

# PREFACE

Responsibility for the Health and Safety Commission (HSC) and Health and Safety Executive (HSE) transferred to the Department for Work and Pensions on 24 July 2002.

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

The Health and Safety at Work etc Act 1974 established the Health and Safety Commission (HSC) and the Health and Safety Executive (HSE). HSC's primary function is to make arrangements to secure the health, safety and welfare of people at work and the general public. The work includes 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 particularly hazardous areas and commissioning research.

Our **mission** is to ensure that risks to people's health and safety from work activities are properly controlled.

Our **goals** are to continue to reduce injury rates; to continue to reduce work-related ill health and consequent days lost from work; to continue to improve the working environment; and to prevent major incidents with catastrophic consequences occurring in high-hazard industries.



# THE HEALTH AND SAFETY COMMISSION 2001/02

## Chair

**Bill Callaghan.** Appointed Chair of the Health and Safety Commission on 1 October 1999. He was previously the Chief Economist and Head of the Economic and Social Affairs Department at the Trades Union Congress (TUC). He has had a long and distinguished career with the TUC, mainly in the economic field. He wrote the TUC's key strategic document *Partners for progress*, which sets out priorities in employment relations. He has considerable experience of working with different groups in industry and public life and has served on the boards of Business and Community and the Basic Skills Agency. He served on the Low Pay Commission from 1997-2000, He was also a member of the Education Services Advisory Committee's Research Priorities Board.

## Commissioners

**Mr George Brumwell.** 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.

**Ms Margaret Burns.** 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 was formerly the Legal Advisory Officer for, and is now a member of, the Scottish Consumer Council, which nominated her for the Health and Safety Commission.

**Mr 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.

**Mrs Judith Donovan CBE.** Appointed 1 October 2000. She is a Yorkshire business woman 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 director of Business Link West Yorkshire and the Northern Ballet Theatre, patron of Bradford Samaritans and member of the Programme Monitoring Committee for Objective 2 Funding for Yorkshire and the Humber.

She is also a Millennium Commissioner and Chairman of Postwatch for the North of England.

**Judith Hackitt.** Appointed 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 public appointments and is not engaged in any political activity.

**John Longworth.** Appointed 1 April 2002. He is Group Trading Law and Technical Director of Tesco PLC. He is currently responsible 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 20 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 Director's Technical Forum and sits on the Government's Advisory Committee on Packaging Waste and Recycling. He is not engaged in any political activity.

**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 and 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.

**Mrs Maureen Rooney OBE.** Appointment commenced 1 October 2000. She is a national secretary for the Amalgamated Engineering and Electrical Union and is a member of the Executive Council of the Confederation of Shipbuilding and Engineering Unions. She was nominated for the Health and Safety Commission by the TUC and has served on the TUC's General Council since 1990 and the Executive Council since 1998. She is a former Vice-President of the National Childminder's Association and was on the Board of Management for the Adult Literacy and Basic Skills Unit. She was also on the Council of Management for the Merchant Navy Welfare Board. She has undertaken a range of political activities for the Labour Party, including speaking and canvassing on behalf of the party and is a member of the National Executive Committee Women's Committee. She holds no other public appointments.

**Mr 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.

## Past Commissioners

**Mr Rex Symons CBE.** 1 October 1989 to March 2002. He acts as the CBI workplace health and safety consultant and is Chairman of its Health and Safety Committee. He is a member of the Employment National Training Organisation and Chairman of the Bournemouth Primary Care NHS Trust; previously he was Chairman of the Poole Hospital NHS Trust. He is also Chairman of Bournemouth Transport Ltd and Dorset Travel Services Ltd. He was Chairman of Dorset Training and Enterprise Council for six years until 1998, Deputy Chairman of Merck Holdings from 1989-91 and Managing Director of BDH Chemicals Ltd (formerly British Drug Houses Ltd) from 1980-89. He is a member of the employment tribunals. He is also a Governor of the Bournemouth Arts Institute.

**Mr Sonny Hamid.** 1 April 1999 to March 2002. He commenced his training in electrical engineering in 1954. In 1969 his career led him into fire engineering and he gained membership of the Institution of Fire Engineers. His career path developed to include senior fire engineering, environmental health and safety and engineering and construction positions at Foster Wheeler Petroleum Development Ltd, Bechtel GB Ltd and Bechtel inc. Following the acquisition of Trafalgar House by Kvaerner plc in 1996, he had been actively engaged in preparing and implementing a new environmental, health and safety policy in the group companies serving clients in six main industrial sectors world-wide. Currently he is serving as an independent consultant specialising in environment and safety matters in business management systems, technology and education.

