

# PREFACE

Responsibility for the Health and Safety Commission (HSC) and the Health and Safety Executive (HSE) transferred to the Department for Work and Pensions (DWP) on 24 July 2002. From that date the Commission reports to the Secretary of State for Work and Pensions, and to other Secretaries of State for the administration of the HSW Act throughout Great Britain.

Rt Hon Andrew Smith MP is the Secretary of State for Work and Pensions. Des Browne MP was the Minister of State for Work from June 2003 to April 2004 and Rt Hon Jane Kennedy MP was appointed Minister of State for Work from April 2004.

Departmental responsibility for HSC/E previously lay with the Department for Transport, Local Government and the Regions, and before that (until June 2001) with the Department of the Environment, Transport and the Regions.

The Health and Safety at Work etc Act 1974 established HSC and HSE. HSC's primary functions include making arrangements to secure the health, safety and welfare of people at work and protecting the public against risks to their health and safety from work activities. The functions include proposing new laws and standards, conducting research and providing information and advice. HSE advises and assists HSC and, together with local authorities (LAs), has day-to-day responsibility for enforcing health and safety law, investigating accidents, licensing and approving standards, in particular hazardous areas, and commissioning research.

## Commission's duties

The Commission's statutory duties include:

- encouraging other people to secure safe and healthy working conditions;
- arranging for research and training to be carried out and encouraging others to undertake research and training;
- arranging for an advisory and information service for stakeholders;
- submitting proposals for regulations to Ministers; and
- paying to the Executive sums appropriate for it to perform its functions.

## Commission's powers of action

The Commission's powers of action are wide. They include anything necessary to help them advance these statutory duties. The primary role of the Commission is to give strategic direction to the work of HSE. It also has powers to:

- approve and issue Codes of Practice ('Approved Codes of Practice' - ACOPs) with the consent of the Secretary of State, subject to consultation with Government Departments and other organisations;
- make agreements with any Government department or person to perform HSC or HSE functions on HSC/E's behalf;
- make agreements with any Minister, Government department, or public authority for HSC to perform functions on their behalf;

- give mandatory guidance to LAs on enforcement;
- direct HSE or authorise any other person to investigate and report on accidents or other matters, and subject to regulations made by the relevant Minister, direct inquiries to be held.

## Commission Code of Practice

The Commission has adopted a Code of Practice, which the Chair and Commissioners follow. This conforms to Cabinet Office guidance. It sets out the responsibilities of the Chair and the corporate and individual responsibilities of Commissioners.

## Openness

The Commission recognises that public access to health and safety information improves public understanding and strengthens public confidence in the health and safety system. The Commission has published a policy statement on access to health and safety information. As part of this commitment to openness, the Commission published its agendas, papers, minutes and those of its Advisory Committees and sub-committees on the Internet. These can be found on the HSE website (<http://www.hse.gov.uk/>).

# CHAIR AND MEMBERS OF THE HEALTH AND SAFETY COMMISSION: 2003/04

## Chair

**Bill Callaghan:** Appointment as Chair of the Health and Safety Commission commenced on 1 October 1999. He was previously the Chief Economist and Head of the Economic and Social Affairs Department at the TUC. He has considerable experience of working with different groups in industry and public life and has served on the boards of Business in the Community and the Basic Skills Agency. He has a particular interest in developing partnerships between trade unions and employers at the workplace and at national level. He served on the Low Pay Commission from 1997 - 2000. He was also a member of the Economic and Social Research Council's Research Priorities Board. He is a visiting Fellow of Nuffield College Oxford.

## Commissioners

**George Brumwell CBE.** Appointment commenced on 1 April 1998. He is General Secretary of the Union of Construction, Allied Trades and Technicians. He is a member of the Labour Party National Policy Forum and the TUC's Executive Committee and General Council. He is a long-time member of the Construction Industry Training Board and a Board Member of the Construction Skills Certification Scheme for the construction industry. He is an Executive Committee Member of the European and International Federation of Building and Wood Unions. He is a Board member of the Building and Civil Engineering Benefits Scheme.

**Margaret Burns CBE.** Appointment commenced on 1 April 1998. She is a part-time tutor of Public Law at the University of Aberdeen. She has taught in the law faculties at Dundee and Glasgow Universities and at the Open University. She has extensive experience of working for consumer organisations. Since 2003, she has been a non-Executive member of the NHS Grampian Health Board.

