

# 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.

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 Environment, Transport and the Regions.

The Health and Safety at Work etc Act 1974 established the Health and Safety Commission and the Health and Safety Executive. 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 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 protect people's health and safety by ensuring risks in the changing workplace 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.

Our **vision** is 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.

# CHAIR AND MEMBERS OF THE HEALTH AND SAFETY COMMISSION: 2002/03

## 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 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

**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.

**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.

**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 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 Trustee of Yorkshire Dales Millennium Trust and a Director of the Northern Ballet Theatre, Chairman of Ripon Cathedral Development Campaign Executive Committee and a 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.

**Cllr Joyce Edmond-Smith.** Appointment commenced on 1 April 1997. She has been a councillor for 16 years and is a member of Brighton & 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 & 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 engaged in any political activity.

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

**Maureen Rooney CBE.** Commissioner Maureen Rooney died on 1 May 2003 after a long illness. Maureen was appointed to the Health and Safety Commission in October 2000 and brought to the Commission the qualities which made her an outstanding Trade Unionist. She had a deep rooted concern for the health, safety and working conditions of working people combined with a practical, no nonsense approach on how to improve health and safety on the shop floor. While serving on the Commission she championed the work of HSE dealing with the oil and nuclear industries. Her enthusiasm and commitment impressed HSE staff, employers, Trade Union representatives and all who came into contact with her.

**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.

# 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 responsibility for health and safety transferred to the Department for Work and Pensions and 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.

## 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 local authorities (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, directing 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/>).

# WORK DURING 2002/03

## Setting the strategic direction

The Commission continued the series of strategic reviews begun in 2001. It examined key instruments of policy available – economic levers (insurance, fiscal incentives, etc), law enforcement – in sessions to which external contributors were invited to stimulate and join in the discussion. The Commission was grateful for informative and interesting presentations from a range of UK and overseas speakers from the academic, regulatory, legal, Government and business spheres.

The Commission also agreed a new vision and high-level aims as a framework for their next Strategy. These will provide the key strategic directions to underpin the development of the new plan for 2004 and beyond. Consultation has begun inside and outside the organisation 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. Other related discussions during the year have covered chemicals and pesticides, permissioning regimes, insurance, and economic incentives for improving health and safety. The findings from all of this will inform decisions about the long-term strategic direction of HSC/E.

## Changing ways of working

The Commission pressed on with its change programme including a shift during the year from fortnightly to monthly business meetings, with additional meetings to deal with strategic issues.

Meanwhile Commissioners developed their new roles as ambassadors, champions or advisers across a wide range of activity. In a non-executive capacity they made valuable contributions to HSC's Priority Programmes.

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

Commissioners were increasingly involved in other important aspects of the work. For example, Judith Donovan advised HSE officials on a new Small Firms Allowance Scheme, and on a new small firms function for HSE. She also designed and oversaw work to investigate the right messages to motivate smaller companies to improve health and safety. Judith Hackitt joined HSE's Audit Committee to provide external scrutiny. Joyce Edmond-Smith continued to act as key link with local authorities. Owen Tudor took an interest in worker safety adviser sub-committee and John Longworth provided a link to the British Retail Consortium and stimulated HSE's thinking on 'so far as is reasonably practicable' and due diligence as a defence.

## Influencing stakeholders

A key part of the Commissioner's role is to encourage those best placed to improve health and safety to take the necessary action, and the Commission is developing a programme of visits to major stakeholders' events, as well as creating new avenues to address those groups which cannot easily be reached through existing organisations. Commissioners attended numerous events, and addressed many different audiences during the year – too many to list here, but a few examples show the range of their engagements:

Bill Callaghan, HSC Chair, addressed the XVIth World Congress on Safety and Health held in Vienna. He also gave a Centenary Lecture to the Institution of Electrical Engineers in October 2002 as well as addressing many other organisations throughout the year.

George Brumwell attended the launch of a new discussion document on improving health and safety in construction and addressed the ASLEF conference in October 2002.

Margaret Burns acts as the Chair of the Commission's Railway Industry Advisory Committee and as such undertook an active role in the ERTMS public consultation, as well as attending the IOSH conference in Scotland.

Abdul Chowdry worked with the police force, and as champion of the Stress Programme spoke at the Engineering Employers Federation stress conference.