## The work of the Commission

The Commission's responsibilities and powers are defined by the Health and Safety at Work etc Act 1974 (the HSW Act) and its subordinate instruments. On 24 July 2002 responsibility for health and safety transferred to the Department for Work and Pensions and from that date the Health and Safety 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. During the period of this Annual Report (2001/02), the Commission reported to the Department of Environment, Transport and the Regions until June 2001 and the Department for Transport, Local Government and the Regions from June 2001 to July 2002.

### *Commission's duties*

The Commission's statutory duties include:

- submitting proposals for regulations to ministers after consultation with appropriate government departments and other bodies;
- arranging for the provision of information and advice to ministers, amongst others;
- arranging for the operation of an information and advisory service;
- arranging for research to be carried out and published and encouraging research by others;
- arranging for the provision of training and information and encouraging their provision by others; and
- paying to the Executive sums considered appropriate for it to perform its functions.

### *Commission's powers of action*

The Commission's powers of action include:

- approving and issuing codes of practice, with the consent of the relevant Secretary of State, subject to consultation with appropriate government departments and other bodies. These are known as Approved Codes of Practice (ACOPs);
- making agreements with any government department or other person for that department or person to perform on behalf of the Commission or the Executive any of the functions of the Commission or the Executive;
- making agreements with any minister of the Crown, government department, or other public authority for the Commission to perform on behalf of that minister, department or authority functions exercisable by the minister, department or authority (subject to those functions being functions which in the opinion of the Secretary of State can be appropriately be performed by the Commission in connection with any of the Commission's functions);
- giving guidance to local authorities (LAs) on enforcement;
- directing HSE, or authorising any other person, to investigate and report on accidents or other matters and, subject to regulations being made by the relevant minister, directing inquiries to be held;

- appointing committees. The main committees which the Commission has set up are Subject Advisory Committees and Industry Advisory Committees, which advise the Commission respectively on particular kinds of hazard and on health and safety in particular industrial sectors; and
- providing any services, facilities or information required by a government department or public authority even though they are not required for the general purposes of Part I of the HSW Act.

### *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 publishes 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/>).

### *A changing Commission*

With the legislative framework for health and safety now largely in place, the Commission can increasingly focus on providing strategic direction to the activity of HSE on promoting delivery of the *Revitalising Health and Safety* targets.

Over time this shift in emphasis will mean major changes in ways of working. Some of those changes have already started; the Commission decided to delegate decision-making on new legislative packages, which raise no strategic issues to Advisory Committees or to small quorate groups of Commissioners. The first such mini-Commission took place in September 2001. Also Commissioners have taken on an area of specific interest or become ‘champions’ for the priority programmes the Commission selected for special attention. This gives Commissioners an opportunity to provide their independent views and advice to HSE and allows them to become involved in policy development at an earlier stage.

Specific responsibilities are:

Bill Callaghan	Construction and agriculture
Margaret Burns	Railways and Scotland
Joyce Edmond-Smith	Slips and trips and local government
Judith Donovan	Small firms, marketing and communications
Maureen Rooney	Major hazards
Sonny Hamid	Workplace transport
Rex Symons	Health services
George Brumwell	Falls from height
Abdul Chowdry	Work-related stress (and work with the police force)
Owen Tudor	Musculoskeletal disorders

## *Priority programmes*

A series of special presentations on the priority programmes organised by HSE provided an opportunity to discuss each programme and likely barriers to progress. Commissioners were pleased to welcome at these sessions contributors from outside HSE - employers, workforce representatives, occupational health professionals, training organisations and officials from other government departments - who described their work to help deliver the targets.

Commissioners saw the challenges themselves in a series of visits organised around the priority topics. In May, they visited workplaces with musculoskeletal risks in and around Edinburgh. In October, Commissioners visited eight farms in Central England as background to a presentation on the agricultural priority programme in Stoneleigh. The land-based industries National Training Association (Lantra) kindly hosted this event, which provided a chance to learn more about Lantra work and see the risks from heavy agricultural machinery, and tree felling demonstrated.

