HSE Business Plan 2012–15

Our mission: The prevention of death, injury and ill health to those at work and those affected by work activities
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Foreword

Over the course of this business plan, the strategy The Health and Safety of Great Britain: Be part of the solution will continue to be our roadmap to a less bureaucratic and more effective health and safety system. What will change and evolve, however, is how the Health and Safety Executive (HSE) delivers its part of the strategy, and this plan demonstrates how we will turn our aims and objectives into reality over the next three years.

Over the last twelve months we have seen a number of very significant events and reviews which will have far-reaching consequences as much for those actively involved in the work of health and safety, including HSE, as those affected by it.

The most notable events were the publication of the Government’s report Good Health and Safety, Good for Everyone; the several consultations that followed up on recommendations contained in Common Sense, Common Safety; and a recent independent review of health and safety legislation by Professor Löfstedt, published in November 2011. HSE has welcomed all of these reviews and is actively engaged in contributing to the work of the Red Tape Challenge which should reach its final stage for health and safety very shortly.

The recommendations that emerged are sensible and we believe that the strategy is consistent with the proposed reforms flowing from these reports and reviews – namely that all those who are part of the health and safety system must focus on the real risks and play their part to prevent death and serious harm in the workplace, together with the need to make it easier for everyone to understand what is really required. Those who create risks must take responsibility for the risks they create, acting proportionately and focusing on the things that make a difference. If Britain is to continue to be one of the safest and healthiest places to work in the world, HSE cannot do it alone and we should all share and learn lessons from the past and each other.

Taking the financial challenges HSE faces into account, the plan provides an outline of the ambitious, important and challenging activities and actions HSE will take forward to deliver the Government’s reform agenda and our part to improve the health and safety performance of Great Britain. Our specific aims, objectives and key activities are summarised on page 2.

By 2015, if we have played our part successfully, HSE will have:

- drawn the distinction between real health and safety and bureaucracy and ‘over interpretation’;
- made it even easier for people to understand and do what is required;
- devoted a greater proportion of effort where risks are highest and where we can have greatest impact; and
- continued to hold to account those who expose their employees and others to unnecessary risk.

We recognise the challenges we will face in delivering this three year plan, but we believe that in adapting our approach, having a greater focus on and targeting real risk and the things that matter, and not deviating from our core purpose to prevent death, injury and ill health in the workplace, we can and will do our part to improve Great Britain’s health and safety performance.

Judith Hackitt CBE
Chair

Geoffrey Podger
Chief Executive

July 2012
Our mission: The prevention of death, injury and ill health to those at work and those affected by work activities

Our aims:

| A. Lead others to improve health and safety in the workplace |
| B. Provide an effective regulatory framework |
| C. Secure compliance with the law |
| D. Reduce the likelihood of low frequency, high-impact catastrophic incidents |

Our key objectives:

| A.1 Use evidence and knowledge to prioritise our own actions and guide the actions of others |
| B.1 Simplify and consolidate domestic health and safety regulations to make the law easier to understand |
| C.1 Investigate work related accidents, incidents and ill health |
| D.1 Regulate major hazard operators and dutyholders effectively and proportionately |

| A.2 Target and conduct inspections of sectors and activities which give rise to the most serious risks |
| B.2 Negotiate and secure the best possible outcome in Europe for British industry |
| C.2 Take formal enforcement action to prevent harm and secure justice where appropriate |
| D.2 Provide authoritative advice in relation to hazardous substances and land use planning |

| A.3 Provide guidance and support to enable informed workplace health and safety decisions |
| B.3 Act as Competent Authority for biocides, pesticides, detergents and industrial chemicals |

| A.4 Work in partnership to raise awareness and create behavioural change |
| A.5 Demonstrate the benefits of proportionate health and safety |

Our enablers:

- Manage our resources efficiently and effectively
- People
- Finances
- I.T.
- Estates
- Knowledge
A. Lead others to improve health and safety in the workplace

Where improvements in health and safety are necessary and where HSE can make a distinctive contribution, we will work closely with individual companies, industry bodies, stakeholder groups and others to assist in driving forward sector-led improvements to raise awareness of, create behavioural change and ultimately improve health and safety in the workplace.

