

Partnership on Health And Safety in Scotland

Minutes of the steering committee held on 12th August 2009 at HSE's Glasgow Office

In attendance:

Danny Carrigan	PHASS Chair (HSE Board member)
Paul Stollard,	HSE Director, Scotland
Ian Whewell	HSE Director, Offshore Division
Steve Bell	SCHWL, Director
Robert Atkinson	SCHWL Development Manager
Gena Falconer	Aberdeen City Council,
David Evans	SoCOEH
Steve Ryan	Scottish Hazards
Ian Tasker	STUC Assistant Secretary
Harry Frew	STUC and UCATT
Stephen Merchant	Health and Safety in Voluntary Sector Scotland
Alan Crawford	Scottish Government, Senior Occupational H&S Advisor
Sarah Jones	HSE, Director's Office, Scotland
Norma Naismith	HSE, Partnership Team, Scotland
Dawn Holroyd	COI

Apologies:

Rory Mackail	Federation of Small Businesses
Kathy Jenkins	Scottish Hazards
James Hynd	Scottish Government, Corporate Facilities Management
Roddy Duncan	Scottish Government - Public Health and Well-being Division
Russel Griggs	CBI Scotland
Karen McDonnell	POOSH Scotland
Fiona Smith	STUC & UNISON
Carol Boyd	South Ayrshire

Welcome and introductions

1. Danny Carrigan welcomed everyone to meeting and introduced: Ian Whewell HSE Director Offshore Division, Stephen Merchant, a new member of PHASS representing voluntary sector organisations in Scotland, Steve Ryan deputising for Kathy Jenkins, Gena Falconer deputising for Carol Boyd, Dawn Holroyd, COI and Norma Naismith, HSE Secretariat.

Minutes of the meeting on 20 March 2009

2. These had been agreed and published on the Partnership section of HSE's Scotland website.

Matters Arising

Establishing a clearer working relationship between HSE and SCHWL (PHASS 13/02)

3. Sarah and Robert outlined the work since the last meeting to clarify the relationship and maximise the value of both organisations. They advised of a communications pack that will be circulated to all HSE staff explaining of the work of HWL advisers. Robert reported that the pack would refer to the HWL award schemes

and would give details of standards expected. He advised that the pack is just one step in raising the profile. There would be an equivalent pack explaining HSE's operational role for HWL staff. The packs would aim to improve mutual understanding and set out the practical arrangements for working to support each other. It was hoped to present a case study illustrating ways of working at the December PHASS meeting.

Year 2 EU campaign project: De-mystifying risk assessment in the voluntary sector

4. Ian advised members of the project being developed by STUC, HWL and HSE. He reported that previous workshops had shown voluntary sector organisations welcomed help in this area and were willing to engage in the process. The project now entitled 'De-mystifying risk assessment' would kick off with a main event held in Glasgow which would aim to give practical advice to voluntary sector organisations on risk assessment focussing in particular on those working in home care setting. This would be followed by a series of four regional events in order to reach a wider area in Scotland. Funding was available for the main event from EU campaign; the remaining events will be funded by STUC and HWL.

'Health Risks at Work – Do you know yours?'

5. Robert gave the background to this initiative that had evolved from a series of small business-to-business events. Evaluation had shown a need for information on occupational health at work to be available for SMEs in plain English. A working group from HSE, HWL, ROSPA and SCOS was formed to look at how to achieve this, decide on target audience and propose the best delivery route.

6. As a result a package had been developed consisting of a DVD and accompanying short guidance intended to be used as rapid reference cards. The DVD which is divided into 6 sections would cover 5 key areas of occupational health risks and a section on where to get extra support. Users would be able to select the appropriate section of the DVD relevant to the risks in their own workplace.

7. The package would be delivered to SME's using the 'pass it on model' where a number of key organisations and health and safety professionals would sign up as 'champions' to deliver the package, explain how to use it and promote the benefits to users who could then pass it on down their supply chains.

8. The package will be launched on the 4th September 2009 at Hampden Park where it is hoped that all organisations attending will sign up to become 'delivery champions'.

9. Danny welcomed the initiative and noted that if it is a success could be rolled out in England and Wales.

10. Sarah asked members of PHASS who had not yet received invitations to get in touch if they wanted to attend.

Health and Safety in the offshore industry

11. Ian Whewell gave members an informative presentation on the current issues affecting the offshore industry. He advised that the North Sea is one of the most challenging and hostile working environments for oil and gas extraction in the world, and

the oil companies and related contractors are primarily based in Aberdeen. The industry currently employs around 26,000 offshore workers.

