

Health and Safety Executive Board			HSE/24/A02
Meeting date	27-Feb-24	FOI Status	Open
CM9 Ref	2024/027597		
AGENDA HSE Board Meeting 27 February 2024 Redgrave Court			
PRIVATE SESSION			
08:30-09:15	Board Forward Look	HSE/24/FL	
GOVERNANCE			
09:45	1 Welcome and apologies Declarations of interest Minutes of meeting 30 January 2024 Matters arising & Action Log Chair's update - Committee Updates: Audit and Risk Assurance Committee meeting 6 February 2024	HSE/24/M01 HSE/24/AL Verbal Verbal	Presenter Chair Chair/Martin Esom
ASSURANCE			
10:00	2 Chief Executive's Report - January 2024	HSE/24/11	Sarah Albon and ExCo members
10:20	3 Performance Report - January 2024	HSE/24/12	David Murray
GOVERNANCE			
10:40	4 2024/25 Business Plan and Budget	HSE/24/13	David Murray
11:00	5 Science Planning 2024/27	HSE/24/14	Andrew Curran
DECISION			
11:30	6 Consultation on Extending Cost Recovery – April 2025	HSE/24/15	David Murray
12:00	LUNCH BREAK		
BOARD EFFECTIVENESS			
12:45	7 Independent Board Effectiveness Review (30 mins) followed by discussion	HSE/24/16	
14:45	8 AOB/Meeting Review		
14:50	Meeting ends		



Health and Safety Executive Board			HSE/24/M02
Meeting Date:	26 March 2024	FoI Status	Open
FoI Exemptions	None		
CM9 Reference:	2024/0074982		
Minutes of HSE Board Meeting 27 February 2024 Redgrave Court			

Attending

Sarah Newton – Chair	Chyrel Brown	David Coats	Martin Esom
Debbie Gillatt	Susan Johnson (online)	John McDermid (online)	Ged Nichols
Gina Radford	Ken Rivers	Claire Sullivan	

Also attending

Sarah Albon – Chief Executive	James Anderson – Chief Technology Officer	Andrew Curran – Director, Science	Rick Brunt – Director, Engagement and Policy
Michael Jennings – Director, Legal Services	Jane Lassey – Director, Regulation	David Murray – Director, Finance and Corporate Services	Angela Storey – Director, Operational Services
Philip White – Director, Building Safety			

 - CEPS	Dave Thomas – item 7	 – item 8
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Apologies: Clare Millington-Hume

Minutes Dawn Hepworth

Closed Meeting	
1	Welcome and Declarations of Interest Sarah Newton welcomed everyone to the meeting. The Chair invited declarations of interest. 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. Draft minutes of meeting 29 January 2024 (HSE/24/M01), matters arising and actions (HSE/24/AL) The minutes of the previous meeting were cleared, subject to an amendment relating to item 6 - engagement with the Minister DWP.

	<p>The action log was noted.</p> <p>There were no other matters arising.</p> <p><u>Committee updates</u></p> <p>Audit and Risk Assurance Committee</p> <p>The Chair confirmed that, exceptionally, she had attended and chaired the February ARAC meeting. She updated on the items discussed and assurances received, in particular on the significant progress with the GIAA internal audit plan.</p> <p>Martin Esom also updated the Board on succession planning for the Independent Member and it was agreed that an appointment extension of one year should be offered.</p>
Decision	Minutes of previous meeting cleared subject to amendment mentioned above.
Decision	ARAC Independent Member's appointment to be extended for one year.
Action 1	Amend minutes to take account of points made regarding item 6.
2	Chief Executive's Report (HSE/24/11)
	<p>In addition to her written report, Sarah Albon updated the Board on several matters including:</p> <ul style="list-style-type: none"> • HSE's pay business case and next steps. • Engagement with Department for Energy Security and Net Zero (DESNZ) regarding the provisions of the Memorandum of Understanding (MoU) between HSE and DESNZ relating to cyber security matters at Civil National Infrastructure sites. • The latest position on the statutory registration of LA Building Control (LABC) professionals, challenges emerging and mitigations in place in relation to continuity of service and maintaining standards of competence and safety. <p>Jane Lassey updated the Board on a recent incident involving an inspector taking proactive enforcement action at a domestic premises where refurbishment work was being undertaken and action taken to update existing training material to address the issues raised by this incident.</p> <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> 1. The approach in relation to pay negotiations. 2. HSE's position regarding the MoU with DESNZ. 3. Proposed actions and response regarding the deadline for registration of Building Control professionals and HSE's recognition of the challenges for parts of the profession as well as potential resourcing challenges faced by LAs. 4. How HSE was managing the differing priorities in delivering the Building Safety Regulator. The Board acknowledged the significant amount of work successfully delivered and had continuing high levels of confidence in the teams involved. 5. The Board welcomed the refreshed guidance for victims and bereaved families which featured in the Chief Executive's written report.
3	Business performance (HSE/24/12)