## *Influencing stakeholders*

Championing HSC policies and HSE activity and engaging stakeholders who can help improve health and safety is a key part of Commissioners' role. In May, the Commission hosted two events in Scotland to meet key stakeholders. Major employers, trade unions, and intermediary organisations were invited to discuss HSC's plans and priorities. Small companies with musculoskeletal risks were invited to meet Commissioners at a session to provide practical advice on how to avoid the risks.

In addition, Commissioners have also undertaken a wide range of visits, speeches and presentations. These have ranged from meetings with the board members of the top 350 companies in the UK to speeches at occupational health and safety conferences and industry visits.

## *New voices*

The Commission is reaching out beyond the traditional health and safety community, for example they invited external commentators to assess HSE's new Race Equality Scheme. In the coming year they will be discussing issues such as the insurance and legal systems with outside experts.

# THE HEALTH AND SAFETY EXECUTIVE 2001/02

## **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.

## **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 but also maintains an office in London.

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 North West 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.

## **Deputy Director General    David Eves CB**

Deputy Director General 1989 to January 2002. David was responsible for the work of HSE's operational divisions. Prior to this he held the post of Chief Inspector of Factories between 1985-88, having joined HM Factory Inspectorate in 1964.

## **Deputy Director General (Policy)    Kate Timms**

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 spend a year in the post of Principal Finance Officer.

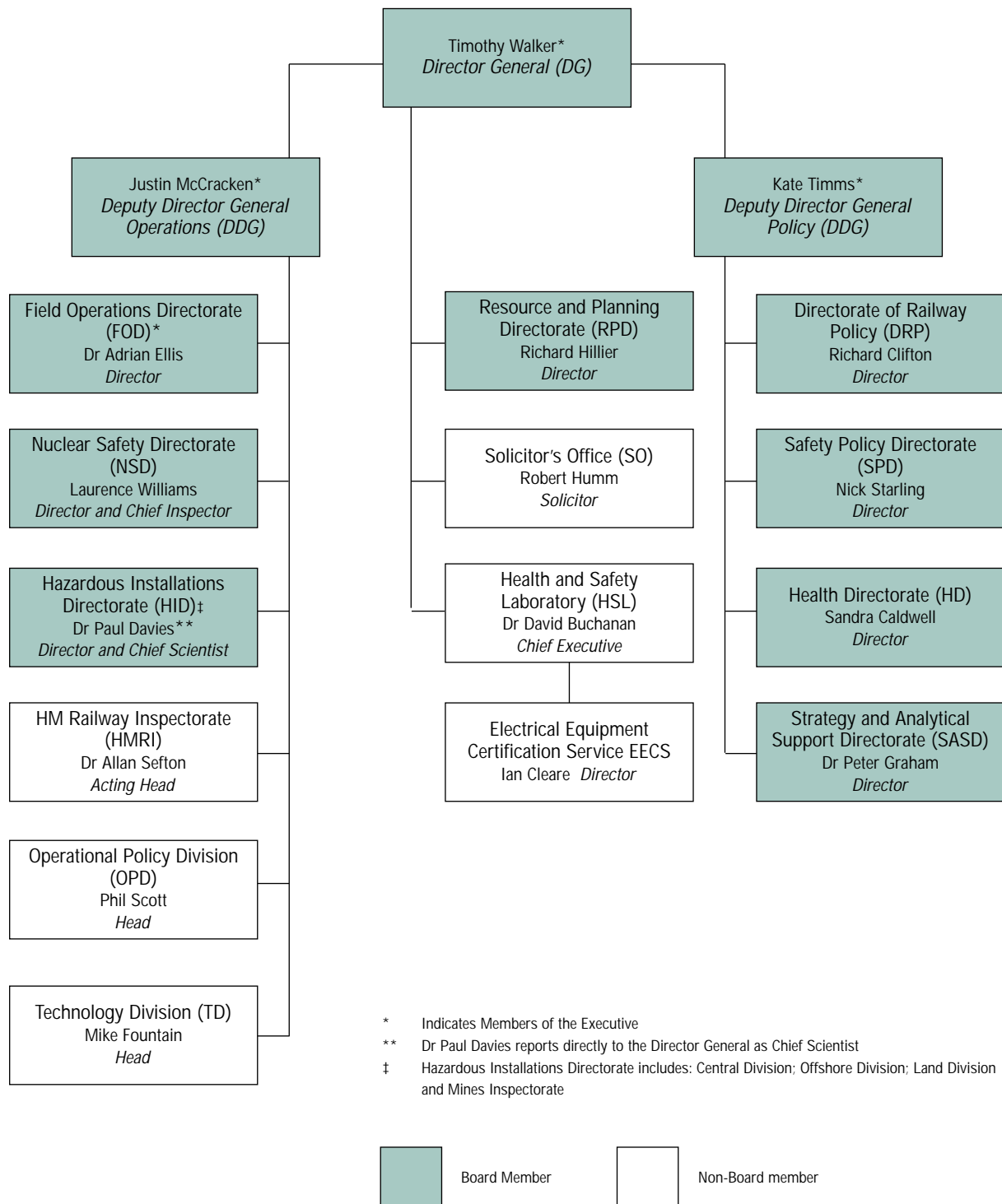
Kate also worked in the British Embassy in the late 1980s with responsibility for agriculture and economic affairs, and was also seconded to the Cabinet Office to work on EU policy issues.