**Abdul Chowdry JP.** Appointment commenced on 1 April 1999. He gained more than 34 years' experience as a Health, Safety and Environment Advisor at Turner and Newall plc (manufacturing), where he worked until August 1998. He is the Director of Blackburn/Darwen Racial Equality Council. He has been a magistrate since 1976. He was a Labour Councillor at Rochdale Metropolitan Borough Council from 1972 to 1998, where he chaired a number of committees including Housing, Policy and Economic Development. He was also a member of the Greater Manchester Police Authority from 1986 to 1998.

**Judith Donovan CBE.** Appointed 1 October 2000. A Yorkshire businesswoman who founded her own direct marketing company in 1982, was Chairman of Bradford TEC from 1989-97, and the first female president of Bradford Chamber of Commerce from 1999-2001. She is currently a Trustee of Yorkshire Dales Millennium Trust, a Director of the Northern Ballet Theatre and Chairman of Ripon Cathedral Development Campaign Executive Committee. She is also a Millennium Commissioner and Chairman of Postwatch for the North of England. She was also a Director of Bradford Chamber of Commerce and a Board member of Business Link West Yorkshire until July 2003.

**Cllr Joyce Edmond-Smith.** Appointment commenced on 1 April 1997. She has been a councillor for 16 years and is a member of Brighton and Hove Council where she is Convenor of the Sustainability Commission. She has a wide experience of environmental and health issues and was a member of the Association of District Councils for eight years, where she chaired the Environment & Health Committee. She has served on the Brighton and Hove Community Health Council and has been a member of the national Local Agenda 21 Steering Group for seven years. She taught in Further Education for 20 years.

**Judith Hackitt.** Appointment commenced on 1 April 2002. She trained as a Chemical Engineer at Imperial College, London. She has been Director of Business and Responsible Care at the Chemical Industries Association (CIA) since 1998 and was appointed Director General of the CIA from 1 April 2002. Judith was previously employed as Group Risk Manager at Elementis PLC with worldwide responsibility for health and safety insurance and litigation. She also served for three years as a non-executive Director of Oxfordshire Health Authority. She holds no other Ministerial appointments nor is she engaged in any political activity.

**John Longworth.** Appointment commenced on 1 April 2002. He was Group Trading Law and Technical Director of Tesco PLC. Since December 2003 has held the post of Legal and External Affairs Director of Asda. He is currently accountable for Corporate Policy on Regulatory, Consumer and Scientific Affairs and for product quality and operating standards, including environment, safety and operational risk management. John has been in commerce and industry for almost twenty years and for the whole of this period he has been involved with UK and European Government. He is currently a member of several British Retail Consortium Policy Committees, chairs the Institute of Grocery Distribution Directors' Technical Forum and sits on the Government's Advisory Committee on Packaging Waste and Recycling. He is not engaged in any political activity.

**Elizabeth Snape.** Appointment commenced on 1 November 2003. Elizabeth Snape worked from 1990 to 1994 as Legal Officer with the union NALGO. She then took on Equal Opportunities and European Policy Employment with Unison and from 1999 has been head of Policy at UNISON. Since 2001, Elizabeth has been a member of the TUC General Council and served since 1996 as an executive member of the European Public Services Union. Her experience as union safety representative at UNISON has given her experience of workers' health and safety concerns.

**Owen Tudor.** Appointment commenced on 17 November 1998. He is a Senior Policy Officer at the TUC responsible for prevention, rehabilitation and compensation. He has been a member of the HSC Advisory Committee on Toxic Substances, the Civil Justice Council and the Board of the Royal National Institute for Deaf People. He is currently a member of the Industrial Injuries Advisory Council and the Management Board of the European Agency for Safety and Health. He writes regularly in the health and safety media and publishes the TUC's online health and safety bulletin, Risks. He is married and has a young son. He left the Commission on 31 March 2004 and has been replaced by Hugh Robertson from the TUC.

**Hugh Robertson.** Hugh Robertson worked for the public services trade union UNISON, and its predecessor Nalگو, from 1981 until the end of 2003, as National Officer for Local Government and as Head of Health and Safety and Bargaining Support. Since January 2004 he has served as Senior Policy Officer on Health and Safety at the TUC. His experience in health and safety and negotiating has given him experience of workers' health and safety concerns. He served from 1990 to 1993 as a Lay magistrate. He is also a member of the Industrial Injuries Advisory Committee.

# THE COMMISSION'S WORK DURING 2003-04

Central to the Commission's work has been the development of a new Strategy for Workplace Health and Safety to 2010 and beyond (<http://www.hse.gov.uk/aboutus/hsc/strategy.htm>). The new Strategy was published in February, with the full support of ministers and a wide range of stakeholders.

