

Health and Safety Executive Board			HSE/21/A07
Meeting date	27-Jul-21	FOI Status	
CM9 Ref	2021/149390		
AGENDA HSE Board Meeting 27 July 2021 Redgrave Court			

08:00 - Private Session - HSE Board
09:30 including Forward Look

Break

Closed Board meeting

Presenter
Chair

09:45	1 Welcome Declarations of interest Minutes of meeting 29 June 2021	HSE/21/M07	
	Matters arising & Action Log	HSE/21/AL	
	Chair's update - Including approval, on behalf of the Board, of consultation on technical amendment to COMAH Regulations	Verbal	
	SEEAC update (including revised Terms of Reference)	Verbal	John McDermid
10:15	2 Chief Executive's Report - July 2021	HSE/21/32 and Verbal update	Sarah Albon
11:00	3 Performance Report - June 2021	HSE/21/33	David Murray and Directors
11:30	4 Board Risk workshop part 1	HSE/21/34	
12:00	5 Coffee Break		
12:15	6 Board Risk workshop part 2		
13:00	7 Meeting review		All
13:10	8 Meeting ends - Farewell to Janice and Kevin. Sandwich lunch provided		

Health and Safety Executive Board		HSE/21/M08	
Meeting Date:	28 September 2021	FoI Status	
FoI Exemptions			
CM9 Reference:	2021/172948		
Minutes of HSE Board Meeting 27 July 2021 Redgrave Court and Video Conference			

Attending

Susan Johnson – Senior independent Board member	Janice Crawford	Martin Esom	Elaine Bailey
John McDermid	Mahbubul Islam	Ged Nichols	Ken Robertson
Kevin Rowan	Claire Sullivan		

Also attending

Sarah Albon – Chief Executive	James Anderson – Head of Information Technology and Facilities	Katy Shrimplin – Director, Legal Services	Peter Baker – Director, Building Safety and Construction
Clare Millington-Hume – Director, Human Resources	Peter Brown – Director, Engagement and Policy	David Murray – Director, Finance and Corporate Services	Karen Russ – Director, Science and Commercial
Angela Storey – Director, Operational Services	Philip White – Director, Regulation	██████████ – Head of Business Assurance Team	

██████████
██████████ - Secretariat

Apologies: Sarah Newton

Minutes

Closed Meeting	
1	Welcome and Declarations of Interest
	<p>Susan Johnson welcomed everyone to the meeting, including Clare Millington-Hume attending her first meeting as HSE’s HR Director. Apologies were received from Sarah Newton.</p> <p>Susan Johnson reminded the Board of the importance of keeping the register of interests up to date and that they should report any changes to the Secretariat.</p> <p>There were no declarations of interest in relation to the items on the agenda.</p> <p>Draft minutes of meeting 29 June 2021 (HSE/21/M07), matters arising and actions (HSE/21/AL)</p> <p>The minutes of the previous meeting were cleared.</p> <p>The Board noted the updates to the Action Log. Circulation of the insight report prepared for the Building Safety Regulatory (BSR) Programme (see CE’s report</p>