	<p>David Murray presented the performance report for January 2024, drawing the Board's attention to positive areas of performance, including: delivery of proactive inspections; Pesticide and Biocide permissions; Gas competency checks; fatal and non-fatal investigations completion; investigation closures and enforcement rates; major hazard activities and safety case/report assessments; average working days lost due to absence. Areas of focus included: Planning Gateway One applications; reviews of potential prosecution cases with a charging decision with both demonstrating an improving trend. The Board also noted the financial position and Business Plan milestone delivery, noting that one will not be achieved.</p> <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> 1. That, in relation to the consultation on the UK REACH restriction opinion for lead in ammunition, relevant stakeholders and respondents would be informed on the extent of the work being undertaken to review responses and revise relevant documentation.
Decision	The Board noted the report and thanked colleagues for adapting it to make it so informative and easy to read.
4	2024/25 Business Plan and Budget (HSE/24/13)
	<p>David Murray presented the latest iteration of the draft Business Plan, thanking Board and ExCo members for their engagement in the process. He reinforced that the activities in the plan focussed on key priorities and did not reflect all the broad range of activities undertaken across the organisation. DWP had provided helpful feedback on the Plan. Areas of further iteration, as a result of external factors, were highlighted.</p> <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> 1. That the plan would articulate the importance of partnership working required to develop the evidence base on mental ill health at work. 2. How the new case management system would enable improved data collection to measure the level of enforcement activity and its impact. 3. That an internal strategic roadmap would be produced which would enable the impact of the HSE's modernisation/transformation programme to be measured over a rolling 2–3-year period and which would inform future business planning. 4. The approach to the forthcoming Spending Review and role of the Finance and Performance Committee in obtaining assurances on medium term financial planning.
Decision	The Board thanked David and the team for leading on the work to produce the Business Plan and approved the Plan subject to final editorial changes.
Action 4	Produce an internal strategic roadmap which will enable the impact of HSE's modernisation/transformation programme to be measured over a rolling 2–3-year period and which would inform future business planning.
5	Science Planning 2024/27 (HSE/24/14)
	Andrew Curran presented the Science Plan which sets out HSE's strategic research priorities to continue to develop its comprehensive and up to date evidence base upon which effective operational decisions and strategic policymaking rely. He explained the tiered process and portfolio approach being adopted to ensure research questions focus, and remain focussed, on