Joyce Edmond-Smith addressed the Royal Environmental Health Institute for Scotland, met with the Local Government Association, and attended Employers Forum meetings as a member.

Judith Donovan attended the Bradford Health and Safety Seminar in October and launched the Ready Reckoner amongst other engagements.

Judith Hackitt and John Longworth attended the Engineering Construction Industry Association meeting in December.

John Longworth and Owen Tudor took part in HSE's Revitalising Health and Safety Conference in May and also the Police Federation Conference in March 2003.

Finally, Maureen Rooney took a close interest in major hazards work. Both the Commission and HSE greeted the news of her death in May 2003 with great sadness.

## Commission's Advisory Committees

The Commission's Advisory Committees continue to provide specialist knowledge and advice to the Commission. However, as the world of work changes so should the Commission's view of the world. A review of 'subject' and 'Industry' Advisory Committees led to new administration arrangements for most of the Commission's committees. Industry Advisory Committees underwent review against criteria proposed and agreed by Commissioners and the Commission delegated to the Executive administrative matters such as appointment and reconstitution arrangements. Commissioner Margaret Burns took on a new role as Chairman of the Railways Industry Advisory Committee. At the invitation of the Commission Chair, the Subject Advisory Committees produced horizon scans for the Commission to consider as background to the next Strategy.

# 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.

## **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 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.

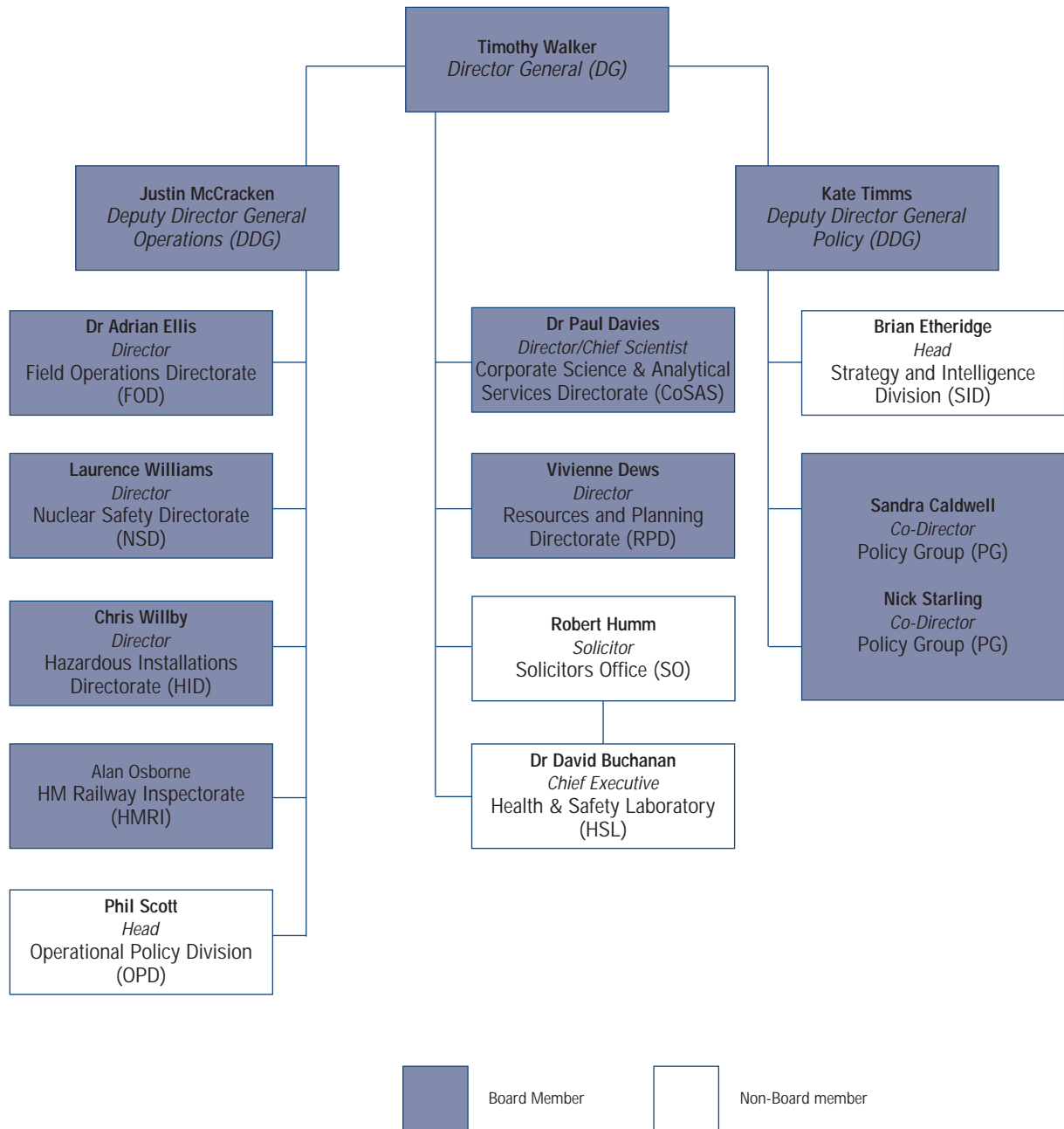
Kate was educated at St Hilda's College, Oxford where she studied politics, philosophy and economics. She was Director General for Agriculture and the Food Industry in the Ministry of Agriculture (MAFF) - now DEFRA (Department of Environment, Food and Rural Affairs) since 1996. Her responsibilities included 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.