	<p>HSE/21/32) was requested. The Board also received a very brief update on BSR communications and the Safety Case guide.</p> <p>Confirmed dates and locations for the One HSE events were noted and confirmation of venues was requested. The Board expressed a willingness to be involved in the programme for the event and were invited to let the Secretariat know which date/venue they could attend.</p> <p>Susan Johnson updated the Board that Sarah Newton had cleared the regulatory package to make a technical amendment to the COMAH regulations specifically to replace any references to Public Health England with the new UK Health Security Agency.</p> <p>John McDermid updated on proceedings at the SEEAC meeting 13 July, confirming the activities being undertaken to be assured on delivery of HSE's Science work and ensure priorities align with HSE's strategic priorities. A deeper study on digital evidence had also been undertaken to gain greater levels of confidence. It had found that standards of practice were high but sharing of lessons learned from incidents required further work. The breadth of activities captured in the Terms of Reference (ToR) was also noted and it was suggested that the relationship between SEEAC and the Portfolio Board should be reviewed to ensure there were no governance gaps/overlap. It was agreed that the activities and ToR would be kept under review over the forthcoming year.</p> <p>There were no other Matters arising.</p>
Decision	Minutes cleared.
Action 1	Circulate BSR insight report. <i>Secretariat note – this was sent by email 29 July 2021.</i>
Action 2	Confirm with Internal Communications colleagues that the Board expressed an interest in being involved in the One HSE events programme. Board Members to inform the Secretariat of which event/date they could attend.
Action 3	Send details of the prosecution evidence deep dive to Katy Shrimplin.
2	Chief Executive's Report (HSE/21/32)
	<p>Sarah Albon updated the Board on recent activities, in particular the Minister's successful visit to Buxton, during which she had learnt more about several specific science activities. The contributions of all involved were acknowledged.</p> <p>The Board received greater detail of the reasons behind the delay in the laying of the Annual Report and Accounts 20/21. Assurances were given that colleagues were working closely with NAO and its strategic partner, EY, in completing its audit. Sarah Albon outlined her view that there had been weaknesses in communication between HSE and NAO and outlined what action was being taken to address this. Martin Esom, as Chair of the Audit and Risk Assurance Committee (ARAC), confirmed that the HSE team had fully discharged its responsibilities but that ARAC was largely unsighted on the additional matter which had caused delays. He requested a further update when available.</p> <p>The following points were raised/discussed:</p> <ol style="list-style-type: none"> 1. The expected timeline for publication of Occupational Disease national statistics and whether these would include Covid-19. Confirmation would be shared with the Board in due course. 2. The approach to post implementation reviews and how these should be proportionate. The Board noted that evaluation of the impact of the broad range

	<p>of measures/interventions included in the individual priority sector strategies was routinely undertaken and whether they were delivering behaviour change.</p> <p>3. The annual statistics on workplace fatalities and how HSE would be considering them as part of the overall strategy discussion. The Board noted a number of fatalities in the Agriculture sector, noting the considerable work done previously around engagement with key stakeholders to ensure ownership of health and safety and seek to deliver improvements.</p> <p>4. Consideration of how to strengthen Board engagement within the Devolved Administrations.</p>
Action 4	Provide the Chair of ARAC with an update on the specific issue requiring additional work before completing the audit.
Action 5	Provide confirmation regarding the National Statistics for Occupational Disease and whether these would include Covid-19.
3	Business Performance – May 2021 (HSE/21/33)
	<p>David Murray presented the performance report, outlining areas of strong performance, to date, and those requiring focus. Noting a number of emerging opportunities, he outlined the actions ExCo will be taking to address these.</p> <p>The following points were raised/discussed:</p> <ol style="list-style-type: none"> 1. The recovery work being undertaken to support operational divisions to deliver the target for pro-active inspections. 2. The current position regarding recruitment and how this has led to an underspend in the year to date. The Board requested further discussion on likely underspend at September meeting. 3. Clarification of the position regarding commercial income and accounting adjustments. 4. The future role of the Finance and Performance Committee in considering overall performance.
4	Board Risk Workshop (HSE/21/34)
	<p>██████████ presented this paper, explaining the purpose of the workshop and inviting Board Members to articulate their top 5 risks. Each Board member gave a high level view of those major risks which may prevent the delivery of the Business Plan and the strategic objectives discussed at recent strategy development sessions. These would be collated and grouped together, along with Board member written submissions, ready for a further discussion at the September Board meeting.</p>
Additional item	The effect of Covid-19 in the workplace – Internal Report (HSE/21/35)
	<p>This paper had been revised to take account of points raised by the Board at its May meeting. It had been circulated by correspondence with a request for further thoughts to be sent to Philip White by the end of August.</p> <p>The following points for consideration were raised:</p> <ol style="list-style-type: none"> 1. How communications messaging could be clearer in relation to: <ul style="list-style-type: none"> • The impact of a public health issue on workplaces • Clarity about enforcement responsibility • Consistency between regulators for enforcement

	<p>2. The effectiveness of RIDDOR, establishing the cause of transmission and how other sources of information would be available; and clarification of our role regarding PPE product certification.</p> <p>3. Next steps.</p>
	Meeting reflection and valedictory messages
	Susan Johnson, on behalf of the Chair and Board, reflected on the contributions of both Janice Crawford and Kevin Rowan, thanking them for their service as their terms of office would end on 31 st July.
Other Business	There was no other business.