	<p>strategic priorities and Science Quality Assurance Group's role in providing the Board with assurances.</p> <p>The Board sought and received assurances on the following:</p> <ol style="list-style-type: none"> 1. The extent of engagement between HSE's Strategic Science Advisors and other research establishments to track external research being undertaken to ensure duplication is avoided; and support being provided to strategic partners bidding for research funding on matters of mutual strategic interest. 2. How externally funded research undertaken by Science Directorate is driven by strategic priorities, for example HSE's training offering on Net Zero which is aimed at strengthening competence in the sector.
Decision	The Board was assured on the Science plan and asked for reports in due course from the Strategic Science Advisors on what is emerging from the work being conducted (including any links for further reading).
Action 2	Schedule a report on the work and findings of strategic research partners
7	Consultation on Extending Cost Recovery – April 2025 (HSE/24/15)
	<p>David Murray and Dave Thomas presented this item explaining the reasoning behind the proposed changes and inviting the Board to approve the submission of the draft consultation package to the Minister for agreement and to write round.</p> <p>The Board invited its Finance and Performance Committee (FPC) to review HSE's fees/cost recovery strategy at its April meeting to obtain assurances on its effectiveness and for a summary paper to be brought to the Board.</p>
Decision	The Board approved the submission of the consultation package to the Minister for approval.
Action 3	FPC to review HSE's fees/cost recovery strategy in April and with summary paper already listed for May Board meeting.
8	Independent Board Effectiveness Review (HSE/24/16)
	<p>████████████████████ presented the findings and recommendations of their independent review of the Board's effectiveness. The Board was assured that the review concluded that it was generally performing well and clearly had the confidence of the sponsor department.</p>
Decision	Following discussions, there was broad acceptance of the recommendations subject to measures to review in a year's time their impact on the Board's performance.
Other Business/Meeting Review	

Health and Safety Executive Board		HSE/24/11	
Meeting Date:	27 February 2024	FOI Status:	Open
Type of Paper:	For discussion	Exemptions:	None

Chief Executive's Report February 2024

Costs to Great Britain of workplace injuries and new cases of work-related Ill Health – 2021/22:

Recent figures suggest work-related ill health and injury cost Great Britain £20.7 billion in 2021/22 – an increase of £1.9 billion on the previous year's estimates. Of this £20.7 billion, roughly 63% is calculated to be due to work-related ill health, and 37% due to workplace injuries.

The statistics show that each year, more than a million workers are injured or made ill by their work. The impacts can be measured in terms of 'human' costs (the impact on someone's quality of life and, for fatal injuries, loss of life), and 'financial' costs, such as loss of production and healthcare costs of treating the injury or illness.

Recent collaborative work by HSE's economists and statisticians has produced updated estimates, published as the '[Costs to Britain](#)' which reflect the costs of workplace injuries and work-related ill health resulting from current working conditions. They do not include ill health occurring in the current year caused by historical working conditions (such as work-related cancer), or future cases of ill health caused by today's working conditions.

Calculating the impact

The model used allows our analysts to work out where the economic burden of these costs fall. As in previous years, they show that individuals bear the brunt of these costs at £12.2 billion, mainly due to the human costs. The rest is borne by employers and by Government in roughly equal measure.

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

Communications Campaigns: HSE's new [Asbestos – Your Duty](#) campaign has seen a strong performance in the first month since launch on 15th January. To-date activity has generated 4.4 million impressions across digital channels, including 66k social media video views. This has led to 19k views of the new duty to manage [web pages](#), resulting in 2,383 downloads of the new example and template versions of an asbestos register and an asbestos management plan.

Work-related Stress and Mental Health: the [Working Minds](#) online learning tool continues to perform strongly. We now have had more than 5,000 registrations, 2,000 completions and 1,100 downloads our risk assessment template. The feedback remains extremely positive, with 91 percent planning to implement what they had learned in their workplace.

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

New user-centred web guidance for victims and bereaved families: To ensure HSE compliance with requirements in the Victims' Code, we have created a suite of new webpages that help to clarify:

- how victims and bereaved families make a victim personal statement

- victims' right to ask for a review of a decision not to prosecute a dutyholder

Guidance includes updated leaflets that provide information about what happens when HSE carries out an investigation in England and Wales. It covers what people and their families can expect if they have suffered harm, ie their rights. Further work is in hand to update the equivalent leaflets for Scotland.

