation of directive on supply of equipment for explosive atmospheres within EU	Mansel Williams	Present, negotiate, persuade Vote on behalf of HMG
ATEX Directive ADCO Group of National Authorities meeting	EU	To coordinate market surveillance activities on equipment for explosive atmospheres within EU	Mansel Williams	Present, negotiate, persuade
CEN/TC 305	EU	EU Standards on Potentially Explosive Atmospheres – Explosion Prevention and Protection	David Pritchard	Speak, persuade Vote
International Conference of Chief Inspectors of Explosives (ICCIE)	International	Biennial meeting of explosives regulators	Neil Morton	Speak, persuade
UN Transport of Dangerous Goods Sub Committee	International	Biannual meeting to maintain UN actions on the Transport of Dangerous Goods – in light of technical developments	Michael Marriott	Act as expert
International Group of Experts on Unstable Substances – explosives, propellants & pyrotechnics (IGUS-EPP)	International	Annual meeting of explosives regulators & technical experts	Neil Morton	Speak, persuade
International Group of Experts on Unstable	International	Annual discussions of technical experts on	David Adams	Act as expert

Substances – energetic and oxidising substances (IGUS-EOS)		energetic and oxidising substances including ammonium nitrate		
IEC/SC 31J	International	To develop International Standards on Explosive Atmospheres	Matthew Ivings	Speak, persuade
IO/TC 092	International	To develop International Standards on Jet Fire Safety	Laurence Cusco	Speak, persuade Vote
CHEMICALS:				
REACH Competent Authority (CA) Steering Committee	Whitehall	Provides HMG steering and governance arrangements for the CA functions, and in particular UK views on REACH substance control proposals.	Tim Harris Steve Fairhurst (CA function)	Speak
Inter-departmental Committee on the EC's Classification, Labelling and Packaging (CLP) Regulation	Whitehall	To consider and inform the UK position on negotiations on the adoption of the GHS in the EU. To assist in the preparation and implementation of amendments to domestic legislation as a consequence of the CLP Regulation.	Robin Foster Jan Harris Pierre Cruse	Speak, persuade
ACSH WP on Chemicals	EU	To advise ACSH on Indicative Occupational Exposure Limits (IOELVs); to prepare guidance; to monitor developments in occupational safety	Robin Foster (PA)	Speak, persuade

		and health and to give opinions to ACSH		
Council Working Group on Technical Harmonisation (Dangerous Substances)	EU	To consider proposals for Regulations, Directives and Decisions	HSE officials as appropriate	Speak, persuade, negotiate Act as expert
CEN/TC 137	EU	To develop EU Standards on Assessment of Workplace Exposure to Biological Agents	Michael Wright Martin Roff Andrew Thorpe Brian Cook	Speak, persuade Vote
REACH Member States Competent Authorities (MSCA) meeting	EU	Policy forum and advice for EC and European Chemicals Agency (ECHA) in ongoing REACH implementation	Tim Harris	Speak, persuade
MSCA Sub-group on review of Annexes to the REACH Regulation (CASG-Annexes)	EU	To develop updated annexes taking account of developing policy positions – in particular exemptions from REACH requirements.	Gary Dougherty	Speak, persuade
MSCA Sub-group on review of application of REACH to Nanomaterials (CASG-Nano)	EU	To develop proposals to reflect special position of nano-materials in REACH as regards scope and risk profiling.	Christine Northage	Speak, persuade.
REACH Risk Communication Network	EU	To build risk communication capacity within EU and domestically for REACH generated information	Tim Harris	Speak, persuade
REACH Risk Assessment Committee	EU	Forum of chemical risk experts, managing	Andrew Smith (PA)	Speak, persuade Vote (but not on behalf of HMG)