Health and Safety Executive Board		HSE/21/32	
Meeting Date:	27 July 2021	FOI Status:	Open
Type of Paper:	For discussion	Exemptions:	None

Chief Executive's Report July 2021

Annual workplace fatality figures for 2020/21

The provisional data released shows that a total of 142 workers were killed at work in Great Britain in 2020/21. In statistical terms the number of fatalities has remained broadly level in recent years – the average annual number of workers killed at work over the five years 2016/17-2020/21 is 136.

The figures released relate to workplace incidents. They do not include deaths arising from occupational exposure to disease, including COVID-19.

Annual Report and Accounts

HSE's 2020-21 Annual Report and Accounts will not be ready for certification by the Comptroller and Auditor General prior to Parliamentary recess on 22 July due to a number of outstanding matters. This was due to some additional testing identified late in the audit and then compounded by resourcing issues at NAO's strategic delivery partner EY. The aim is to finalise all outstanding matters by end of July enabling the accounts to be certified and laid at the earliest opportunity when Parliament returns in September.

Provide an effective regulatory framework

Post-implementation Review: The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015 ("SE2015") came into effect on 1 October 2015. They included the statutory requirement to undertake a review within five years to establish if they had met their policy intent. HSE adopted a phased and 'light touch' review as an appropriate and proportionate approach, given that SE2015 were de-regulatory, the net savings to business were relatively small (EANCB of -£0.41M) and the measure appeared to have had little impact on the self-employed population.

The first phase of evidence gathering involved engaging with key external stakeholders (trade unions, trade associations, health and safety consultants and a professional body), external regulators (LAs and ORR) and HSE's own sector and policy colleagues, as well as reviewing existing sources of evidence. The findings were published on legislation.gov.uk on 1 October 2020 as [SE2015 PIR](#), to meet the statutory reporting timescales. The report recommended that SE 2015 remain unchanged until such time as further research with the self-employed sector was undertaken. A commitment was given to publish a further report by 1 October 2021.

The second phase, which was to engage with the self-employed directly, was delayed due to the pandemic. It has now been completed via an online omnibus survey. The evidence gathered during both phases of the review suggest that the objectives intended to be achieved by the SE2015 Regulations (reducing the burdens on certain self-employed in low risk occupations) have not been fully met and that there is little awareness of SE 2015 amongst the self-employed and therefore little impact on their work or working practices. SE2015 PIR Phase 2 therefore recommends that the regulations should remain, subject to the following additional actions:

1. To undertake a comprehensive review of the supporting guidance for the self-employed to ensure that it is clear for all, and
2. To increase awareness of the exemption across all industry sectors through a broad range of targeted communications.

The Secretary of State for Work and Pensions will shortly be informed of the outcome and permission obtained to publish the report on the gov.uk website.

Lead and engage with others to improve workplace health and safety

The Office for Product Safety and Standards Regulatory Excellence Awards: On 10 June the Scottish Environmental Health and Trading Standards Covid-19 Expert Officer Group (ETC19) was highly commended in the Coronavirus category. HSE has been an active participant in the group since the start of the pandemic. The group brings together the Scottish Government, local authorities, HSE and other regulators, such as Police Scotland. The key aim is to consider policy and operational issues in regulating Coronavirus requirements, allowing discussion and resolution of barriers to achieving regulatory consistency and effectiveness in Scotland. It provides frontline regulatory feedback to the Scottish Government about what is reasonably practicable, and achievable, in regulating Coronavirus. The group also paved the way for HSE to assist on Scottish Government working groups creating industry sector guidance for Coronavirus control measures, and led to specific projects on student accommodation, and joint visiting to further education colleges by HSE inspectors and local authority regulators, as part of HSE's Coronavirus response in Scotland.