A.1 Use evidence and knowledge to prioritise our own actions and guide the actions of others

- Maintain a fit-for-purpose and robust evidence base on workplace injuries, work-related ill health, and the causes and consequences of health and safety failings, publishing a suite of health and safety statistics annually in the autumn

- Commission and deliver research and evidence to enhance our knowledge to support identification and delivery of HSE’s current and future priorities including research on:
  - **Asbestos** – report on prediction of mesothelioma risks associated with current asbestos exposures by **June 2014**
  - **Chronic Obstructive Pulmonary Disease (COPD)** – a large scale epidemiological study to establish the principal causes of COPD – estimate of current burden and initial assessment of causes of work related COPD by **March 2013**; with final assessment by **March 2015**
  - **Waste and Recycling** - report on occupational exposures, ill health and effective control procedures to manage risks by **March 2015**
  - **Ageing Onshore Infrastructure** – safety issues related to the working life extension of plant and equipment at onshore major hazard sites – first reports by **March 2013**

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1. HSE’s Summary Science Plan 2012-15 can be found at [http://www.hse.gov.uk/research/policy.htm](http://www.hse.gov.uk/research/policy.htm)
2. 2011/12 – 2014/15 data in Figures 2-27 is based on latest estimates and information and is therefore subject to change.
A.2 Target and conduct inspections of those sectors and activities which give rise to the most serious risks or where risks are least well controlled

- Ensure a more consistent and proportionate approach to inspection and enforcement activity by local authorities by:
  - developing a binding and enforceable code of practice for local authorities which will be consulted on in September 2012, and launched in April 2013
  - working with the Better Regulation Delivery Organisation (BRDO) to assist the development of the Primary Authority Scheme

- Inspect where robust evidence and intelligence indicate health and safety performance is of serious concern and where inspection is the most effective intervention to secure compliance

- Issue licences and undertake 1500 inspections per annum to asbestos licensed contractors and removal operators to provide assurance of the competence of those participating in those activities.

A.3 Provide guidance and support to enable informed workplace health and safety decisions

- Provide concise and straightforward guidance ensuring it is proportionate, fit for purpose and, where possible, provide expertise to enable others to develop, produce and disseminate their own guidance. Examples include:
  - Updating the HSE website in 2012 to distinguish between regulations which impose specific duties and those that define administrative requirements
  - Providing guidance to help businesses understand what is ‘reasonably practicable’ for specific activities in September 2012, with ongoing
arrangements to ensure guidance is kept up to date
- Complete the review of external guidance (excluding Approved Codes of Practice (ACOPs)) by March 2013, with ongoing arrangements to ensure guidance is kept up to date.
- With our Control of Major Accident Hazards (COMAH) Competent Authority partners, assisting industry to publish information on their performance in controlling major accident risks by June 2013.
- With our partners, developing and releasing risk assessments for small and medium-sized enterprises (SMEs) by March 2013.

- Deliver and participate in awareness raising events on key health and safety issues seeking opportunities for cost sharing, focusing on higher risk industries including stone, agriculture, molten metals, welding and construction.

A.4 Work in partnership to raise awareness and create behavioural change

- Assess our partnership and joint working arrangements, supporting those that are succeeding to become self-sustaining groups, and reducing or ultimately ceasing our involvement with less successful initiatives and those which have run their course including:
- Replacing the Printing Industry Advisory Committee with an industry-led printing health and safety committee by March 2013.
- Establishing an industry-led logistics sector forum by March 2013.
- Establishing an industry-led group in the chemical manufacturing sector to develop approaches to tackle high rates of occupational diseases with an approach agreed by March 2013
- Supporting the Waste Industry Safety and Health Forum to improve its effectiveness by holding a summit with key stakeholders, including major waste and recycling companies in March 2013

- Monitor the delivery of the Gas Safe Register, and Gas Safe Advice Line and work with them to raise awareness of gas safety and carbon monoxide risks
- Undertake tailored partnership marketing in higher risk sectors, including agriculture, with trusted partners