		many central parts of REACH system.		
REACH Socio-Economic Assessment Committee	EU	Forum of experts in socio-economic analysis, managing many central parts of REACH system.	Stavros Georgiou (PA)	Speak, persuade Vote (but not on behalf of HMG)
REACH Article 133 Committee	EU	To provide 1 st level MS oversight and agreement to changes to Annexes of the REACH Regulation.	Robin Foster	Speak, persuade, negotiate Vote on behalf of HMG
REACH Member State Committee	EU	Resolves differences of opinion on draft decisions proposed by the ECHA or MS (e.g. conformity checks, testing proposals); identification of substances of very high concern for the Candidate List.	Steve Fairhurst	Speak, persuade, negotiate Vote on behalf of HMG
REACH Enforcement Forum	EU	Facilitate implementation of REACH and exchange of information between MS enforcers and domestically	Richard Bishop (PA)	Speak, persuade
REACH Helpdesk Correspondent Network	EU	Manages and governs the work of the National REACH Helpdesk Network (REACH Help-Net). The EU REACH Help-Net brings together a group of institutions aiming for a common goal.	Mike Potts (PA)	Speak

SLIC CHEMEX Working Group	EU	To advise SLIC on safety of chemicals in the workplace	Peter Baker (PA)	Speak, persuade
UN Sub-committee of Experts on Globally Harmonised System (GHS) for Classification and Labelling	International	To be the guardian of the GHS. To develop the system at UN level, monitor its uptake across the world, and provide a forum to discuss and resolve issues.	Robin Foster Pierre Cruse	Speak, persuade, negotiate
PESTICIDES:				
EC's Standing Committee on the Food Chain and Animal Health (Section – Pesticides Legislation)	EU	To take decisions on Commission proposals on pesticide authorisations and related issues	Tim Davis Rob Mason	Negotiate Vote on behalf of HMG
EC's Standing Committee on Food Chain and Animal Health (Section – Pesticides Legislation)	EU	To take decisions on Commission proposals on pesticide residues in food and related issues	Debbie Hussey Don Griffin	Negotiate Vote on behalf of HMG
Meetings of the European Food Safety Authority (EFSA) on pesticides	EU	EFSA undertakes the peer review of pesticide active substances and related scientific tasks	HSE (PSD) officials as appropriate	Make scientific input on behalf of HMG
Council Working Group on Agriculture	EU	Groups currently considering two major pesticide proposals (but negotiations likely to conclude this year or next)	HSE (PSD) officials as appropriate	Make scientific input on behalf of HMG
Codex Joint Meeting on Pesticide Residues (JMPR)	International	Agrees toxicological reference doses for pesticides	Ian Dewhurst	Act as expert
Meetings of the European	International	Develops harmonised	HSE (PSD) officials	Make scientific input on behalf of HMG

Plant Protection Organisation (EPPO)		standards particular relating to the efficacy testing of pesticides and considers pesticide resistance issues	as appropriate	
Organisation for Economic Cooperation and Development (OECD) Working Group on Pesticides	International	Develops protocols for pesticide testing and other initiatives directed at the international harmonisation of pesticide regulation	Richard Davis	Negotiate
GENETICALLY MODIFIED ORGANISMS:				
Committee of the Competent Authorities for the Genetically Modified Organisms (Contained Use) Directive 90/219/EC	EU	To ensure a consistent approach in Europe to implementation of the Directive; to consider developments in the field and establish legal position on new techniques and technologies.	Mike Paton	Speak, persuade Vote on behalf of HMG.
EC's Working Group on the Establishment of a List of Techniques Falling under the Scope of Directive 2001/18/EC on the Deliberate Release of Genetically Modified Organisms into the Environment and Directive 90/219/EEC on the Contained Use of Genetically Modified Micro-organisms	EU	To review developments and new techniques in biotechnology to establish definitions, and appropriate regulatory system to be used to ensure consistency within EU	Mike Paton	Speak, persuade Vote on behalf of HMG