Partnership on Health and Safety in Scotland, (PHASS): On 15 June HSE Chair Sarah Newton joined the most recent meeting of the PHASS. HSE has chaired the Partnership since its inception in 2005, including in recent years by HSE Board member George Brechin, prior to his death. PHASS brings together key players in workplace health and safety in Scotland and aims to support tripartite collaboration between employers, employees and government, to improve workplace health and safety in Scotland. Sarah Newton heard from representatives of the various bodies and groups represented on PHASS, including an update on the Scottish Plan for Action on Safety and Health. (SPIASH). The meeting included presentations from Scottish Government representatives on their *Fair Work* programme, and their *Fairer, Healthier Work* strategy review, which is considering the strategic approach to keeping people in fair and healthy work, and maximising the return to work of people who are absent from work through ill health. The approach to this review is to consider more joined up healthcare 'whole system' pathways for keeping people in work. This includes the relevance and availability of occupational health support in Scotland, particularly for SMEs.

Covid-19 communications: HSE has been working very closely with other Government Departments to support the GB roadmap out of lockdown. We have continued to share national Government messaging highlighting the latest updates to the national position and current guidance and will use our Work Right campaign to support the Government's central campaign. This will continue post-July 19. We have also reflected the different recommendations and requirements made by the Scottish and Welsh administrations.

Work Right trial campaign: Further engagement in Yorkshire and Humber with local stakeholders has taken place and we have helped four local authorities get involved in our campaign by sharing assets. Leaflets printed in different languages have been delivered to community groups and local Clinical Commissioning Groups to be shared with hard to reach communities across Yorkshire. New translated social media posts and assets have been created with the intention of being part of our paid for campaign activity. Work has also started on setting up a stakeholder forum to gather evaluation data and feedback about the campaign.

Underpinning Insight on Building Safety Regulator Duty Holders: We have recently completed new insight on the perspectives, needs and projected behaviours of new BSR duty holders. This is based on 150 depth interviews with professional stakeholders across the life cycle of high-rise buildings: from clients and designers, through construction, to building safety managers and responsible persons. It exemplifies our regulatory commitment to build-in the views of our audiences. This complements a separate secondary analysis of the construction sector's projected interaction with the BSR based on our existing insight assets. A key product is an actionable attitudinal segmentation of each duty holder group towards the BSR which is helping refine our operational policy and compliance model to target and tailor our activities. The insight

also underpins our BSR communications strategy through the delivery of bespoke guidance for each audience alongside detailed pen portraits, process maps and behavioural analysis across ten sectors. This enables us to target and tailor new guidance and communications, and ensure we appraise and mitigate the needs of future non-compliant and high-risk behaviours.

This insight, funded by the Joint Regulators Group, was designed closely with our BSR operations and communications teams – and has been enthusiastically received for revealing new, detailed understanding in an actionable manner. The work was undertaken by HSE’s Insight and Service Design team.

Secure effective management and control of risk

Publication of Great Britain Mandatory Classification and Labelling (GB MCL) - [Technical Reports](#):

On 30 June, HSE, as the Agency for the GB CLP Regulation, published its first batch of over eighty Technical Reports responding to the published RAC Opinions adopted by the European Chemical Agency’s Committee for Risk Assessment (RAC) in 2019 and 2020, six months after the end of the EU Exit transition period. This is a mandatory requirement under the GB stand-alone Mandatory Classification and Labelling (GB MCL) system.

There is parliamentary interest in these changes and interest from the UK chemical industry, which is seeking a high degree of regulatory alignment with EU, to facilitate frictionless trade in chemicals.

The Personal Protective Equipment (PPE) Taskforce: The taskforce, HSE’s Virtual PPE Unit, disbanded on 30 June 2021 due to the ending of legal powers to agree regulatory easements for PPE across Great Britain.

The unit was set up in April 2020 to coordinate and provide responses to questions relating to PPE and make decisions on regulatory easements, as the market surveillance authority for PPE for use at work, following EU Recommendation 2020/403. The EU Recommendation and subsequent legislation allowed HSE to agree the use of PPE that had not been conformity assessed or CE marked, so long as we were satisfied it met relevant essential health and safety requirements.