In drawing up the Strategy, the Commission consulted widely on five major themes: responding to a changing economy in a changing world; health issues; public protection and security; the role of local authorities; and managing the business. To develop the Strategy the Commission also consulted using novel ways such as focus groups, comprising small business people, the self-employed and individual employees.

The new Strategy is for the whole health and safety system in Britain, not just for HSC and HSE. So a defining characteristic of the new Strategy is about how we embrace new relationships and partnerships. We will look at all available tools and techniques to influence behavioural change in managing work to improve standards of health and safety. And this means recognising and valuing the contribution of others - workplace safety representatives, insurance companies, trade bodies, health and safety professionals, designers, and those in the supply chain.

The new Strategy also places an emphasis on the role of communications. Communication is the foundation that underpins all the other work we tackle and must become an inextricable part of it. We realise that we must be more effective at this. One challenge is about simplifying our messages, and we face challenges about speaking the right language for our various audiences and providing accessible advice and support.

So our vision "to gain recognition of health and safety as a cornerstone of a civilised society and with that achieve a record of workplace health and safety that leads the world" must be set in context. Building on the philosophy set by the Robens Inquiry which led to the drafting of the HSWA, we recognise that sensible health and safety is about managing risks, not necessarily eliminating them. So we will continue to make judgments based on balancing harm against cost, risk against benefit and to apply the concept of reasonable practicability. The message is that our goal is not to have a risk-free society but one where risk is properly appreciated, understood and managed.

## Changing ways of working

Our mission is about controlling risks in a changing world. Making the Strategy a reality means that both the Commission and HSE need to change to deal with the new challenges. During the year we reviewed the role of the Commission and, again with ministerial support, implemented changes to strengthen the Commission's role. These changes took effect in April 2004. They are designed to:

- help the Commission measure progress against the new strategic objectives;
- free up time for the Commission to act in a more strategic capacity;
- widen the Commission's role in communication and improving public understanding of our role;
- strengthen its role in corporate governance issues.

Alongside these changes, Commissioners continued to act as champions for the Priority Programmes designed to deliver our targets. They will continue to provide non-executive support to the Strategic Programmes that are being developed in HSE as it changes to deliver the new strategic priorities.

# MEMBERS OF THE HEALTH AND SAFETY EXECUTIVE

## Director General

Timothy Walker CB

Director General since 1 October 2000. Previously an academic scientist, Timothy Walker has taught physics and chemistry at various universities. He worked on trade with the Middle East, telecommunications liberalisation and grants to industry at the Department of Trade and Industry and was Principal Private Secretary to successive Secretaries of State for Trade and Industry. He has also held responsibility for civil nuclear matters. Other posts held have been UK Governor of IAEA, Chairman of the EBRD Nuclear Safety Account, Home Office Director General for immigration and nationality and Deputy Chairman of HM Customs and Excise.

He is a lay member of the Council of the University of Warwick and a Council member of the Institute of Employment studies.

## Deputy Director General (Operations)

Justin McCracken

Justin McCracken took up post as HSE's Deputy Director General (Operations) on 1 April 2002. He is responsible for all of HSE's operational divisions, ie field operations, nuclear and offshore safety, chemical hazardous installations, railways, mines, construction, agriculture and health services. Justin is based in HSE's Liverpool headquarters.

A physics graduate, he joined ICI in 1976 as a research scientist and moved from there into process development and plant management. His subsequent posts in ICI took him into marketing and business management in the UK and overseas, culminating in worldwide responsibility for ICI's catalyst business.

In 1998, he joined the Environment Agency as NW Regional Director. There, he was responsible for all the activities of the Agency in the North West, including regulation of process, water and waste industries, river habitats and fisheries improvement, flood defences and promotion of sustainable development.

He is a trustee of the British Safety Council.

He is married with three children.

## Deputy Director General (Policy)

Kate Timms CB

Kate Timms took up post as HSE's Deputy Director General (Policy) in June 2001. She has direct oversight of the Health Policy and Safety Policy Directorates, Nuclear Safety Policy and the Railways Directorate.

Kate was educated at St Hilda's College, Oxford where she studied politics, philosophy and economics. She was Director General for Agriculture and the Food Industry in the Ministry of Agriculture (MAFF) - now DEFRA (Department of Environment, Food and Rural Affairs) since 1996. Her responsibilities included all aspects of European Union (EU) and international agricultural policy negotiations as well as sponsorship of the domestic food and agriculture industries.

