

Health and Safety Executive			HSE/23/A06
Meeting date	26-Jun-23	FOI Status	Open
CM9 Ref	2023/119228		
HSE Board Meeting 26 June 2023 DoubleTree by Hilton 92 Southampton Row London WC1B 4BH			

PRIVATE SESSION

23 June via Teams 10:00-11:00 Board Forward Look HSE/23/FL

GOVERNANCE

Presenter
Chair

- 13:00** 1 Welcome and apologies
 Declarations of interest
 Minutes of meeting 31 May 2023 HSE/23/M05
 Action Log HSE/23/AL
 Matters arising
 Chair's update Verbal

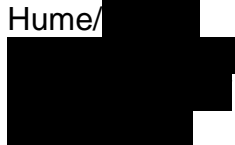
ASSURANCE

- 13:20** 2 Chief Executive's Report - to include verbal updates on Creosote Expiry Date; Occupational Safety and Health Stakeholder Alliance; Covid Inquiry HSE/23/28 Sarah Albon, Rick Brunt, Andrew Curran, Michael Jennings

- 14:00** 3 Business Performance - May 2023 HSE/23/29 David Murray

- 14:30** 4 Public Bodies Review – Draft Action Plan HSE/23/30 Sarah Albon

THEMED BRIEFING

- 15:00** 5 Culture and Inclusion/Change Management Presentation Clare Millington-Hume/


DISCUSSION

- 15:45** 6 Update and questions regarding stakeholder event (see separate event briefing pack) Discussion Sarah Newton

- 15:55** 7 AOB/Meeting Review

16:00

Meeting ends

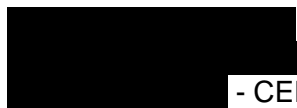

Health and Safety Executive Board			HSE/23/M06
Meeting Date:	25 July 2023	FoI Status	Open
FoI Exemptions	None		
CM9 Reference:	2023/129622		
Minutes of HSE Board Meeting 26 June 2023 London			

Attending

Sarah Newton – Chair	Chyrel Brown	David Coats	Martin Esom
Debbie Gillatt	Susan Johnson	Ged Nichols	Gina Radford
John McDermid			

Also attending

Sarah Albon – Chief Executive	James Anderson – Chief Technology Officer	Philip White – Director, Building Safety	Rick Brunt – Director, Engagement and Policy
Michael Jennings – Director, Legal Services	Clare Millington-Hume – Director, Human Resources	David Murray – Director, Finance and Corporate Services	Angela Storey – Director, Operational Services
Jane Lassey – Director, Regulation			

 - CEPS	Penny Higgins (DWP) - observing	 – item 5
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Apologies: Ken Robertson, Claire Sullivan, Angela Storey

Minutes Dawn Hepworth

Closed Meeting	
1	Welcome and Declarations of Interest
	<p>Sarah Newton welcomed everyone to the meeting, in particular Penny Higgins from DWP’s Partnership Team.</p> <p>Apologies were received from Ken Robertson, Claire Sullivan and Angela Storey.</p> <p>The Chair reminded the Board of the importance of keeping the register of interests up to date and that any changes should be reported to the Secretariat.</p> <p>Draft minutes of meeting 31 May 2023 (HSE/23/M05), matters arising and actions (HSE/23/AL)</p> <p>The minutes of the previous meeting were cleared.</p> <p>The action log was noted. The Board welcomed the further information on HSE’s leading role in exploring the use of drones for spraying pesticides.</p>