# HEALTH AND SAFETY EXECUTIVE STRUCTURE

September 2003



# CHAIR'S FOREWORD

This Report describes what we have achieved against our Business Plan 2002 – 2003. It reports on the work we said we would carry out as our contribution towards achieving the national targets for health and safety set out in the Revitalising Health and Safety Strategy Statement. These targets are shared with Government as part of our Public Service Agreement.

The fall in the number of workplace fatal accidents for 2002/03, published in July, is encouraging. But there is no room for complacency, especially on ill health issues, and we will need to await publication later in the year of more extensive statistics including injuries and work-related ill health before we can make a judgment about overall progress.

## Getting our message across

The wide range of activities undertaken by HSC/E is clear from this Report. But not enough people really understand our approach and how we regulate workplaces. In the coming year, the Commission wants to promote this understanding and I want to begin that process with three clear messages:

*First, people have a right to have their health and safety protected.*

A risk-free society is not something we could, or would wish to, aim for. But in a civilised society, people in offices, shops and factories, using the railways, and pursuing leisure activities have a right to be protected from excessive, unnecessary and preventable risk.

*Second, HSC and HSE work together to protect people from work-related health and safety risks. The Commission works with the Executive to provide guardianship of workplace health and safety.*

*Third, HSC and HSE can succeed only with the support of employers, employees and the public. With 3.7 million enterprises and a workforce of more than 28 million in Great Britain, occupational health and safety cannot be the business of the HSC/E alone. We all have a responsibility to create a health and safety record that leads the world, and not only because it is a legal duty. Good health and safety management also makes good business sense. Employees, trade unions and safety representatives have an important role in this process.*

## A new strategy for 2004 and beyond

These messages reinforce our new strategy. The world of work does not stand still. Consequently, workplace hazards and risks are ever changing. The nation's health and safety strategy must aim to keep pace with such changes. And so since early 2003, in consultation with our stakeholders, we have been developing a new strategy to take the health and safety system to 2010 and beyond. At the time of writing we have done our initial thinking and are consulting on proposals that will continue to position health and safety as a cornerstone of a civilized society. Big questions remain about the future of the health and safety system and tough decisions have to be made about future resource allocation.

## Potters Bar

In May last year, seven people were killed and over 70 injured when a commuter train derailed at Potters Bar. HSC directed HSE, under the auspices of an Investigation Board, to carry out an investigation into the events surrounding the accident. The Board published its final progress report in May this year which included observations and recommendations for improving rail safety. I would like to thank all those involved for the thoroughness of the reports and expect the lessons learnt from this tragedy will result in a safer railway system.

## Working with the Department for Work and Pensions

In July 2002, responsibility for HSC and HSE transferred to the Department for Work and Pensions. In the months since, the Department has taken a very close interest in our work, particularly our contribution to delivery of the national health and safety targets. This interest is welcome. I have already referred to the merits of working in partnership. Together, we are focussing on refining our reporting systems and exploring other means of achieving our delivery targets.