### A.5 Demonstrate the benefits of proportionate health and safety

- Run the Independent Regulatory Challenge Panel\(^3\) enabling businesses to challenge specific health and safety regulatory advice they believe to be unreasonable
- Launch and chair the Mythbusters Panel\(^4\) in April 2012 for those who wish to challenge claims made about health and safety requirements by non-regulators
- Discourage unnecessary risk-averse behaviour, seeking to remove the perception that health and safety prevents efficient and effective working practices
- Liaise with national and regional media to focus on the core aims of health and safety, rebutting and correcting trivial or ill-informed criticism

Figure 8  Press releases issued

<table>
<thead>
<tr>
<th>Year</th>
<th>2009/10</th>
<th>2010/11</th>
<th>2011/12</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009/10</td>
<td>521</td>
<td>699</td>
<td></td>
</tr>
<tr>
<td>2010/11</td>
<td>699</td>
<td>500</td>
<td></td>
</tr>
</tbody>
</table>

\(^3\) [http://www.hse.gov.uk/contact/challenge-panel.htm](http://www.hse.gov.uk/contact/challenge-panel.htm)

\(^4\) [http://www.hse.gov.uk/contact/myth-busting.htm](http://www.hse.gov.uk/contact/myth-busting.htm)
B. Provide an effective regulatory framework

HSE will take forward the recommendations arising from the independent review *Reclaiming health and safety for all: An independent review of health and safety legislation* (November 2011). This will be a significant piece of work which will help to simplify and streamline the regulatory framework, make the legislation easier to understand with the consequence that compliance levels should increase. We will also continue to negotiate and secure the best possible outcome for British industry within Europe to minimise the burden on business and maintain protection for workers.

B.1 Simplify and consolidate domestic health and safety regulations to make the law easier to understand

- Amend, clarify and where appropriate revoke unnecessary existing health and safety legislation and consolidate health and safety regulations in specific sectors by:
  - Revoking a first batch of legislative measures by **October 2012** and a further batch by the end of **April 2013** subject to the appropriate approvals
  - Completing a consultation on the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) by **November 2012**, amending it and associated guidance to provide clarity for businesses on how to comply with the requirements by **October 2013**
  - Consolidating sectoral regulations (mining, genetically modified organisms (GMO), petroleum, biocides and explosives) by **December 2014**
  - Consult on whether to extend the scope of the current Adventure Activities Licensing Regulations to all adventure activities or to remove them altogether, in relation to England only, by **April 2013**

- Review HSE’s ACOPs\(^5\) to ensure they remain relevant, provide clarity on what the law requires and are suitably presented by:
  - Completing an initial review and launching a consultation on proposals for the revision, consolidation, withdrawal or otherwise for 32 ACOPs in **June 2012**
  - consulting on revised ACOPs by **May 2013**
  - publishing revised ACOPs by **November 2013**

- Exempt from health and safety law those self-employed, whose activities represent no potential risk of harm to others by:

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\(^5\) excluding those ACOPs associated with regulations within scope of the Löfstedt recommendation for sector specific consolidation or any other regulations to be otherwise amended – ACOPs relating to mines, petroleum, explosives and offshore oil and gas will be reviewed in parallel with the review of sectoral regulations by **December 2014**.
B.2 Negotiate and secure the best possible outcome in Europe for British industry

- Contribute to the EC’s review of EU health and safety law by providing the UK’s report on the practical implementation of EU law to the Commission by December 2013

- Represent the UK Government’s interests in EU institutions, including the Advisory Committee for Safety and Health at Work and the Governing Board of the European Agency for Safety and Health at Work

- Participate in EU Competent Authority business in relation to biocides, pesticides, detergents and industrial chemicals