	<p>The Board was also updated on the process for establishing of the Building Safety Regulator Assurance Committee.</p> <p>There were no other Matters arising.</p>
Decision	Minutes of previous meeting cleared.
2	Chief Executive's Report (HSE/23/28)
	<p>In addition to her written report, Sarah Albon updated the Board on current issues including the process for the appointment of the new Chief Inspector of Buildings.</p> <p>Rick Brunt provided updates on the several policy areas, including a specific biocide/pesticide approval extension, engagement with stakeholders in the Occupational Safety and Health space and HSE's work for the Covid 19 Inquiry.</p> <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> 1. That, at both strategic and official level, there was well-established and ongoing engagement with a broad range of stakeholders. 2. The process for gathering evidence and ring-fenced internal resources available for the Covid 19 Inquiry. 3. The positive media coverage of HSE's work, for example in bringing successful prosecutions and explaining regulatory decisions in relation to Chemical Regulation. 4. An upcoming prosecution in Scotland.
3	Business performance (HSE/23/29)
	<p>David Murray presented the Performance Report for May 2022/23, providing details of the Business performance:</p> <ul style="list-style-type: none"> • areas of strong performance against Business Plan milestones, including: enforcement expectations in high risk areas; pesticides and biocides evaluations; gas competency checks; non-fatal investigations; data indicating that the rolling 12-month performance against the timeliness of investigation closures and the rate of enforcement on investigations proceeding beyond review stage; major hazard activities; major hazard safety cases/reports assessed within agreed timescales; average working days lost (AWDL); and all business plan deliverables are indicating on track. • areas of focus including: proactive inspection; fatal investigations completed within 12 months of primacy. • HSE's financial position, contributory factors, action being taken and engagement with DWP. <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> 1. Measures put in place to oversee delivery of pro-active inspections. 2. Activity to encourage compliance with new registration requirements for High Risk Buildings. 3. Delivery of HSE's programme for Retained EU Law. 4. The success of recent recruitment campaigns, acknowledging that some challenges remained in some specialist areas where there was a competitive market. 5. How inflationary factors were being managed.
Decision	The Board noted the performance report.
4	Public Bodies Review – Draft Action Plan (HSE/23/30)
	<p>Sarah Albon presented this item inviting the Board to agree the action plan for taking forward the Review's recommendations.</p> <p>The Board sought and received assurance on the following:</p>

	<ol style="list-style-type: none"> 1. The opportunities in relation to HSE’s Science and Research Centre and how the Board would be engaged in developing a proposals. 2. A recognition that delivering some of the recommendations would require multi-year business planning and that there were interdependencies between some recommendations. 3. The approach to the task of reviewing HSE’s website, acknowledging that accessibility standards were being met. 4. The extent of stakeholder engagement across the organisation and how a more strategic approach would add value to delivering the Strategy. 5. How delivery would be overseen and reported to the Board and DWP, with further assurance being provided by the Finance and Performance Committee.
Decision	The Action plan was agreed by the Board.
Action 1	Engage with the Board once proposals in respect of the Buxton site were developed.
5	Culture and Inclusion and Change Management - presentation
	<p>████████████████████ delivered a presentation which described the range of activity being undertaken to deliver HSE’s “Everyone Matters” equity, diversity and inclusion strategy. Key priorities were:</p> <ul style="list-style-type: none"> • Governance and Leadership • Tools, Monitoring and Insight • Diverse Workforce • Inclusion and Belonging • Engagement and Communication • Building trust and confidence <p>This activity was complemented by a programme aimed at strengthening leadership and change capability across the piece to ensure the organisation is culturally in the best place to deliver HSE’s strategic objectives.</p> <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> 1. That Key Performance Indicators for “Everyone Matters” were being developed and progress would be monitored through the Performance Hub. 2. How HSE celebrates success both individually and organisationally. 3. The positive impact of initiatives on recruiting a diverse and inclusive workforce, including identifying an upstream talent pool from universities and schools. 4. The level of open and transparent engagement with HSE’s staff networks and employee representatives to support/influence this work. 5. How data already available and being gathered would be used to measure impact and provide assurance both to ExCo and the Board.
Decision	<p>The Board welcomed the insight into this work, acknowledging that it was in its diagnostic stages and that the impact on HSE’s strategic objective of making HSE a great place to work would emerge in due course.</p> <p>The Board was fully supportive of the work and would be happy to offer insight, based on their own experiences.</p> <p>A progress report at an appropriate time was requested.</p>
Action 2	Schedule a progress report at an appropriate time.