BIOCIDAL PRODUCTS:				
EC's Standing Committee on Biocidal Products	EU	To vote on the inclusion of a new active substance in the Annex I, IA or IB to the Directive 98/8/EC and to settle disputes between MS on active substances	Gill Smith	Speak, persuade, negotiate Vote on behalf of HMG
Meeting of Competent Authorities on Biocidal Products	EU	Policy forum and advice for EC on implementation of Directive 98/8/EC	Gill Smith	Speak, persuade
CONTROL OF MAJOR HAZARDS:				
EC's Committee of Competent Authorities (CCA) for the Seveso II Directive	EU	To advise the EC on matters relating to the Seveso II Directive on the control of major-accident hazards involving dangerous substances	Sandra Ashcroft Alternate: Tim Beals	Speak, persuade, negotiate Vote on behalf of HMG
CCA Technical Working Group (TWG) 'GHS and Seveso'	EU	To consider the impact of the GHS Regulation on Seveso II	Sandra Ashcroft Alternates: Tim Beals John Murray Richard Cary	Speak, present, persuade Act as expert
CCA TWG 2:	EU	To consider the inspection aspects of Seveso II	Shirley Higgins	Speak, present, persuade Act as expert
CCA TWG 5	EU	To consider the land use planning aspects of Seveso II	Sandra Ashcroft Alternate: Manuela Godden	Speak, present, persuade Act as expert

European Design Institute for Emergency Relief Systems (DIERS) Committee	EU	Looks at the design of emergency relief systems	Janet Etchells (PA)	Persuade
OECD Working Group on Chemical Accidents (WGCA)	International	To develop common principles and guidance on chemical accident prevention,, preparedness and response	Elizabeth Schofield	Speak, present, persuade Act as expert
Bureau of the OECD WGCA	International	To manage the work of WGCA	Elizabeth Schofield (PA)	Speak, persuade
Conference of the Parties for the United Nations Economic Commission for Europe (UNECE) Convention on the Transboundary Effects of Industrial Accidents (TEIA)	International	To act as the governing body for the TEIA Convention	Sandra Ashcroft Alternate: Elizabeth Schofield	Speak, persuade Vote
Task force for the UNECE TEIA Industrial Accident Notification (IAN) System	International	To advise the Conference of the Parties on implementation of the IAN system	Elizabeth Schofield	Speak, persuade Act as expert
OFFSHORE:				
British Standards Institute (BSI) Committee: PH 003/06/02	EU	To develop British, EU Standards on Diving Suits	Steve Field	Speak, persuade Vote
BSI Committee: PH 004/07	EU	To develop British, EU Standards on Underwater Breathing Apparatus	Steve Field	Speak, persuade Vote
CEN/TC 079	EU	To develop EU Standards on Open Circuit Umbilical	Steve Field	Speak, persuade Vote

		Supplied Compressed Gs Diving Apparatus		
European Diving Technology Committee (EDTC)	EU	To advise the EC on matters relating to commercial diving technology, medical, safety and legal issues	Chris Sherman	Speak, advise, persuade
European Technology Platform for Industrial Safety (ETPIS)	EU	To advise the EC on research projects which require joint participation and funding	Conrad De Souza	Speak Vote
International Committee on Regulatory Research and Development (ICARD)	International	International forum for sharing knowledge on regulatory research on health, safety and the environment in the upstream petroleum sector.	Steve Walker	Speak
International Standards Organisation (ISO) TC67/SC6	International	To develop ISO Standard -14692 "GRP piping specification & recommended practice	Ravi Sharma	Speak, persuade Vote
BSI SVS/2/-/4	International	To develop British/EU Standards on recreational diving	Philip Crombie (PA)	Speak, persuade Vote
ISO TC67/SC7	International	To develop International Standards for offshore installations	Malcolm Birkinshaw (PA) V Karthigeyan (PA) G Morrison (PA) A Dixon (PA)	Speak, persuade Vote
International Diving Regulators Forum (IDRF)	International	Liaison group for discussion and exchange of information and ideas relating to the regulation of commercial diving.	Chris Sherman	Speak, persuade, negotiate