- Lead the negotiations on a number of Directives and EU Regulations, transpose Directives into UK law and give legal effect to EU Regulations including:
  - Transpose the 2010 Directive on Implementing the Agreement on Sharps Injuries in the Hospital and Healthcare sector by May 2013
  - With the Department for Energy and Climate Change (DECC), complete the initial UK negotiations on the proposal for a European Offshore Oil and Gas Regulation by April 2013
  - Submit a Transposition Project Plan to the Reducing Regulation Committee within 2 weeks of publication of the Seveso III Directive and transposing the Directive into law by May 2015

<table>
<thead>
<tr>
<th>Year</th>
<th>Directives</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/12</td>
<td>39</td>
</tr>
<tr>
<td>2012/13</td>
<td>26</td>
</tr>
<tr>
<td>2013/14</td>
<td>12</td>
</tr>
<tr>
<td>2014/15</td>
<td>10</td>
</tr>
</tbody>
</table>

Figure 10: Directives to be reviewed as part of EC review of health and safety law

Figure 11: Number of EU Directives and Regulations HSE will negotiate on behalf of Government

To note - the Commission has an annual work programme. Future years’ activity is therefore not yet fully determined.
- Complete the negotiations on EU Biocides Regulation and the recast Prior Informed Consent (PIC) Regulation by July 2012
- Complete on behalf of the UK, negotiations on the amended Electromagnetic Fields Directive by October 2013

B.3 Act as Competent Authority for biocides, pesticides, detergents and industrial chemicals

- Evaluate new and existing active substances for biocides and pesticides
- Evaluate industrial chemical substances
- Consider applications for product authorisation
- Process all Prior Informed Consent notifications within the relevant timescales

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6 In addition to its contribution to occupational health and safety, HSE delivers operational policy and operation of regulatory schemes for pesticides, biocides and general chemicals regulations, much of which is led by Defra which includes consideration of the health of workers, consumers, the general public and the effects on the environment.

7 The Prior Informed Consent procedure allows countries that are importing certain dangerous chemicals to specify conditions that the imported chemicals must meet.
C. Secure compliance with the law

Investigating complaints and incidents is an important lever for improving health and safety standards. It enables HSE to determine causes, share lessons and ensure that necessary measures are in place to prevent recurrence. Investigation also provides the basis for enforcement action to secure justice for people seriously harmed by those who behave in a reckless way or where there has been a serious breach of duty.

C.1 Investigate work related accidents, incidents and ill health

- Follow-up complaints meeting HSE’s risk-based criteria within agreed timescales
- Investigate incidents that meet HSE’s incident selection criteria
- Seek to complete fatal incident investigations within 12 months of HSE assuming primacy

Figure 15 Number of complaints meeting HSE risk based criteria followed up 2009/10-2011/12

Figure 16 Number of RIDDOR incidents investigated by HSE 2009/10-2011/12

Figure 17 RIDDOR fatal investigations completed within 12 months of HSE having primacy

HSE will be recording primacy date from 12/13 onwards. Figure 17 indicates intended progress towards the Lofstedt recommendation
C.2 Take formal enforcement action to prevent harm and secure justice where appropriate

- When appropriate, take enforcement action in line with HSE’s Enforcement Policy Statement and Enforcement Management Model
- Prosecute where there has been a serious breach of the law

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8 In Scotland, HSE and local authorities investigate potential offences but cannot institute legal proceedings. HSE and local authorities send a report to the Crown Office and Procurator Fiscal Service (COPFS). COPFS makes the final decision whether to instigate legal proceedings and which offences are taken.
D. Reduce the likelihood of low-frequency, high-impact catastrophic incidents

Great Britain has a number of highly specialised industries which provide essential products and services and are strategically important to the country’s economy and social infrastructure, but which can potentially cause serious harm to their workers, the environment and the public if not properly managed.

A relatively small failure of their health and safety regimes could have catastrophic consequences (hence these industries are often referred to as major hazard industries). HSE’s programme of work will seek to secure the systematic management of hazardous activities, and provide public assurance that health and safety risks within those industries are effectively managed to reduce the likelihood of low frequency, high impact incidents.