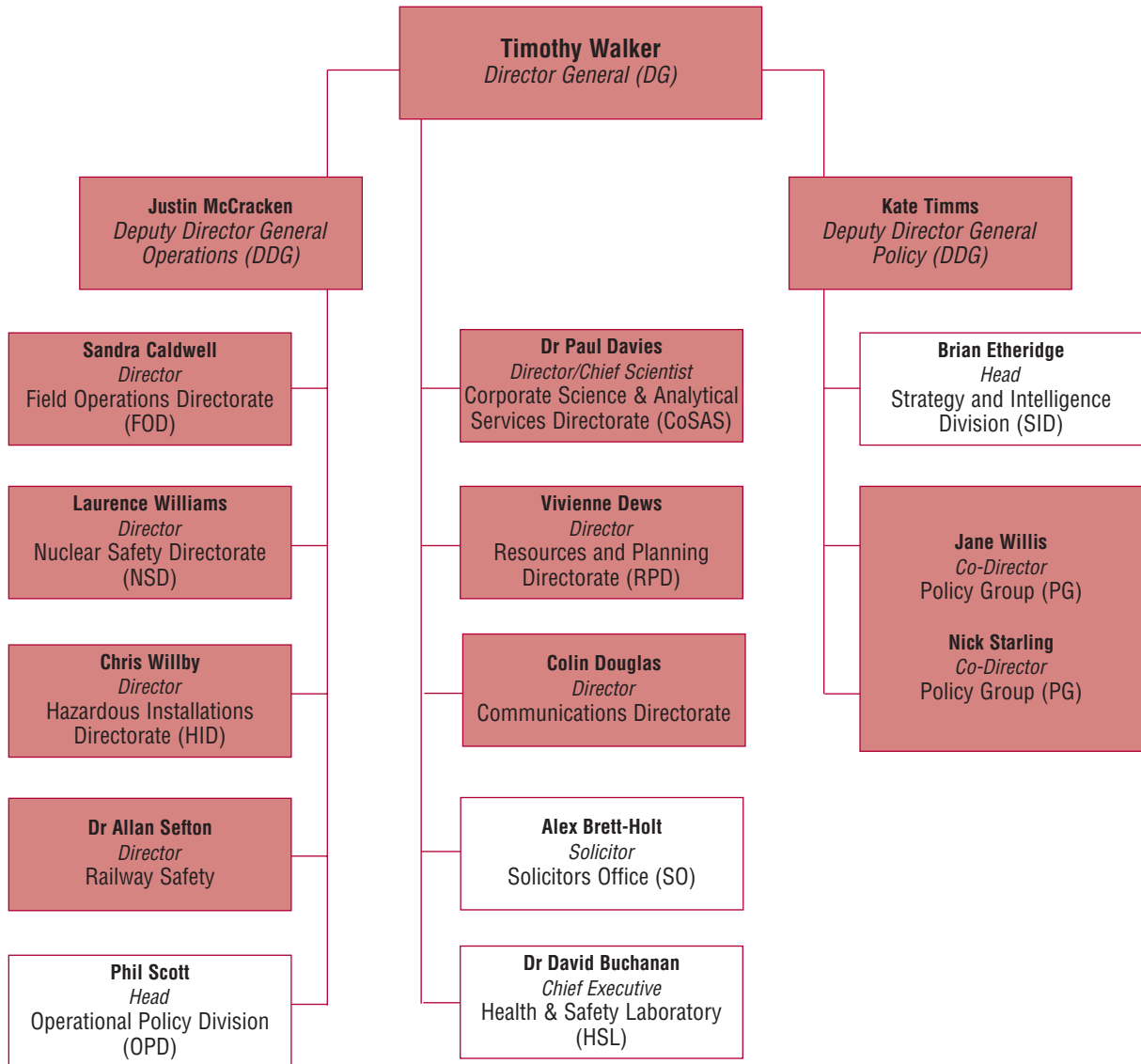
Prior to that Kate worked for five years in Brussels as Head of Agriculture Section in the UK Permanent Representation to the EU, returning to MAFF to spend a year in the post of Principal Finance Officer.

Kate also worked in the British Embassy in Paris in the late 1980s with responsibility for agriculture and economic affairs, and was also seconded to the Cabinet Office to work on EU policy issues.

A copy of the Register of Interests relating to members of the Health and Safety Commission and the Health and Safety Executive can be obtained by contacting the HSC Secretariat at the following address: The HSC Secretariat, Rose Court, 2 Southwark Bridge, London SE1 9HS or phoning 0207 717 6642.