International Electro-technical Commission (IEC) 61511 Maintenance Team	International	To prepare a revision of IEC 61511 – Safety Instrumented Systems	Simon Brown (PA)	Speak, persuade, negotiate Act as expert
NUCLEAR SAFETY:				
Euratom Article 31 Group of Experts	EU	To advise the EC on matters relating to ionising radiation safety	Ian Robinson (PA)	Act as expert
Working Party on Recast of Euratom basic safety standards	EU	To provide a draft Euratom Directive to Article 31 Group of Experts	Ian Robinson (PA)	Act as expert
HSE/Institut de Radioprotection et de Sureté Nucléaire (IRSN) Liaison	EU	To develop a consistent database for historic seismic events	Chris Belsham (PA)	Persuade Act as expert
European High Level Group on Nuclear Safety and Waste Management (HLG)	EU	To advise the EC and develop a common understanding and suggest common approaches in the fields of: (a) the safety of nuclear installations, (b) the safety of the management of spent fuel and radioactive waste and (c) financing of the decommissioning of nuclear installations and safe management of spent fuel and radioactive waste.	Mike Weightman Alternate: Peter Addison	Speak, persuade, negotiate Vote on behalf of HMG Act as an expert
EU High Level Group on Nuclear Safety and	EU	To advise EU High Level Group on options for EU	Andy Hall (PA)	Speak, persuade Act as expert

Waste Management – Working Group on Nuclear Safety		legal instruments in nuclear safety field		
EC's Regulatory Assistance Management Group (RAMG)	EU	Provide advice to EC on planning, implementation and evaluation of the EU support projects in the area of nuclear and radiation safety	Peter Addison	Speak, persuade Act as expert
EC's CBRN Task Force: Radiological and Nuclear Sub-Group	EU	To identify MS capability gaps in prevention, detection and response	Chris Price	Act as expert
Western European Nuclear Regulators Association (WENRA) Meeting	EU	Network of chief nuclear safety regulators in Europe exchanging experience and discussing significant safety issues	Mike Weightman (PA)	Speak, persuade Act as expert
European Radiation Protection Authorities Committee	EU	Seek harmonisation of radiation safety standards across Europe	Ian Robinson Alternate: Patrick Stephen	Speak, persuade
IAEA Radiation Safety Standards Committee	International	To advise the IAEA on radiation safety matters	Ian Robinson Alternative: Patrick Stephen	Speak, persuade
IAEA International Nuclear Safety Group (INSAG)	International	To provide authoritative advice and guidance on nuclear safety approaches, policies and principles to IAEA	Mike Weightman (PA)	Speak, persuade Act as expert
IAEA Decommissioning Working Group	International	To develop safety standards in relation to nuclear decommissioning	Vik Winspear-Roberts	Speak
IAEA Commission on Safety Standards	International	To recommend adoption of international nuclear	Mike Weightman (PA)	Speak, persuade Vote on behalf of HMG

		safety standards	Alternates: Andy Hall (PA) Len Creswell (PA)	
International Commission on Radiological Protection (ICRP) Task Group on emergency exposure situations	International	To prepare a report on protection of people in emergency exposure situations for clearance by the ICRP	Ian Robinson (PA)	Act as expert
OECD Nuclear Energy Agency (NEA) Committee on Radiation Protection and Public Health	International	To identify and address conceptual, scientific, policy, regulatory, operational and societal radiation safety issues for the NEA of the OECD	Ian Robinson Alternate: Patrick Stephen	Speak, persuade
OECD NEA Working Party on Nuclear Emergency Matters (WPNEM)	International	To advise NEA on the development of nuclear emergency guidance for OECD member states	Peter Hughes	Speak, persuade Act as expert
OECD NEA Committee on Nuclear Regulatory Activities (CNRA)	International	Guide NEA's programme concerning the regulation, licensing and inspection of nuclear installations with regard to safety	Mike Weightman (PA)	Speak, persuade, negotiate Act as expert
OECD NEA CNRA Working Group on Inspection Practices	International	Facilitate the exchange of information and experience related to regulatory safety inspections between NEA member countries	Steve Lewis	Speak, persuade Act as expert
International Nuclear Regulators Association (INRA) Meeting	International	Network of chief nuclear safety regulators worldwide exchanging experience and discussing significant safety issues	Mike Weightman (PA)	Speak, persuade Act as expert