D.1 Regulate major hazard operators and dutyholders effectively and proportionately

- Assess dutyholder submissions (safety cases and safety reports) against agreed standards to ensure the new or continued safe operation of major hazard installations
- Grant and authorise applications, derogations, licences, approvals and notifications including explosives classifications, explosive site licences, Genetically Modified Organisms (Contained Use) notifications, Control of Substances Hazardous to Health (COSHH) notifications of the use of biological agents in accordance with statutory requirements and deadlines
- Deliver agreed intervention plans and inspections at major hazard sites\(^9\), including compliance and cornerstone licence condition inspections at nuclear sites
- Inspect sub COMAH sites\(^10\) which present a significant risk because of the dangerous substances that they handle
- Undertake the Offshore Ageing and Life Extension Programme (KP4)\(^11\) to ensure dutyholders can demonstrate that suitable measures are in place to address ageing and life extension in their asset integrity management systems to ensure associated risks are controlled and safety is ensured at all times – interim report in January 2013

Figure 22  Number of Safety Cases/Reports to be assessed

<table>
<thead>
<tr>
<th>Year</th>
<th>Onshore</th>
<th>Offshore</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/12</td>
<td>69</td>
<td>108</td>
</tr>
<tr>
<td>2012/13</td>
<td>70</td>
<td>100</td>
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<tr>
<td>2013/14</td>
<td>72</td>
<td>100</td>
</tr>
<tr>
<td>2014/15</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

Figure 23  Volume of applications to be processed

<table>
<thead>
<tr>
<th>Year</th>
<th>Explosives classifications</th>
<th>GM notifications</th>
<th>Explosives licences</th>
<th>COSHH notifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/12</td>
<td>43</td>
<td>143</td>
<td>302</td>
<td>302</td>
</tr>
<tr>
<td>2012/13</td>
<td>50</td>
<td>150</td>
<td>300</td>
<td>300</td>
</tr>
<tr>
<td>2013/14</td>
<td>50</td>
<td>150</td>
<td>300</td>
<td>300</td>
</tr>
<tr>
<td>2014/15</td>
<td>50</td>
<td>150</td>
<td>300</td>
<td>300</td>
</tr>
</tbody>
</table>

9 Includes nuclear installations, Control of Major Accident Hazard (COMAH) sites, offshore installations, major accident hazard pipeline operators, gas distribution networks, explosive manufacturing and storage sites, mines, and biological agent facilities.

10 Sub-COMAH sites are defined as sites falling below COMAH thresholds quantities with inventories of dangerous substances and where the worst foreseeable event would be comparable to that at a COMAH site.

11 Further detail of the programme can be found at: http://www.hse.gov.uk/offshore/ageing/kp4-programme.htm
Complete assessments to allow clearance of Generic Design Assessment (GDA) issues, including any associated within the report findings on the Fukushima nuclear accident, and be in a position to consider issuing final Design Acceptance confirmations.

Ensure compliance with Site Security Plans and National Security Vetting procedures within the civil nuclear industry.

Work with DECC to ensure that the recommendations arising from Offshore Oil and Gas in the UK – An Independent Review of the Regulatory Regime, published in December 2011 are progressed including providing input into DECC’s response to the Energy Minister by July 2012.

* For 2012-15 other includes: 26 producing mines, 50 non COMAH explosives sites, 160 sub and non COMAH chemical manufacturing sites, 20 major gas networks, 79 onshore and offshore pipeline operators, and 70-90 biological agent sites.

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D.2 Provide authoritative advice in relation to hazardous substance consents and land use planning

- Provide advice on complex planning applications within the non-determination periods in line with Government’s expectations for responding to applications.
- Process “hazardous substance consent” applications within agreed timescales in line with Government’s expectations for responding to applications.