**Other
Business/Meeting
Review**

None

Health and Safety Executive Board		HSE/23/28	
Meeting Date:	26 June 2023	FOI Status:	Open
Type of Paper:	For discussion	Exemptions:	None

Chief Executive's Report June 2023

Reduce work-related ill health, with a specific focus on mental health and stress

Risk Reduction Through Design Awards 2023: HSE has been working with the Chartered Institute of Ergonomics and Human factors (CIEHF) for several years to award companies (employers) that have made design changes to their workplace that have resulted in reduced musculoskeletal risk to their employees. Nominations for this year's awards closed at the end of January 2023. We received nominations from a wide cross section of industry sectors including printing; metals; construction; transport & logistics; utilities; health & social care; and manufacturing sectors. A judging panel consisting of HSE, CIEHF, Employer Representative, and Employee Representative (Trade Union) met in March to consider shortlisted nominations. This year's winners will be announced on the 23 June at the CIEHF annual awards event.

Communications activity: A new [Dust Kills](#) campaign was launched 5 June to raise awareness of the dangers of wood dust in manufacturing, supporting HSE's inspection programme running throughout 2023/24. Using media, HSE digital channels, and stakeholder engagement, the campaign highlights the dangers of wood dust and the advice and guidance that HSE provides. The intervention campaign is ongoing and, to date, over 1500 inspections have been delivered across the woodworking industry.



Wood dust can cause occupational asthma and even cancer. To support our Dust Kills woodworking campaign, you can download free campaign assets here: <https://lnkd.in/ecYF-5W4>



In the first 10 days the campaign saw more than 2,000 downloads of the *Wood dust: Controlling the risks* information sheet.

This [Dust Kills](#) campaign to support Construction Division's inspections (May – July), which launched last month, has so far delivered:

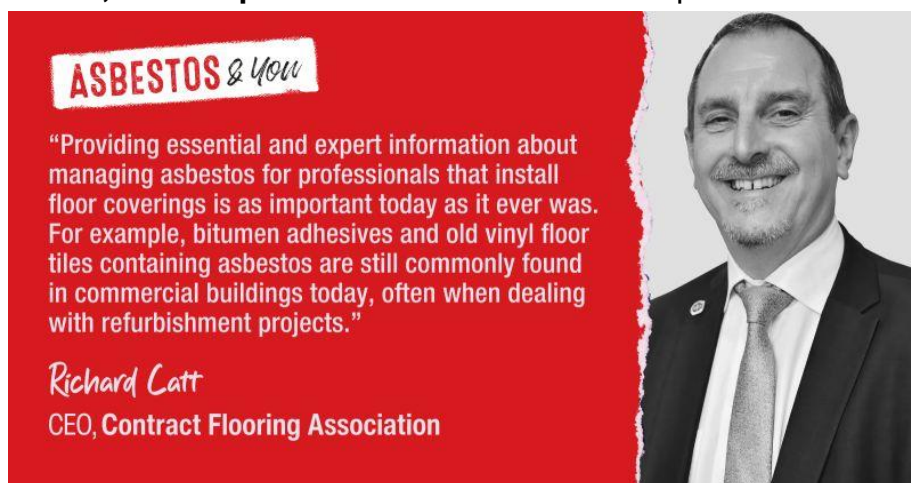
- More than **14k** campaign page views
- More than **8.5k** downloads of the *Construction dust: HSE* information sheet

- More than 7k downloads of *Construction dust – what you need to know as a busy builder information sheet*



The [Asbestos & You](#) campaign, targeting tradespeople has finished its three-month launch period delivering:

- More than 11m social media impressions
- 84k campaign webpage views
- 126k HSE webpage views, +11% vs the previous year
- 33k downloads of the [Quick Guide for Trades](#)
- 53% year on year increase of [Asbestos Essentials](#) pages
- 5,190 completions of our new asbestos quiz



Respiratory health interventions: HSE will begin the second year of its Respirable Crystalline Silica campaign in Q2 with visits initially targeting brick making premises, with foundries being targeted in Q2 and Q3.