BUILDING SAFETY REGULATOR (BSR)

The following key milestones and content have been delivered:

January 2024

- Published updated [guidance](#) for Registered Building Control Approvers to include the [Welsh registration service](#)
- Published updated [guidance](#) for Registered Building Inspectors to include the [Welsh registration service](#)
- Updated the Contact BSR webpage to include information on complaints: [Contact the Building Safety Regulator - GOV.UK \(www.gov.uk\)](#)
- 17 careers videos uploaded to YouTube for HR recruitment drive: [The Building Safety Regulator employs staff from a wide range of backgrounds - YouTube](#)
- [Fundamentals of the Building Safety Act](#) webinar uploaded to YouTube
- [High Rise Building Regime – Design and Construction](#) webinar uploaded to YouTube
- Residents' Complaints – Make a Complaint feature of the GOV.UK service. This will provide residents with a dedicated online contact path to make a complaint regarding the building safety of their Higher-Risk Buildings: [Contact the Building Safety Regulator - GOV.UK \(www.gov.uk\)](#)
- [Mandatory Occurrence Reporting](#) – The digital service that enables the regulator to be informed of Mandatory Occurrence Reporting (MOR) event, as defined in legislation

February 2024

- Published the [start page for the HRB register](#) – a tool for users to lookup the postcode of an HRB on the register. The service includes guidance for users if their search for a specific HRB shows no results
- Published MOR system [guidance](#)
- Published updated MOR [guidance](#) to include duties for AP/PAPs
- Published updated [guidance](#) for AP/PAPs to include information on competence and special measures
- Published [guidance](#) for residents on the process for complaints to their AP/PAP and to BSR
- Updated our information for residents' content on HSE [webpage](#)
- Published a [webinar](#) jointly hosted with Construction Leadership Council on industry competence
- Published a [toolkit](#) for AP/PAPs on our campaign microsite to support them with preparing their Safety Case

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

On 19th February HSE relaunched its agriculture campaign [Your Farm Your Future](#), with a host of new advice for farmers working safely with livestock.



This year we have concentrated on using voices from the industry to appeal to and resonate with our target audiences – with filming taking place in England, Scotland and Wales. In addition, we have created a new checklist for farmers and workers, and a range of new social media content, to build on our targeted media activity.

Ionising Radiation: The International Atomic Energy Agency (IAEA) Follow up Mission 22 - 29 January 2024: The Follow-up mission took place 22 – 29 January 2024, to examine progress on Recommendations and Suggestions made during a full UK mission in 2019. The IRRS Mission team was led by Ramzi Jammal (who also led the full Mission in 2019), and comprised international experts from 7 different countries. Department for Energy Security and Net Zero (DESNZ) coordinated the event with support from Office for Nuclear Regulation (ONR) colleagues.

HSE successfully closed 2 of the 4 key Recommendations: submission of a Safety Assessment in support of applications for High-Risk Activities (Consents); and creation of a Single Register of Generators. Recommendations relating to an increase in Specialist resource, and frequency of Inspection (the two being related), remain open, which we had already identified in the Advance Reference Material (ARM). Recognising HSE had done all that it could to recruit and retain additional resource, an additional Recommendation (RF1), has been placed on UK Government as follows:

RF1: The UK Government should provide the conditions that allow necessary recruitment to be accomplished, including provisions for offering competitive salaries for expert positions (with supplementary text in the narrative to this recommendation ‘recognising wider public sector affordability).

Several Suggestions were also closed, and of those remaining open, there is either minimal work to close off, or HSE made clear it would not be taking any further action (e.g. where HSE does not have the authority). An additional Suggestion (SF1) was made for ***‘HSE to consider the use of external experts, given the extreme challenges encountered in recruitment’***.

The Mission, together with DESNZ, was very complimentary about all of the work HSE has done, and progress it has made to meet the findings over the last 4 years, including development and implementation of a new database to allow submission of Safety assessments, and creation of a Single register of Generators. HSE was given an ***‘Achievement’*** for its work in *developing and implementing the new Safety Assessment process (also adopted by ONR and HSE Northern Ireland)*. The Mission also acknowledged that the standard of the ARM was amongst the best it had ever seen.

Securing compliance with the law

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

Enforcement in Agriculture: HSE's Inspection Division followed up a concern relating to the storage of hay bales in a field against a fence and children using agricultural machinery in the same field without a clear understanding of who was using the field and who was in control of the activities.