12. The maturing and ageing nature of offshore installations present particular and increasing challenges to the delivery of high standards of health and safety. Key concerns for OSD as the offshore regulator include:

- Low oil price and liquidity problems are beginning to impact and the industry must ensure that this does not affect its focus on addressing health and safety issues.
- Condition of the infrastructure – many of the offshore installations are ageing and past their design date
- Loss/shortage of skills within a maturing workforce (for industry and HSE's Offshore Division (OSD)).
- Ownership – on some offshore installations major companies who have build up expertise over many years are being replaced with small specialist companies with different business models such as contracting out management and operations, and with complex financial and ownership arrangements
- The introduction of new designs or novel technology to cope with the greater technical challenges of maturing oil/gas basins or deeper and more inaccessible fields.
- Decommissioning or changes of use of offshore installations,
- The growth of emerging energy technologies offshore, such as carbon capture and storage, offshore wind farms etc.

13. OSD is currently focussing on four critical areas of concern where improvements were necessary within the industry. These areas strongly align with the HSE strategy:

Leadership: Leadership is a key issue for all UK's major hazard industries. HSE's objective is to see industry leaders demonstrate their commitment to health and safety and ensure the effective management and understanding of major accident risks and their control.

Asset Integrity: Assets include structure, process plant and connected wells and pipelines. HSE's emphasis on the major hazard potential risks associated with poor asset integrity will continue for the foreseeable future. With the increasing ageing of the UKCS offshore infrastructure and the economic downturn improvements are needed to address the installation integrity problems and these must remain high on the industry's agenda. HSE's objective is to see that assets have integrity through meeting design performance standards for effective control of risks. Management systems should effectively support those standards.

Competence: The very high level of activity worldwide of the oil/gas industry places great strains on companies that already have to cope with an ageing offshore industry population on the UKCS. HSE's objective is to see effective competence assurance and the real-time management of competent workforces.

Safety Culture: Safety culture (which includes effective workforce involvement) remains at the heart of effective management of all risks offshore, including major accident

hazard risks. HSE's objective is to see individual and corporate culture that ensures the right things are done, at the right time, all the time. The company and individuals all try to do the right thing and are actively involved in improving health and safety.

14. Harry stated that he was aware that the oil industry did make a handsome profit and asked if it would be feasible for the government to introduce a maintenance tax.

15. Ian advised that for HSE there was no argument: if installations are still in use, they must be maintained and fit for purpose; any proposal for additional taxation was outwith HSE's remit. He advised that companies had invested 4 billion in the last 5 years on infrastructure.

16. Danny advised that there is ongoing debate between Treasury and industry about taxation and how much investment there should be, however, HSE's views are based on health and safety issues regardless of tax or profitability.

17. Ian (Tasker) said that although considerable funds had been invested there were still horror stories of installations where handrails were missing and valves rusted.

18. Harry highlighted the problem of the NRB (not required back) policy whereby oil companies ordered individuals off site even where they worked for contractors. This was perceived to be a barrier to worker involvement in health and safety and to workers raising their concerns. Ian agreed and said that HSE was on record as expressing concerns about the effect of the policy on genuine worker involvement. Danny advised that the problem for contractual workforce, with 80% of workforce working for contractors and not the oil companies themselves, was that there was therefore no recourse to an Employment Tribunal where NRB decisions may have been unfair. He reported that tribunals had thrown out disputes in the past as not being between employer and employee contracts.

19. Ian advised that more recently the industry and trade unions had agreed to negotiate changes to the use of the NRB policy to introduce safeguards to its wrongful use in cases where genuine health and safety concerns may have triggered a reaction. This was to be welcomed. If HSE finds that someone has been disciplined for safety reasons – and if requested - they would take it up with the oil company.

“Step change”

20. Sarah said that the Step change model for joint safety improvement, which is funded by the industry, could be a useful approach for other industries. She asked if HSE acted on behalf of other regulators offshore.

21. Ian advised that HSE was the sole regulator offshore and therefore took responsibility, for example, for food hygiene matters, employing a specialist Environmental Health Officer.

22. Danny asked about the particular health issues arising from the ageing workforce. Ian advised that in a most recent survey it suggested that the average age was coming down. The industry is aware of this and is investing in new training facilities.

24. Gena advised that having worked offshore herself she was aware that there were strict medical assessments for working on offshore installations and that the workforce had access to onsite medical support.

HSE Scotland Director's report (PHASS/14/02)

25. Paul presented his report which reflected the variety of work undertaken by HSE over the past five months. He highlighted a number of items:

- SHADs (Safety and Health Awareness Days) and their useful purpose where industry representatives can see practical demonstrations and get hands on experience of specific issues. He invited members to get in touch if they would like to attend a SHAD to see them in operation. HSE would provide details.
- The benchmarking project – this had been a huge undertaking across the whole of GB looking at the standard of health and safety with a random selection of duty holders. In Scotland there had been approximately 200 duty holders inspected. The information gathered on standards of compliance was now with statisticians for assessment and would inform a revised rating system.
- *Clostridium difficile* – HSE had been asked by the Procurator Fiscal to investigate the outbreak at the Vale of Leven Hospital last autumn and to submit a report to the COPFS. Cabinet Secretary for Health, Nicola Sturgeon MSP has since announced a public inquiry; its terms of reference are still to be set.
- Complaints to HSE about individual duty-holders – after field trials it had been decided to centralise complaints handling in single regional teams. This was to support concentration on risk- assessing their priority and to identify those which required investigation within 24 hours; others which required less urgent follow up; and those which HSE would not follow up as they did not represent significant risk of injury or ill health. Initial experience of this new approach to managing the significant number of complaints was encouraging.
- ICL Plastics explosion – Paul referred to the Inquiry Report and HSE's press release. A [summary of the report was available on the inquiry website](#). He advised of the programme to replace metallic pipework that HSE was conducting jointly with the industry-body UKLPG.
- The Calman Commission had reported - it had not recommended changing the reserved status of health and safety or HSE but proposed developing a closer relationship between HSE and the Scottish Parliament. This was being considered as part of the UK Government's overall response.
- A Scottish Parliamentary reception would be held at Holyrood on 22nd Sept 2009 – PHASS members should keep the date free as they will be invited to attend.

27 David raised a question regarding renewable energy industries and asked if there had been any discussions at HSE Board or Scottish Government level regarding the training of staff.

28. Danny said not explicitly but the Board had been engrossed in discussions about the structure of managing nuclear safety and the relationship with the Board. A new Board member would be appointed with specific responsibility for nuclear safety.

29. Paul advised that HSE in Scotland had been heavily involved in interventions regarding the safety of onshore wind turbines. Ian reported that HSE had set up a major project looking at the safety implications of [emerging energy technologies](#) including for

example carbon capture – to decide on a strategy and what resources were needed to deal with it.

30. Harry referred to the references in Paul's report to asbestos contractors not carrying out proper procedures. He advised that the trade unions had commissioned a report on asbestos in social housing. He welcomed HSE raising the profile of the dangers of asbestos through its campaigns.

31. Paul advised of the recent campaign to make general joiners and carpenters aware of the risks. This would be repeated in the autumn. He proposed a discussion on asbestos and legacy issues for the next PHASS meeting.

Action: Greg Haywood, Head of HSE's Asbestos Licensing Unit to be invited to attend the next PHASS meeting

HSE Board Update

32. Danny reported that the Board will tour the London Olympic site and discuss occupational health and migrant labour issues. Lessons were applicable to the Commonwealth Games developments in Glasgow. The Calman Commission had commended evidence given by Judith Hackett, Geoffrey Podger and Paul Stollard. The outcome was welcomed by HSE.

33. Rita Donnaghy had published her report on construction industry "One death too many". HSE's role had in the main been commended. The report showed improvements in construction safety over the past few years although there was disappointment that HSE had missed targets for ill health. The Department for Business, Innovation and Skills would respond for the Government. There were implications for HSE and regulation. The Work and Pensions committee had supported the recommendations in the report. Harry reported that the Press comments made by the Construction Confederation were unhelpful.

34. The latest fatal injury figures for 2008/09 had been released earlier than usual. The total for the UK was 180 - the lowest ever on record for GB. The Scotland figure was down from 32 to 26 this year but there was no verified detail yet on industries or causes. Sarah advised that the figure for Scotland tended to fluctuate year on year and the long term trend was important. More detailed injury statistics would be available later in the year.

35. Danny reported the Board's debate on the proposal for a register of tower cranes – in response to several major incidents. This had been agreed in principle and would go out to consultation.

36. 800 organisations had signed up to 'make the pledge' since the launch of the HSE strategy in June.

37. The HSE website had recently been revamped.

38. The changeover from Corgi to GasSafe had taken place without major problems.

RoSPA project on worker involvement in non-unionised workplaces

39. HSE had provided funding for RoSPA to undertake a major project looking at developing suitable models for improving worker involvement in non unionised workplaces. This would be an 18 month project with RoSPA acting as a sub contractor.

Sarah suggested that Karen McDonnell be asked to give a report on this project to next meeting.

Action: Karen to be invited to provide an update at the next meeting

Any other business

40. Robert referred [to IOSH 2010](#), which would be held on 24 – 25 March at the SECC in Glasgow. He had approached IOSH marketing to request space for a Scottish theme as this would be an ideal opportunity to engage with Scottish practitioners. A range of options could be considered for the event. Robert asked members for ideas and/or if they would like to get involved to contact him.

Action: PHASS members to contact Robert with ideas for IOSH 2010

41. Steve Ryan informed PHASS that Scottish Hazards were running a free event on occupational road risk on 10th Sept at the STUC, Glasgow.

Date of next meeting

42. The next meeting would be held on 9th December at St Andrew's House, Edinburgh to include a joint session with the Healthy Working Lives National Advisory and Advocacy Group.