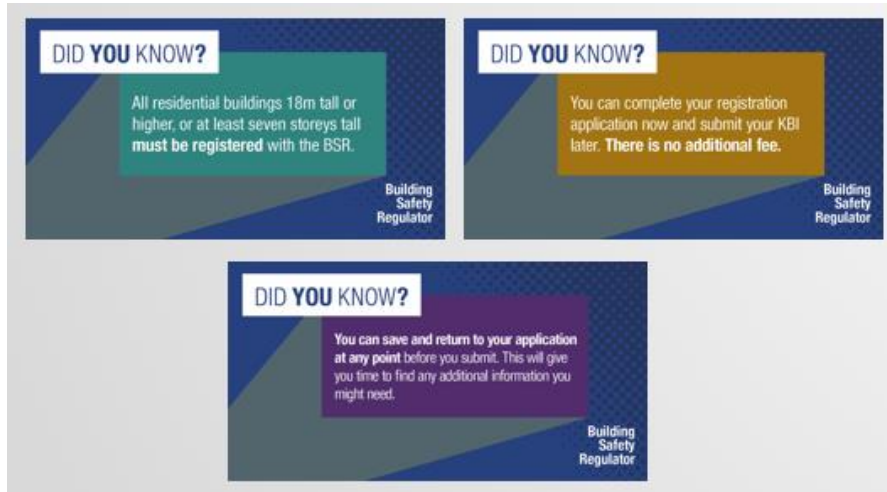
Work-related stress and mental health campaign [Working Minds](#) continues to raise awareness of the issues and guidance HSE provides. Working Minds now has 23 partners, 3,600 ebulletin subscriptions, with approximately 1,500 Champions, signed up to support and share the campaign.

Lifelines Conference: On 30 May, a member of HSE's Devolution Team spoke at the Lifelines Conference in Edinburgh. Lifelines is an NHS project, providing mental health and wellbeing support to emergency service staff and volunteers in Scotland. Mental Health teams within HSE have worked closely with Lifelines, including on the Working Minds campaign. The HSE representative gave an update on HSE's work and priorities relating to mental health and how it aligns with the work of Lifelines, which was well received by attendees. Feedback from Lifelines demonstrated the value of collaboration between the two organisations

Increase and maintain trust to ensure people feel safe where they live, where they work and, in their environment

Building Safety Regulator: We recently launched a new social media campaign 'did you know...' to help set the record straight on some of the rumours and mistruths doing the rounds amongst industry professionals.

This includes encouraging members of the programme to log issues and potential responses so we can create new 'facts' to post in the future.



We recently led a virtual 'lunch and learn' webinar session with nearly 200 delegates joining the session to hear about Planning Gateway One and our role as statutory consultee. We are now looking at future lunch and learn sessions as part of our ongoing campaign activity; the next one is likely to focus on the changes to building control with BSR as the Building Control Authority for high-rise buildings.

UK REACH – HSE publishes final [opinions](#) for restriction of substances in Tattoo Inks and Permanent Make-Up: HSE, as the Agency for UK REACH, has published the final consolidated opinions, comprising of the risk assessment and the final socioeconomic opinion, in respect of the proposed UK REACH restriction of substances in tattoo inks and permanent make-up. Restrictions under UK REACH are a powerful regulatory lever to control chemicals in supply chains and this is the first restriction to reach this stage of the process under the provisions of UK REACH since leaving the EU.

Collaborating with others - Eurovision Song Contest: HSE had enforcement responsibility for the Arena and the Eurovision village (broadcasting activity) and other associated events including Eurofest (since the events company 'Culture Liverpool' is a division of Liverpool City Council). The event was a significant undertaking with 500,000 additional visitors to Liverpool over the 2 week period.

HSE colleagues participated in the Safety Advisory Group Meetings, attended by representatives from all relevant stakeholders including the City Council, event organisers, emergency services, security services, businesses and contractors. HSE also met with those running the Arena event, ACC Liverpool (venue operator) and an array of people from the BBC, including the producer, and a separate meeting with Culture Liverpool and the contractor responsible for health and safety. Overall HSE's inspectors were impressed with and assured by the health and safety arrangements in place.

The Eurovision Final (together with various events leading up to and surrounding it) and the decommissioning of temporary structures, equipment etc afterwards went smoothly and without incident.

Enable industry to innovate safely to prevent major incidents, supporting the move towards net zero

Shell: Shearwater is Shell's key asset in the UK Continental Shelf (UKCS) and currently produces up to 5% of the UK gas demand. During routine inspection, a significant deficiency was identified with one of the platform's critical safety systems which resulted in its being unable to rapidly dispose of hydrocarbon gas in the event of an emergency, giving rise to increased risk to persons on the installation. Inspectors from HSE's Energy Division engaged with the head of Shell's UK operations

highlighting the serious concerns identified and that HSE were considering formal prohibition of operations. Following this senior level engagement, Shell elected to voluntarily shut down production until the concerns were addressed. Production remained offline whilst Shell conducted a full engineering assessment and implementation of modifications. HSE remained fully engaged with Shell during this period, working collaboratively to ensure the safe restart of a critical UKCS asset. Shearwater safely restarted production after 1 week of downtime.