## Commissioner Maureen Rooney

Finally, Commissioner Maureen Rooney passed away on 1 May 2003 after a long illness. Maureen brought to the Commission the qualities which made her an outstanding trade unionist: a deep rooted concern for the health, safety and the working conditions of working people combined with a practical, no nonsense approach on how to improve health and safety on the shop floor. While serving on the Commission she championed the work of HSE dealing with the oil and nuclear industries. Maureen, and all she brought to our organisation, will be sadly missed.

# DIRECTOR GENERAL'S FOREWORD

## Delivery

I am pleased once again to report successes with delivery of our published plans in what again has been a busy and challenging year. While a small number of planned activities had to be postponed to make way for new priority work, and there was some slippage on more long-term or more complicated pieces of work, it was a very good performance in the four main blocks of work.

Priority Programmes: Most planned activities have been delivered and almost all selected milestones delivered. All Programmes have carried out activities over and above published plans with compliance activity particularly successful.

It is never easy to select activities for the spotlight but I am pleased that detailed analysis of HSE statistics and records helped target activity in *falls from height*; strategies have been crystallised in *workplace transport*; *work-related stress* management standards have been developed and are being piloted; a full programme of well-attended *agricultural* safety awareness days was held; the newly established *Construction Division* made major advances in operational techniques and achievements through compliance work and cooperation with intermediaries; stakeholder engagement in the *musculoskeletal disorders* programme is bearing fruit; the National Health Services of England, Wales and Scotland are committed to RHS targets or better, and roadshows carried out in the *Slips and trips* Programme galvanised delegates into action.

Major Hazards: During the year, HSE has been working to develop a target for major hazards. HSE is determined, in co-operation with the major hazards industries, to improve control of the risks; the targets will help everyone to focus on what needs to be achieved. We shall be “shadow running” the target during 2003/04 so that the approach can be tested and I will report more on this next year.

Mandatory Activities: European projects have largely proceeded to plan, with HSE also contributing where other Departments have the lead. HSE played an important part in the transition of Railtrack to Network Rail and the LUL PPP proposals. Significant contributions have been made to the development of the Rail Accident Investigation Branch and the Rail Safety and Standards Board. Good progress has been made to implement the Science and Innovation Strategy and the record on provision of information and advice is excellent.

Revitalising Health and Safety (RHS)/Securing Health Together (SHT): A major and well-attended stakeholder conference was held in May 2002 to encourage top companies to focus on health and safety improvements. The Securing Health Together Programme Action Groups have completed their initial work and produced conclusions. A workshop in November will look at next steps.

Securing Compliance: HSE's new Inspection Report Form was introduced within an exceptionally short timescale. The data collected using the new form will be of great use in evaluating the outcomes of inspection contacts and measuring the change in standards across industry on the HSC priority topics.

*Operational Outputs and Performance Measures:* This was another good year. The final outturn for numbers of regulatory contacts is 10% above profile. We investigated virtually all of the incidents that met our published criteria, although the changing pattern of incidents meant this amounted to 7.9% of the total rather than the predicted 8.2%. We have exceeded our business improvement targets and have reduced the proportion of staff payroll costs devoted to central services to 7% against a target of 8%. However, the final number of safety cases processed is below the expected profile because it has been necessary to return many cases to duty holders for further action. These will be carried over into 2003/04.

*Managing the organisation:* Good progress has been made against many of the 80-odd actions in the second year of a very detailed Management Plan. We have raised the profile of staff health & safety and agreed a stress strategy and an action plan. HSC/E published its Race Equality Scheme setting out challenging targets for the organisation with 21 specific actions to be completed by May 2003. Progress against each for year one is largely complete.

## Other significant work

*HSE's Change Programme:* The Chair has referred to the development of a new health and safety strategy designed to keep pace with a changing world. The development of our Vision, Mission, Aims and Values has played a large part in this. HSE has been looking at how we can best meet the challenges from the new programmes. We must ensure that we are well equipped and effective as an organisation to deliver these. During 2002/03, progress has been significant. We have established a new Policy Group to enable integration of health and safety policy and are continuing to align resource with the strategic policies.

*Investors in People:* Finally, I am very pleased to report that HSE achieved Corporate Investors in People recognition: external recognition that we have clarity in our business objectives and that the training and development of people in HSE is aligned to those business objectives.