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HEALTH AND SAFETY EXECUTIVE

Senior Management Team

2011/12 Strategic Overview of International Delivery and Engagement Work

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Issue

1. Strategic overview of international delivery and engagement work in 2011/12.

Timing

2. Routine.

Recommendation

3. That SMT considers the overview below of our approach to international work and priorities for this year. A parallel paper (SMT/11/41) explains the need to strengthen HSE's arrangements and International Unit's role in managing key aspects of this work, through closer cooperation with DWP on advice for Ministers, in particular on EU issues.

Background

4. Since 2008/09, HSE has had a yearly SMT-approved Strategic Plan for International Engagement. These have given the overall objectives for our international work and set out some key international business to be managed, important events to be attended by senior managers, and the stakeholders we needed to engage with to achieve HSE and UK international objectives.
5. Last year's Plan was approved by the SMT in May 2010 (a report against activity is at TRIM 2011/246851). The May 2010 General Election and the coming to power of the Coalition Government meant that much of the high-level engagement we had planned with key EU member states and institutions for the year was postponed until the new Government had agreed its policy on EU health and safety.

Argument

6. These documents have been more of an overview of key business giving a focus for SMT discussion on management of international business and engagement rather than a Plan as such with clear milestones and deliverables against which progress is tracked. We therefore propose to call them strategic overviews from now on.

2011/12 Strategic Overview for International Delivery and Engagement:

7. The overall aims for our international work this year remain the same as for in previous years but these are now set in the context of the Coalition's key foreign policy objectives. This includes us helping to deliver the government's positive agenda in Europe; supporting the position of British business in international trade; and taking action to reduce unnecessary burdens on business.
8. Much of our international business falls under the responsibility of the Minister for Employment, we need to ensure that there is close cooperation between HSE and the Department for Work and Pensions on such matters so that the Minister has a comprehensive picture of the international business with which he deals (see parallel paper for today's SMT SMT/11/29)). The Plan reflects this.
9. The Office for Nuclear Regulation's (ONR) international delivery and engagement activities for 2011/12 are not included as it reports directly to the ONR Board on these.

Key business:

10. This remains the most important section of the overview. It contains those items of international business, typically European, that are the most politically sensitive for us or have the greatest potential to alter how our business is carried out in the future. This essentially means protecting and pursuing UK interests through our dossier work and what we are doing to influence the future direction of the EU health and safety legislative framework. The latter includes work aimed at delivering the recommendation in 'Common Sense, Common Safety' on ensuring that EU health and safety rules are proportionate for low-risk businesses and gearing up to influence the Commission's forthcoming comprehensive review of EU health and safety legislation.

Activities that support our aim to be recognised as a world leader in health and safety:

11. This section previously listed important international events that SMT members would attend. However, it was subsequently felt that this was too narrow a focus and that instead we needed to capture those non-EU activities that support

enhancing our international reputation as a leading regulator on health and safety. This includes our participation in international organisations, high-level events, or supporting countries with less well-developed regulatory systems.

Learning from others:

12. In the past this section has focused on learning from abroad on specific topics; this approach has not been entirely successful due to staff finding it very hard to engage others on topics that were not part of their day-to-day remit. The focus is now on a more 'global approach' to learning from abroad. This is to enable staff to feel comfortable about learning from abroad in their own areas and to help us to gather experience of health and safety regulation world-wide to ensure we can play our part in making sure that British business is not put at a competitive disadvantage in comparison to how duty-holders in other countries are regulated. This approach will also assist us when we have to do future reviews of legislation transposing EU requirements, i.e. we will have to compare our transposition with what other member states have done.
13. International Unit will continue to facilitate a 'one-HSE approach' to learning from abroad by helping to ensure that opportunities continue to exist for staff to network about their experiences and share knowledge they have gathered.

People/stakeholders to engage with:

14. The focus here, as in previous plans, is to identify which stakeholders are crucial to the delivery of our international business. Most of them are European-based, importantly the EU's member states and Institutions, as this is where much of our key business lies. This year we have expanded our list of EU stakeholders to include other national regulatory authorities and EU-based forums for the spread of good practice. The latter especially could potentially help to deliver benefits to the UK by promoting our practices. There is also greater focus on the Commission and its agencies. This recognises that engagement with them this year will be important as we take forward the government's desire for greater proportionality in the application of EU health and safety legislation and build links with the newly appointed Director-General for Employment, Social Affairs and Inclusion in the Commission and the to-be-appointed new Director of the European Agency for Safety and Health at Work.
15. However, we should not neglect stakeholders beyond the EU and, in particular, look to build or strengthen our links with emerging and developing countries, such as India and China, as there might be opportunities to help them to adopt British health and safety standards, which in turn would help British business to operate in those countries. Cost recovery could be potentially explored for this type of work. This type of activity, i.e. showcasing our expertise, would also support our objective of being recognised as a world leader on health and safety.