Maintain Great Britain's record as one of the safest countries to work in

HSE Annual Update: Wales: On 17 May, HSE representatives from FOD and the Devolution Team attended the HSE Annual Update to Welsh safety groups in Bridgend. The morning session featured discussions on potential future collaboration in the health and safety community in Wales; the afternoon session was delivered by the Head of Field Operations (Wales and the Marches). The latter session featured a keynote speech detailing the work of HSE in Wales over the past year, as well as relevant statistics and priorities; updates were also given by the safety groups in attendance. Both sessions were well attended and HSE's contributions were received positively.

Support for lower risk, smaller businesses: We successfully published new content on [Managing for health and safety \(HSG65\) \(hse.gov.uk\)](#) for lower risk, smaller business on 25 April 2023 and have been monitoring performance and user feedback.

Our work included creating improved user journeys around the most common risk topic areas that businesses come across, included in the Health and Safety 'Toolbox' product.

Our aims, informed by user research, included bringing guidance up to date, clearer signposting so users could find guidance at the right level of detail for their need, reducing the amount of content to remove duplication and improving navigation particularly for smaller, lower risk business users, so they can better manage risk for themselves by using our clearer guidance.

Analytics and user feedback show the impact of our work. Since launch in April 2023 to date, performance and achievements include:

- a reduction in the number of webpages by over 75% (230 pages down to 55), plus 3 PDFs totalling 123 pages, decluttered and created easier user journeys
- we had 28,121 pageviews, an increase of 87% (when compared to 15,035 pre-project) to the new and improved content
- user usefulness rating for the new content is 87% - a significant improvement on the 73% baseline for the older material
- the new "introduction to health and safety" page is the most popular, with over 8,300 views and a 87% usefulness rating
- 38% increase in pages per session for the Managing Health and Safety content – demonstrates the improved and more coherent user journeys, better Search Engine Optimisation and more engagement on the topic

Workplace temperatures: The warm weather prompted HSE proactively issue a clear message to employers that last year's heatwave should have been a wakeup call to employers. Our warnings – and tips - have been carried in national media outlets and we are continuing to work with the media as warm weather alerts continue.

We are calling on employers to ensure their workers are protected during periods of extreme hot weather this summer.

Read more here: <https://lnkd.in/eCGGG8Kd>



Working in hot weather: Employers asked to help workers | HSE Media Centre
press.hse.gov.uk · 3 min read

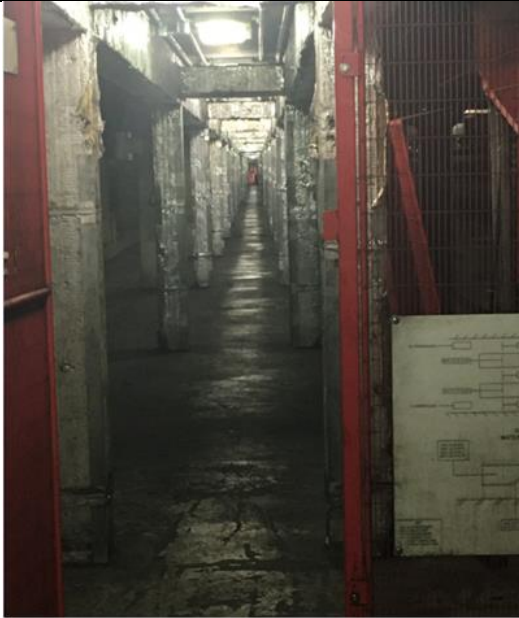
Lester Posner and 372 others

13 comments · 145 reposts

Stakeholder collaboration: Following the collapse of a separation (bund) wall at a metal recycling site that killed five men, HSE colleagues engaged with the Waste Industry Safety and Health forum (WISH) to produce guidance to prevent future incidents and provide robust measures for the construction of, and inspection of bund walls and the safe mechanical handling of materials. To ensure work remained focused and best practices agreed, mechanical specialists with experience of mechanical handling equipment and waste industry operations, contributed to the working group. The [guidance](#) provides the benchmark for the future and was issued prior to the national press reporting of the jailing of two company directors plus fines of £1.6 million.