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Figure 26  Number of planning applications HSE expects to advise on by complexity\(^{13}\)

<table>
<thead>
<tr>
<th>Year</th>
<th>Basic</th>
<th>Medium</th>
<th>Complex</th>
<th>Nationally Significant Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/12</td>
<td>140</td>
<td>280</td>
<td>520</td>
<td>40</td>
</tr>
<tr>
<td>2012/13</td>
<td>130</td>
<td>270</td>
<td>500</td>
<td>40</td>
</tr>
<tr>
<td>2013/14</td>
<td>130</td>
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</tr>
<tr>
<td>2014/15</td>
<td>130</td>
<td>300</td>
<td>500</td>
<td>40</td>
</tr>
</tbody>
</table>

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Figure 27  Number of Substance Consent Applications to be processed

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/12</td>
<td>113</td>
</tr>
<tr>
<td>2012/13</td>
<td>130</td>
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<tr>
<td>2013/14</td>
<td>130</td>
</tr>
<tr>
<td>2014/15</td>
<td>130</td>
</tr>
</tbody>
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\(^{13}\) Basic advice cases are dealt with by the Land Use Planning National Support Centre; medium cases require further advice to be provided; and complex cases also require risk assessments to be undertaken.
How we will use our resources

HSE’s agreed financial strategy includes:

- the extension of cost recovery (Fee for Intervention);
- exhausting all non-staff cost savings;
- cutting back office functions (including a move to DWP Shared Services for HR, finance and procurement functions);
- migrating to commoditised government framework contracts as they become available for all goods and services (e.g. IS/IT);
- reducing accommodation costs by moving to smaller premises through the Government Property Service or closing offices; and
- further managing down of staff numbers.

HSE’s financial settlement for the Spending Review (SR10) period is as indicated in Figure 28.

Our funding and where it comes from

HSE currently recovers approximately 40% of its costs through income mainly in the major hazard sector (e.g. nuclear, offshore, chemicals) and the remainder is funded from Grant-in-Aid and fee for intervention (FFI).
How we plan to use our funding

HSE’s expenditure is predominantly related to staff costs and staff-related expenses (e.g. accommodation, IS/IT, travel) as indicated in Figure 30. HSE is seeking to minimise the impact of its budget reductions on frontline programmes and has challenging efficiency and economy measures in all categories of spend across the SR10 period. These saving measures include the following real terms savings:

- reduce the cost of accommodation by 22% - includes reducing the space we occupy by 14,500 m² (25%);
- reduce staff travel costs by 20% through smarter travel, restrictions on non-essential travel, use of video conferencing etc;
- reduce IS/IT costs by 26% in real terms across the SR period including savings through the re-tender of the desktop and IT services contract;
- training and conference spend reduced by 30% whilst maintaining technical training and continuing professional development;
- external science spend to be reduced by nearly 40%;
- information and communications expenditure reduced by 50% through the successful implementation of HSE’s Future Access to Services project and reduced campaign/publicity activity.

In addition HSE will:

- redesign corporate services; including transferring human resources, finance and procurement transactional services to a shared service provider from April 2013;
- prepare to implement the Government’s intention to change the Office for Nuclear Regulation’s status from an in-house agency of HSE to a statutory corporation;
- exploit technology to allow staff to work more effectively outside of the office, improving productivity and flexibility;
- streamline and simplify operational processes to improve delivery and performance;
- seek to derive more of our income from non-Government sources
  - from October 2012, recover all of the costs HSE incurs arising from interventions where a material breach of the law which warrants remedial action is identified;
- develop and seek to implement a joint HSE/Health and Safety Laboratory approach to identify and take commercial opportunities from governments and public bodies outside the UK where they are willing to pay for our intellectual property and the combined expertise in its practical and proportionate application;
- take forward proposals to extend cost recovery to HSE’s land use planning advisory functions; and
- implement the strategy to enable HSL to deliver growth in external revenues and sustained profitability, while maintaining the quality and responsiveness of its service delivery to HSE.

Deployment of our staff

Figure 31 shows current staffing mix and the darker segments indicate the functions which will be either fully or partly cost recovered based on current plans.

Figure 31. Current staff mix

- Health and Safety Laboratory 10.7%
- Office for Nuclear Regulation 13.0%
- Hazards Installations 15.7%
- Chemical Regulation 6.5%
- Field Operations 33.6%
- Operational Strategy 3.2%
- Cross Cutting Interventions 3.5%
- Legal Advisor’s Office 0.5%
- Science, Engineering and Analysis 4.3%
- Corporate Services 9.0%