Consultation

16. Internally with PFPD, CCID, CSAG, HID, OPST, ND, CRD. Externally with CO, DWP, BIS, DEFRA, DECC, TSoI and UKRep.

Presentation

17. Our key messages are that:

- In Europe, we are committed to ensuring a proportionate and risk-based approach to health and safety so that workers are adequately protected while unnecessary burdens on business are reduced.
- HSE seeks to be recognised as one of the world leaders in health and safety.
- Our record is good, but we know that there are areas where we can improve and we are determined to learn from others.

Financial/Resource Implications for HSE

18. It is difficult to estimate the full cost of our international business as for many staff their international responsibilities will be combined with domestic policy, operational or technical roles. However, HSE's work recording systems (see **annex 2**) show which directorates spend the most time on international business. Most effort was expended in CRD, CCID and ND respectively in 2010/11 representing a total of 4,702 staff days. This roughly equates to 22 staff years; using the full economic cost for the average grade undertaking this work (Band 3) this equals £1.6m spent on international activity during 2010/11. This potentially could be an underestimation as international activity may be recorded under other work recording categories but is not identifiable.

19. Staff costs in this area are likely to fall by around £400,000 in 2011/12, as international nuclear activity is now the responsibility of ONR and not HSE.

Environmental implications

20. Wherever this is practical, low carbon emission methods of transport such as Eurostar are used for travel on European business.

Action

21. If SMT approves the 2011/12 plan, IU will implement and monitor it, reporting back in spring 2012 together with a proposed plan for 2012/13.

Health and Safety Executive

Strategic Overview of International Delivery and Engagement 2011/12

Overall objectives:

- To promote and defend UK health and safety and regulatory policies within the European Union and the wider international arena; and
- To learn from others and share UK good practice, in particular where the latter helps achieve a level playing field for British business.

HSE seeks to deliver these objectives in a cost-efficient manner; in ways that maintain HSE's and the UK's reputation; and in the context of wider UK policies. In particular, we seek to help deliver the Government's positive agenda on Europe, to work within its strategy on European employment and social affairs, to reduce unnecessary burdens on business, and to support British business in international trade.

We work closely with the Department for Work and Pensions in support of the Minister for Employment's work on HSE issues as part of his wider EU and international portfolio.

1. Key business:

This section is devoted to international business where HSE delivery is key, including for wider government objectives.

Cross-cutting OSH issues:

- Delivery of the recommendations in *Common Sense, Common Safety* relating to ensuring EU health and safety legislation is proportionate for **low risk businesses** (*SCS responsible*: Clive Fleming) and **home-workers** (Peter Brown).
- Preparing for the Commission's **evaluation of the OSH *acquis*** in 2013/14, particularly by ensuring an effective UK submission on the practical implementation of the OSH directives in 2013. (Clive Fleming).
- Ensuring that we gather timely intelligence about **social dialogue** (particularly sectoral social dialogue) proposals for OSH legislation, and working with BIS and UKRep to reduce any threats to UK interests from social dialogue more generally. (Clive Fleming).
- Tackling firmly any proposals from the EU that may be perceived as '**competence creep**' or threatening the rights of the UK in international organisations or agreements.

Legislation at pre-proposal stage:

- Recast of the Manual Handling and Display Screen Equipment Directives into a new **Work-related Musculoskeletal Disorders** Directive. (Peter Brown).
- Revision of the **EMF** Directive. (Peter Brown).
- Recast of the **Dangerous Preparations** Directive ((Kären Clayton).
- Recast of the European Regulation on the **Export and Import of Dangerous Chemicals** (Kären Clayton).
- **4th Indicative Occupational Exposure Limit Values (IOELV)** Directive
- [Potential] amendment of the **Carcinogens and Mutagens** Directive (Kären Clayton).
- [Potential] amendment of the **Safety of Offshore Mineral Extraction** Directive (Steve Walker).

Legislation under negotiation:

- Proposed European Regulation on **Biocidal Products**. (Kären Clayton).
- Proposed **Seveso III** Directive. (Peter Baker).

Legislation under transposition:

- **Sharps in Healthcare** Directive (Susan McKenzie).
- **3rd IOELV** Directive (Kären Clayton).