Research into the implementation of the Principal Designer role in Construction: The Principal Designer (PD) is a key role in the Construction (Design and Management) Regulations 2015 (CDM 2015). This research work was undertaken to broaden HSE's understanding of how the role works in practice. External researchers were commissioned to engage independently with industry. Industry response was very positive and generated a large amount of quantitative and qualitative data. Summary findings have been [published](#). HSE will use this to inform approaches that improve implementation of the PD role under CDM 2015 and enable our policy consideration in other related industry developments like modern methods of construction, the drive to net zero and digitalisation. Findings were shared pre-publication with BSR colleagues given the new parallel with PD duties under the Building Safety Act and used in presentations at the March Building Safety Conference. HSE has also been provided with a separate document containing analysis of all the qualitative and quantitative information generated so this is available for future use.

Coroner's Inquest Expert Support: A Noise and Vibration Principal Specialist Inspector recently gave evidence at a Coroner's Inquest that related to a fatality investigated by the Office of Rail Regulation (ORR). Christian Tuvi was killed while cleaning from the underside of a travelator at Waterloo Station. Christian was inside the travellator when it was switched on from a control station at the opposite end of the maintenance corridor. The photo shows the distance between where Christian was working and where the control station was positioned (the man dressed in orange is where Christian would have been located, the camera view is the nearest point where the operator could have been standing).



The method of warning Christian that the traveller was being switched on was for the operator to shout 'stand clear'. The expert audibility assessment by the Noise and Vibration Principal Specialist Inspector established that the warning shout would be well below an acceptable level for verbal warnings (around 4 times below the acceptable level) and would also have been below the existing ambient noise levels (i.e. existing noise from other sources would have been louder than the volume of the shout at the end of the tunnel where Christian was working).

On the night of the investigation a two way radio was used to instruct work, despite company claims that two way radios could not be used in the tunnel.

Securing compliance with the law

Press releases giving details of recent prosecution cases, along with other HSE press announcements, are published on this [link](#)

Prosecution of Linbrooke Services Ltd at Bearsden Railway Station, Glasgow - Joint Regulatory working with The Office for Road and Rail (ORR): A 20-year-old electrician employed by Linbrooke Services Ltd died when installing electrical cabling after falling from his stepladder and becoming impaled on a length of steel pipe that was being used as an improvised spindle to unwind cable from a drum. Contrary to the requirements of the Work at Height Regulations 2005 ('WAHR'), stepladders were widely used within the UK rail industry as the 'default' means of working at height at the time of the accident. Moreover, work from stepladders was not considered as 'work at height' and therefore the requirements of WAHR were largely disregarded. ORR investigated the accident which was supported by two Specialist Inspectors from HSE's Construction Engineering Specialist Team who gave expert witness evidence during the prosecution of Linbrooke Services Ltd

Linbrooke Services Ltd were found guilty on all three charges relating to planning and carrying out of the work and were fined £550,000 with £200,000 compensation to the parents of the deceased.

The accident and subsequent trial was widely reported in [National](#) and Local media. The outcome reinforces [UK-wide improvements in Network Rail's requirements for working at height introduced since the accident.](#)

[Envirochem Analytical Laboratories](#): An occupational hygiene consultancy was served with a Prohibition Notice and recently prosecuted for their incompetent work. HSE's Occupational Hygienists were heavily involved in supporting the case.

The investigation into the consultants showed a staggering lack of competency across a range of different sampling and analysis techniques for silica, isocyanates and other hazardous substances. This lack of competence resulted in significant deviation from published HSE [Methods for the Determination of Hazardous Substances](#) that need to be followed in order compare exposures against the relevant Workplace Exposure Limits.

As examples, the consultancy chose to:

- only monitor for isocyanate vapour, rather than particulate and vapour, during a polyurethane spray painting process carried out in an open fabrication shed; and
- used their own unvalidated and untested analytical technique for the determination of respirable crystalline silica to estimate the amount of silica present within the dust for the sanding, grinding and cutting of stone kitchen worktops.