**Director, Resources and Planning Directorate    Richard Hillier CB**

A member of the Executive from 1996 to June 2001, Richard joined HSE in 1994, having previously worked in the Employment Department on pay and industrial relations policy, equal opportunities, health and safety and overseas labour. He also led the Manpower Services Commission's work on training and enterprise strategy, following spells in the field of technical and vocational education and employment policy.

# HEALTH AND SAFETY EXECUTIVE STRUCTURE

September 2002



HSE's website provides links to information about the work, organisation, and activities of HSE's Divisions and Directorates.

# CHAIR'S FOREWORD

This Annual Report charts the progress during the first year of the HSC's Strategic Plan 2001-04 and our contribution towards achieving the national targets for health and safety set out in the *Revitalising Health and Safety* strategy statement. We said we would concentrate our work into four specific blocks: priority areas, major hazards, securing compliance and, of course, our statutory duties.

## Fatal injury record

Provisional statistics for the year 2001/02 indicate a decrease of 15% in the number of fatal injuries among Britain's workers, with 249 deaths compared to 292 in 2000/01. This decrease is welcome after the appalling increase in the number of work-related fatalities which we saw last year; but it is much too soon to say whether the 2001/02 figures represent a long-term downward trend.

This number of deaths in the workplace is unacceptable. Our research into the rise in 2000/01 showed that in many cases, employers were failing to carry out risk assessments. Had they done so, and taken appropriate action to reduce the risks, the picture may have been different. So we must maintain the pressure to make sure that employers meet both their legal and moral responsibilities.

Our task must be to continue to work for sustained improvement in both health and safety. To achieve this we will continue to concentrate on those industries with the worst health and safety record, and work activities that continue to give rise to high levels of injury and ill health.

## Delivery

Throughout the year, the Commission has continued to seek ways of improving the way we work so that we can focus more on strategic issues and provide clearer direction to HSE as it focuses on the delivery of the Revitalising targets. The section of this report 'A changing Commission' describes these developments, which are designed to streamline our work and allow us to concentrate our efforts more effectively. This refinement of our work will continue as new challenges and opportunities emerge.

## Stakeholders

Our mission, goals and targets can only be achieved through partnership. Employers, workers, trade unions and safety representatives are central to this process, but we also need to influence wider agendas on the work/life balance, corporate social responsibility and the role of health and safety in promoting productivity and competitiveness. As part of this process, we launched an initiative to make contact with the top 350 companies in Great Britain, to encourage them to use our guidance on director's responsibilities and include health and safety performance in their annual reports. We also launched a pilot project to provide on the spot advice to smaller firms through workplace safety advisers. Early feedback is positive and I am very grateful for the commitment that trade unions and employers have shown to making the project a success.

Engaging stakeholders who can help improve health and safety is a key part of the role of Commissioners. We have met stakeholders at events, visits and conferences. This year, for the first time the Annual Report will be placed on the HSE website and we will be publishing a new progress report before the end of the year to show how far we are achieving our targets. Both these developments should help the engagement process. You will be able to judge more easily our work, our strategy and hopefully provide useful input and comments.

## Major hazards

Much of HSE's work is about the management of health and safety in high hazard industries and the control of high hazard events and this report demonstrates the progress being made in industries such as the offshore and nuclear industries. This year we have worked to implement Lord Cullen's recommendations; and provided additional resources for both policy and operational work; and published our strategy for maintaining and improving safety on the railways. We continue to work with the industry to secure the improvements that are needed, including the establishment of the new Rail Accident Investigation Branch and Rail Industry Safety Body. But constant vigilance is needed, as the Potters Bar incident proved.