G8 Nuclear Safety and Security Group (NSSG)	International	To provide technically informed, strategic policy advice on issues that could impact safety and security in the peaceful use of nuclear energy	Peter Addison	Speak, persuade Act as expert
IEC/TC 045 (BSI NCE 8)	International	International Standards on Reactor Instrumentation	Bob Yates	Speak, persuade Vote
STANDARDS (not included under other headings):				
CEN/TC 079	EU	To develop EU Standards on Respiratory Protective Devices	Nick Vaughan	Speak, persuade Vote
CEN/TC 085	EU	To develop EU Standards on Eye Protective Equipment	Nick Vaughan	Speak, persuade Vote
CEN/TC 158	EU	To develop EU Standards on Head Protection	Duncan Webb	Speak, persuade Vote
CEN/TC 162	EU	To develop EU Standards on Protection Clothing	Nick Vaughan	Speak, persuade Vote
CEN/TC 165	EU	To develop EU Standards on Waste Water Engineering	Donald Lamont	Speak, persuade Vote
CEN/TC 288	EU	To develop EU Standards on Execution of Special Geotechnical Works	Donald Lamont	Speak, persuade Vote
CEN/TC 339	EU	To develop EU Standards on Slip Resistance of Pedestrian Surfaces	Steve Thorpe	Speak, persuade Vote
CEN/TC 359	EU	To develop EU	Donald Lamont	Speak, persuade

		Standards on Hyperbaric Chambers		Vote
CEN/TC 525	EU	To develop EU Standards on Design Provisions for Earthquake Resistance of Structures	Andrew Coatsworth	Speak, persuade Vote
CENELEC/TC 216	EU	To develop EU Standards on Domestic and Industrial Gas Detectors	Peter Walsh	Speak, persuade Vote
ISO/TC 146	International	To develop International Standards on Workplace Air Quality	Peter Stacey Gary Burdett	Speak, persuade Vote
ISO/TC 185	International	To develop International Standards on Safety Devices against Excessive Pressure	John Hare	Speak, persuade Vote
ISO/TC 192	International	To develop International Standards on Gas Turbines	Matthew Ivings	Speak, persuade Vote
ISO/TC 229	International	To develop International Standards on Nano-technologies – Health, Safety and Environmental aspects	Andrew Thorpe	Speak, persuade Vote
SC22G (IEC)	International	To develop International Standards on Adjustable Speed Electrical Power Drive Systems	Philip Parry	Speak, persuade

Annex 3

Principles for influencing in Europe

We propose that these principles be based on Cabinet Office and BERR guidance to departments⁶, together with the overarching principles of the Health and Safety at Work etc Act 1974 and other legislation for which HSE is responsible, that is:

- Seek to **improve standards of health and safety** and protection for the **environment**, commensurate with good evidence of risk and ensuring that the standards are proportionate to that risk.
- Ensure the proposals are based on **sound evidence** and that uncertainties or gaps in knowledge are clearly identified and meaningful to the non-expert.
- Insist on appropriate and adequate **impact assessments** and ensure that the resulting policies properly reflect those impact assessments. In particular:
 - Avoid complicating the legislative framework further and press for its **simplification**, without reducing the standards of protection in place.
 - Avoid unnecessary **administrative burdens** on business.
 - Ensure **small firms** will not be disproportionately affected by the proposal.
 - Ensure **alternatives** to classic regulation (e.g. self-regulation, voluntary codes) have been properly considered.
- Seek to ensure only **minimal change** to British regulatory systems.
- Ensure proposals are within Community **competence**, have a proper **legal basis** and respect the principles of **proportionality** and **subsidiarity**.
- Ensure any legislative proposals are well drafted, **clear and precise**.
- Ensure adequate **time for implementation** (this will not be relevant for committees of personal experts).

⁶ Cabinet Office European Secretariat, *The European Union: Notes for the Guidance of Government Officials*; BERR, *Impact Assessment Guidance*; BERR, *Transposition Guide: How to Implement European Directives Effectively*.