In effect, Envirochem Analytical Laboratories provided false assurance to multiple dutyholders. Inspectors, in line with policy and legal advice, advised the consultants in writing to 'notify your clients for whom you have carried out occupational hygiene monitoring to advise them that the information within the reports you provided cannot be relied upon.'

As part of HSE's Health and Work programme, Health Hubs have been created to develop sub-strategies. One of these hubs is on Improving Service Provision and seeks to clarify and embed the regulators' expectations with industry. This will seek to educate customers when selecting service providers and to help stakeholders in determining competence. We have identified a number of areas where additional guidance may be useful to develop in the next 1-3 years. For example:

- Guidance sitting under Regulation 7 of the Management of Health and Safety at Work regulations 1997
- Development of operational guidance to support and enable inspectors to take enforcement action against service providers on health issues.

We are also exploring non-regulatory changes in the next 5 years, such as accreditation schemes for LEV thorough examination and test engineers.

ECO Waste & Recycling Limited: On the 4 May 2023 Eco Waste & Recycling pleaded guilty to charges under regulation 4(1) of the Workplace (Health, Safety and Welfare) Regulations 1992 (by virtue of regulation 17(1)) and regulation 5(1) of the Management of Health and Safety at Work Regulations 1999). It was fined £30,000 and ordered to pay costs of £3,145. The prosecution followed the investigation of an incident where an employee, Ion Ciobotaru, suffered serious and life changing injuries when he was struck by a reversing telehandler while he sorted waste (hand totting). He had an operation and was placed in an induced coma. Further operations resulted in his right leg being amputated above the knee. He also had metal plates fitted to his right hip and left ankle. The company had not provided designated traffic routes for vehicles or pedestrians at the site; there were no measures in place to physically segregate or separate pedestrians from vehicles in the waste transfer station or around the site; there were no designated safe zones in place for hand totting and there was no safe system for working near vehicles, particularly when carrying out high risk activities such as hand totting. Our enforcement reinforces HSE's commitment to target waste and recycling activity to deliver improvements in health and safety standards.

Prosecution of Gisburn Auction Mart: HSE prosecuted Gisburn Auction Mart in March 2022 following a fatality where a drover was killed by a dairy bull in August 2017. Following the incident, the industry body, the Livestock Auctioneers' Association (LAA), developed guidance on health and safety in the livestock industry. The guidance was published in 2021. The North West has a high proportion of Auction Marts including one of the largest ones in the country, Carlisle. Inspectors inspected a small number of auction marts targeting areas covered in the LAA guidance which was used as a benchmark to test improvements and learning from the fatality investigation. Seven marts were inspected and the outcome was largely positive with no significant breaches identified. The inspections indicated that auction marts took action following the incident at Gisburn and had applied the LAA guidance. This has provided a level of reassurance regarding the standards of risk control in the auction marts and the impact of the HSE prosecution and associated industry guidance. Colleagues engaging with relevant stakeholders were provided with a narrative summary of the inspections and findings, which can also be used in relevant trade press to amplify our impact.

[Prosecution of plastics factory after legionella outbreak](#): HSE recently successfully prosecuted a plastics factory following an outbreak of Legionnaire's disease in Sandwell. Raair Plastics Ltd was operating unregistered cooling towers which were in poor condition. The prosecution was the result

of a collaborative effort, involving HSE regulatory and specialist colleagues, the Local Authority (LA) and UKHSA (UK Health Security Authority). The outbreak occurred during the COVID pandemic. An Incident Management Team (IMT) was established following 8-9 notifications of Legionnaire's disease in Sandwell. A Local Authority Environmental Health Officer (EHO) discovered the towers at premises subject to HSE enforcement powers. Regulatory and Specialist Inspectors attended site and prohibited the cooling towers. Other inspectors in Birmingham from various divisions offered support and assisted with this work which included checking other registered towers in the area etc. to try to determine the source and ensure adequate controls were in place at premises visited. A great example of collaborative working with other regulators and teams across HSE.