Finally, I would like to thank ministers at the former Department of Transport, Local Government and the Regions for their support. My Commission colleagues and I look forward to working closely with our new sponsor department, the Department for Work and Pensions, as we develop our mutual agendas on work, health and rehabilitation.

A handwritten signature in black ink. The name 'Bill' is written in a simple, slightly cursive font. The surname 'Callaghan' is written in a more elaborate, flowing cursive script with a long, sweeping tail.

**Bill Callaghan**

# DIRECTOR GENERAL'S FOREWORD

## Delivery

This overview of HSE's work for the year can, of course, only provide a flavour of the range of activities carried out and achievements made; but the greatest achievement is the concerted efforts made by staff that has enabled us to push forward our programme of work for 2001/02 with its breadth and range of activities. It has been a challenging year and the successes are due to the dedication and efforts of staff as well as their professionalism.

The agreed programme has largely been delivered and many additional unplanned issues have been accommodated. In those few areas where work has not been delivered to timescales set, progress has nevertheless been made. The publication of R2P2, revised after consultation reflected contributions from many parts of HSE, is a major contribution to making our decision processes more transparent.

## Revitalising Health and Safety

HSC/E's priority during the year of the report has been to put in place arrangements for achieving the headline Revitalising targets. This has been done; the next phase is to concentrate on delivery of the targets. I am pleased to see that more industry sectors have recently set their own targets, although some have yet to do so. The earliest date we will have any statistically meaningful information for 2001/02 will be autumn 2002 and a progress report describing developments will be published at the end of the year.

## Priority programmes

This year's published priority programme plans have generally been delivered with solid progress made against key elements. Each programme can report notable successes, in particular results for compliance activities where targeted visits and associated enforcement action in a number of programmes has exceeded plans. Again, we will have more to say on the impact of the plans in the progress report.

## Major hazards

These continue to be an important part of our work. Both the nuclear and railways industries have required particular attention and the HSE as a whole has made a significant contribution to securing the control of these and other major hazards.

## Securing Health Together

This year saw the successful establishment of the infrastructure of contacts, networks and information systems to support and promote Securing Health Together. Media interest in occupational health issues has been considerable. The sound basis now established for continuing partnership working will raise the profile of occupational health and deliver improvements. Enabling people to continue at work or to return to work after injury is a key part of the Department for Work and Pensions' own objectives, we look forward to our closer links.

## Public Service Agreement

Three of the four 1998 Comprehensive Spending Review Public Service Agreement targets were achieved: investigations, efficiency gains, and resources in central services. There was a slight shortfall in the target for the number of regulatory contacts due to the effect of foot and mouth disease and many investigations proving

more complex than in the past and therefore taking longer. 2001/02 was the last year of these targets. We will report progress against the first year of the 2000 Spending Review PSA targets, reductions in ill health incidence, working days lost, and accident rates separately in December 2002.

## Managing HSE

HSE's management priorities for the next three years and the activities that we will focus on to progress these priorities were published in HSE's Management Plan in October 2001. The first year of such a wide-ranging and detailed Plan has seen much activity with solid work undertaken by Directorates. Many real achievements can be recorded, in particular in valuing diversity and getting the right people in the right place at the right time. There is a slight reduction in the number of excess hours worked but more effort is required here and this is reflected in HSE's health and safety plan.

## Change

Since I wrote last year's foreword, the HSE Executive has changed. Richard Hillier stepped down as a member of the Executive in June 2001 and David Eves retired from HSE in January 2002. I, and all of HSE, am very grateful for their contribution over many years. Justin McCracken and Kate Timms are the new members and they have already provided valuable input to our work.

HSE is also shortly to undergo a period of change. We are a respected regulator with a reputation for professionalism and integrity. But we can do better and we must work for continuous improvement. The world is changing. Industrial structures and patterns of employment have altered. There are more service industries, small firms, part-time workers and indirect employment relationships. We need to ensure that we are fit enough and smart enough to take forward the ambitious but necessary programmes of work we have set ourselves. We are looking hard at the ways we work, our systems and procedures and how we are organised. I will report more on this next year.



Timothy Walker