# HEALTH AND SAFETY EXECUTIVE STRUCTURE

May 2004



Board Member



Non-Board member

## CHAIR'S FOREWORD

A highlight of the past year was the publication of HSC's Strategy for workplace health and safety in Great Britain to 2010 and beyond. This was endorsed by a wide range of stakeholders including the Trades Union Congress, the Confederation of British Industry, the Local Government Association, the Federation of Small Businesses, EEF - the manufacturers' organisation, and the Institute of Directors, who joined myself and the then Minister of State for Work, Des Browne MP, at an event to launch the Strategy in February 2004.

The evolution of the Strategy involved close co-operation and working between the Commission and the Board of HSE and consultation with a wide range of stakeholders. Our phased consultation period, lasting six months, showed new innovative ways of consultation with the inclusion at the latter stages of a wide range of sector specific focus groups involving workers and employers.

We want to work in closer partnership with local authorities who have a vital role to play in the growing service sector economy. We want to work with, and through, others to improve employment and productivity by keeping those at work healthy and in work; by instilling an appropriate understanding of risk management from an early age; by improving health and rehabilitation, contributing to the Nation's health and well-being; by dealing with health inequalities and reducing sickness in the public sector and so enhancing public sector delivery.

The challenge of the Strategy asks employers, employees, trade unions and others such as health and safety professionals, insurers, investors and designers to play their role in improving health and safety and so promote our vision, which is to see health and safety as a cornerstone of a civilised society and, with that, to achieve a record of workplace health and safety that leads the world.

Worker involvement is key to health and safety success and it is for that reason the Commission and its social partners launched the worker involvement statement. We have also seen the first round of funding for the Workers' Safety Adviser Challenge Fund aimed at improving worker involvement and consultation and driving improvements in health and safety. It is only with the participation of others that we can produce effective and efficient targeted interventions that will deliver.

Occupational health is a key area of delivery and we have begun the process of achieving innovative partnerships in both public and private sectors in order to provide occupational health support locally, regionally and by sector according to need. We must also find ways of providing channels of business support without the fear of enforcement while allowing the regulators to be tough on those who wilfully disregard the law.

We aim to be more robust in defending the reputation of health and safety and ask others to do so too. Although at the time of writing we do not know the outcome of the rail review, HSC/E's good record in improving passenger and worker safety shows the benefits of our approach.

The Strategy reinforces the need to adopt a sensible approach with sensible controls to health and safety, balancing risks and benefits. We are not looking for a risk-free society, but one where risks are better understood and managed. Communication therefore, has an essential part to play. We aim to promote the business and social benefits of health and safety and this year has seen the launch of case studies setting out the business benefits of good health and safety management.

The major task in the coming year is now to deliver the Strategy and the Commission is determined to do that in partnership with others.

## DIRECTOR GENERAL'S FOREWORD

The past year has been one of transition for HSE. We have supported the development of the new HSC Strategy and, to help turn the Strategy into action, we have started realigning our work into programmes that bridge both policy and operational functions. At the same time we continue the essential job of bearing down upon the causes of occupational ill health, injury and death.

The new programme approach brings together staff from right across HSE's directorates, combining their expertise and focussing it upon delivering specific improvements in health and safety. Making the most of the considerable experience and knowledge across HSE is essential if we are to be relevant to the workplaces of today and tomorrow. Rail has been in the vanguard of this move to a more joined-up approach to our work.

We also recognise that we must collaborate closely with others, not least our local authority enforcement partners. This will feature heavily in our new Local Authority and Better Health at Work Partnership Strategic Programmes. The past year contains examples where close partnership working is already a reality. For example, in Scotland HSE is one of a number of organisations brought together under the banner of the Scottish Health at Work Scheme. This is already showing that co-operation can achieve results above and beyond the sum of what agencies might achieve individually. We are learning from, and building upon this experience.

We have also started making a step change in the way we communicate our messages. It is no good us knowing solutions to health and safety problems if we cannot convey them convincingly to the managers and workers who can actually implement them and make the difference that counts. Good external communication will support and complement the direct interventions made by our inspectors. Good internal communication is vital if we are to make the best use of our resources. The appointment of a Board Director of Communications in January is already providing an important focus.

We have seen some progress towards achieving the ambitious Revitalising targets set in 2000. The changes made by HSE in the last year provide us with a firm foundation on which to build, so that we can play our part, along with our partners, in achieving the targets and our vision of health and safety as a cornerstone of a civilised society.