We will continue to support OGDs on international issues where HSE has an interest but not the lead, including:

- Pregnant Workers and Working Time Directives (BIS).
- 'New Approach' (Single Market) Directives (BIS).
- EURATOM safety measures (DECC).
- REACH and pesticides (DEFRA).
- Environmental tobacco smoke (DH).

We will also need to ensure careful management of **infraction or potential infraction** cases.

2. Activities that support our aim to be recognised as a world leader in health and safety:

- Participation in the activities of the **International Association of Labour Inspection** (Kevin Myers).
- HSL's permanent chairing of the '**Sheffield Group**' (meetings of chief executives of research centres world-wide).
- Participation in the **World Congress on Safety and Health at Work**, Istanbul, September 2011.
- Participation in **international standards setting**.
- Participation in the activities of **international regulatory bodies**, such as on offshore safety (Steve Walker).
- **Hosting visits** from other countries and **providing other types of support** to the regulatory authorities of **other countries**, particularly those that **have less well-developed health and safety regulatory systems**.

We will also look to utilise opportunities in other international fora, as they emerge, to showcase HSE.

3. Learning from others:

We need to learn lessons from the global experience of regulating health and safety to ensure that British business is not put at a competitive disadvantage in comparison to others. We will therefore, as far as is practicable, gather intelligence in all international contacts (e.g. through fact-finding visits, inspector exchanges or international networks, e.g. ICSMS¹, KSS or the EU-OSHA Focal Points Network) on:

- How other EU member states (and EEA states where appropriate) have **transposed EU legislation** for which HSE leads.
- How other countries' regulatory authorities have **streamlined their activities to deliver good health and safety outcomes in a more cost-effective way**.
- How countries outside the EU **use international standards in delivering good health and safety outcomes**.
- Success and failures with **experiments on innovative approaches to health and safety regulation** that other countries have undertaken.

¹ UK holds the Presidency of ICSMS

- **Research undertaken on OSH in other countries** that is relevant to the UK approach to health and safety regulation.

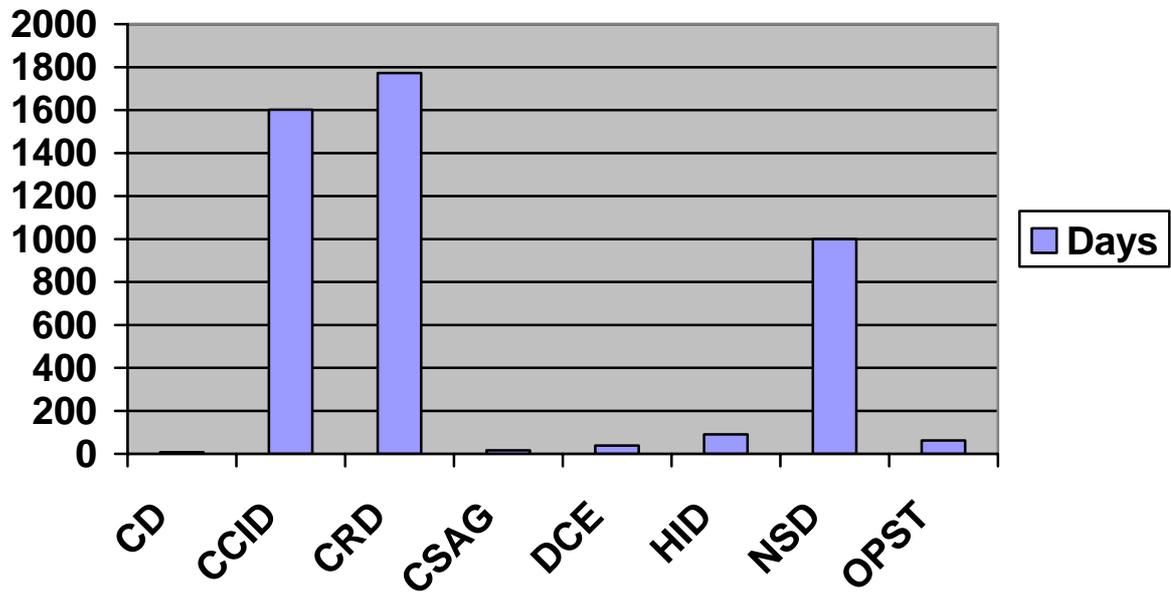
4. People/stakeholders to engage:



HSE – International Unit
April 2011

Annex 2

Data days spent on international work during 2010/11



The information about days spent on international work in each directorate, division or free-standing office only comes from those categories that are clearly identified for EU or international work. Other related information may be recorded under other categories but this is not identifiable.