Serco Ltd fined £2.25 million plus costs of £433,596.07 following the death of a custody officer: Lorraine Barwell, a custody officer, died from injuries sustained following an attack by a prisoner in custody at Blackfriars Crown Court in 2015. She was kicked twice and died as a result of injuries to her brain. HSE led a long and complex investigation which identified multiple health and safety failings at Serco Limited. This was compounded by a separate incident which occurred a year after the death of Ms Barwell. In 2016, another member of staff was rammed against a wall and strangled in the Woolwich Court annex which could have had very serious consequences. The alarm button was pressed, but there were no staff manning the annex to respond and so it took time to gain assistance from the main building.

HSE's investigation involved inspection, investigation, legal and communication teams. We found that Serco Limited had failed to properly analyse risk intelligence on prisoners and communicate risks and safety precautions to staff. There was also a failure to have sufficient procedures in place and follow them, to provide readily accessible protective equipment and to make sure further training was provided where identified as required.

In addition, there was a continued failure to adequately resource court activities, manage working hours, assess risks of violence and aggression, communicate safety critical information, have suitable procedures in place and to work in accordance with those procedures covering a period of over three years. Time pressures, staffing levels, and business priorities had led to routine violations of procedures by staff in order to get the job done and which had gone unchallenged. The impact of human factors was an important part of the case and expert evidence was provided on the impact of these leading to health and safety not being a priority.

Investigation and inspection work led to a charge under section 2 of Health and Safety at Work etc Act, spanning over three years due to the continued failure to address risks brought to their attention by staff, our inspectors, the Ministry of Justice and His Majesty's Inspectorate of Prisons.

Enforcement action taken on serious electrical issues at a Veterinary Practice: HSE received two separate concerns about electrical installations from employees at a veterinary practice that is part of a much larger company.

Initial enquiries confirmed that there had been recent electrical work undertaken at the practice and that an employee had received an electric shock when touching a metal socket in the operating theatre (the incident was not RIDDOR reportable). Following the incident, the company had arranged through its facilities management company for electrical contractors to visit to undertake remedial work.

Inspectors visited the practice by appointment to investigate the concern and check if any ongoing risk had been dealt with. The management of electrical work on site was discussed. Specialist Inspectors undertook testing of earths to conductive equipment in the operating theatre and adjoining prep room.

Breaches of law were identified in relation to the inspection of fixed wiring installations, earthing to conductive equipment, provision of Residual Current Devices (RCDs) and management of contractors on site. Two Improvement Notices were served, and additional material breaches covered in an accompanying Notification of Contravention letter.

HSE's intervention was very well received both by senior representatives from the company and employees working at the practice. Work is currently ongoing to achieve compliance and Electrical

Inspectors are undertaking further enquiries into the actions of the electrical contractors that worked at the site to ascertain if there have been any further breaches of law on their part.

Published fatalities update¹

Since the last update to the Board, **9** fatalities which occurred in 2022/23 have subsequently been published on the HSE website. Please see table below for details.

Date of incident	Name	Age	Description of incident	Local Authority	General Industry Sector	Employment status
05/06/2022	Liam McDonald	23	The deceased was struck by an object	Shetland	Construction	Employee
11/01/2023	Joseph Dempsey	59	The deceased fell from height	South Ayrshire UA	Services	Employee
17/01/2023	Alistair Hutton	52	The deceased came into contact with something fixed or stationary	Aberdeen City UA	Construction	Employee
24/01/2023	Daniel Mages	34	The deceased came into contact with machinery	Neath & Port Talbot UA	Services	Employee
24/01/2023	Kassar Uddin	35	The deceased was trapped by something collapsing	Watford	Construction	Self employed
27/01/2023	Agnes Hanley	71	The deceased died while under residential care	South Lanarkshire UA	Services	Member of the public
05/02/2023	Janet Ronaldson	87	The deceased died following a fall	Glasgow UA	Services	Member of the public
11/02/2023	Mark Pinder	51	The deceased fell from height	East Riding	Manufacturing	Employee
17/02/2023	Iwan Evans	79	The deceased was struck by an object	Powys UA	Agriculture	Self employed

¹ In some cases, the publication of a fatality on the HSE website may be some months after the date of the initial incident. This is due to the verification checks that are carried out to ensure that the fatality is within HSE's enforcement remit and if so, the correct information is subsequently published. The complex nature of some fatality investigations may mean that it can take some time to verify this information.

The full list of the names of the deceased plus additional details may be viewed [here](#).