These are two risk areas which have often led to fatal or serious incidents in the agriculture sector. With Visiting Officer support, local intelligence and knowledge the Inspector identified the appropriate dutyholder, not previously known to HSE. The intervention was made more challenging because the dutyholder could not read, so the enforcement action taken had to be verbally explained to them to ensure the remedial action necessary was understood and followed. This approach led to appropriate action being taken by the dutyholder and improved controls being put in place. At all stages the Inspector kept the individual who raised the concern fully informed and this led to positive and appreciative feedback.

[Recycling company convicted of Corporate Manslaughter and Health & Safety offences.](#) In January 2020 at Ward Recycling's premises in Hartlepool, agency worker, Dean Atkinson, was struck in the head by a shovel loader and crushed under its wheels, killing him instantly. The joint Police and HSE investigation into the incident assessed the mobile plant and site layout, concluding that Ward Recycling failed to protect pedestrians from the mobile plant operations. There were no suitable traffic management arrangements in place, meaning pedestrians were at risk of being struck by moving vehicles, including loading shovels.

This joint investigation was supported by HSE civil and mechanical specialist inspectors providing technical reports and then expert evidence at the Trial in January 2024. Ward Recycling Limited were found guilty in Middlesbrough Crown Court of breaching Section 1 of the Corporate Manslaughter and Corporate Homicide Act 2007, Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £1.75m for corporate manslaughter and £400,000 for breaching health and safety regulations.

Company fined after employee sustained fatal injuries whilst chemically stripping alloy wheels: On Friday 19th January 2024 Electrostatic Magic Limited pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002 and contravening Article 67 of the REACH Regulation by failing to control exposure to Dichloromethane and Hydrofluoric acid following the death of an employee who sustained injuries whilst using chemicals to strip alloy wheels.

The prosecution followed an investigation by HSE which found that George Setchfield, who was 21 years old, had entered the company's stripping shed which housed an Intermediate Bulk Container (IBC) containing a proprietary alloy wheel stripper (composed of Dichloromethane, Hydrofluoric Acid and Methanol). He was later found by his manager slumped over the side of the IBC. George suffered multi organ failure, Chemical Pneumonitis and Cutaneous burns from exposure to the chemical. He died of his injuries. The investigation found that Electrostatic Magic Limited had failed to put in place reasonably practicable precautions such as:

- installing and using Local Exhaust Ventilation,
- using a hoist, or long-handled tools to lower and lift parts in and out of the tank,
- providing a pumped chemical systems to prevent the need to lean into the IBC and,
- ensure that any PPE or RPE provided was suitable for the environment that it was being used in.

The company were fined £67,000 by Peterborough Magistrates' Court who recognised the seriousness of the offence committed and were clear that a strong message needs to be sent to the industry.

HSE Inspection Division is currently carrying out an inspection programme at premises where Dichloromethane is used to ensure the risks are recognised and being appropriately controlled.



Ensure HSE is a great place to work, and we attract and retain exceptional people

National Apprenticeship Week 2024: Skills for Life: For National Apprenticeship Week this year, HSE shone a light on the talented apprentices within the organisation and showing the positive impact they have both for the individual and the organisation.

The theme for National Apprenticeship Week 2024 was "Skills for Life" reflecting on how apprenticeships can help individuals to develop the skills and knowledge required for a rewarding career and how greater use of apprenticeships can help HSE to develop a talented workforce that is equipped with future-ready skills.

Published fatalities update¹

Since the last update to the Board, 5 fatalities which occurred in 2023/24 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
25/07/2023	Mark Tatlock	41	The deceased fell from height	Salford	Manufacturing	Employee
19/10/2023	David Saint	61	The deceased was struck by a moving vehicle	Birmingham	Manufacturing	Employee
28/11/2023	James Young	81	The deceased died following a fall	Edinburgh UA	Services	Member of the public
20/12/2023	John Godsman	67	The deceased fell from height	Aberdeenshire UA	Services	Employee
22/12/2023	Philip Thomas	44	The deceased fell from height	Leeds	Construction	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](#).