Although not the role of the regulator, HSE stepped in to provide technical and direct support to the Daventry supply hub. This was necessary to support the government wide response to the pandemic and ensure safe PPE was released to healthcare workers. The HSE Daventry Team provided direct on the ground support from April until the end of September 2020.

The unit’s technical assessment team and senior decision-making group has considered 922 enquiries for derogations for PPE to enter the supply chain, technical assurance requests and advice. The unit’s Product Supply Team dealt with 232 PPE supply concerns up to the end of March 2021, when the concerns moved to the HSE Product Supply and Market Surveillance Unit (PSMSU).

This has been a team effort with colleagues from all across HSE coming together and working collaboratively to answer questions, develop communications lines to take, web materials, a safety alert, agree or reject products, to help ensure that health and social care workers and others had safe PPE during the COVID pandemic.

Employment Tribunal: Mr D Gabel v HSE: HSE approves diving qualifications for use at work, and as part of that procedure recognises HSE Diver Competence Assessment Organisations (known as HSE Dive Schools). There is a protocol that sets out the procedures that the schools must follow. There are a number of requirements to be a diving supervisor at a school. These include an approved diving qualification along with certain diving industry supervisor qualifications. Don Gabel, a medically retired ex US military diver, was permitted to work as an assessor at one of the dive schools, but as he lacked an approved diving qualification and a suitable supervisor qualification, he was not permitted under the protocol to act as a supervisor at a school.

This has been in dispute since 2011, with letters via MPs and initial enquiries undertaken by the Ombudsman. There was unsuccessful litigation in the Court of Session in 2017 followed by an Employment Tribunal in September 2018 (found to be out of time) and a subsequent claim presented in November 2019. That claim was under the Disability Discrimination Act, that HSE had failed to make adjustments under the Act.

An employment tribunal was heard remotely on 7 and 8 June 2021. The unanimous Judgment of the Tribunal was that HSE was not a qualifications body for the purposes of the Equality Act (because HSE does not issue supervisor qualifications) and the position of diving supervisor is not a “personal office” for the purpose of the Act. Accordingly, the claimant’s complaints of unlawful discrimination were dismissed. In addition, the Judgement clarified that in any event it would not have been reasonable for HSE to deviate from the requirements of the protocol, as protecting the safety of trainee divers was a legitimate aim and requiring a supervisor at an HSE dive school to hold an approved qualification was a proportionate means of achieving that aim.

Asbestos activity: The Work and Pensions Select Committee has announced that it will be holding an inquiry into the way that HSE manages the continued presence of asbestos in buildings. The Committee reviews the work and policies of DWP, as well as its public bodies such as HSE, and we look forward to assisting the Committee with this important review.

For many years HSE has analysed and tracked the rise of mesothelioma, a deadly asbestos related disease. Sadly, the damage from exposure to asbestos takes many decades to show itself as there is often a latency of up to 40 years before disease is detectable. This means that cases now, and in the recent past, normally result from exposures which predate the time during the 1980s when the regulations and work practices were significantly tightened.

Most asbestos is now found in buildings constructed before all asbestos use was banned in 1999, so any building which predates 2000 is liable to contain asbestos. The building maintenance and construction trades are at particular risk of asbestos exposure. A series of regulations, enforced by HSE, have been introduced from the 1980s onwards, tightening controls around work liable to disturb asbestos. These included introducing a rigorous licensing regime for high risk asbestos removal work.

However, targeting asbestos risk has been and remains a significant priority for HSE. Each year we deliver 900 asbestos removal inspections in support of the licensing regime and we have also run a series of ambitious media campaigns to raise awareness, particularly across the construction industry, of the risks of disturbing asbestos.

Asbestos is still present in older buildings given its previous uses and it must be managed appropriately. Key to this is ensuring that dutyholders actively manage risks; this is known as the ‘duty to manage’ described in the Control of Asbestos Regulations. Where the dutyholder’s risk assessment identifies that the asbestos material cannot be made safe or protected, it must be removed safely by a competent person. This duty will be relevant to many workplaces and we recognise the importance and the challenge of ensuring that this awareness is sustained over time as building occupancy changes and evolves.

Whilst the high levels of deaths today from asbestos related disease relate to historical exposures during the installation of asbestos and the long delay on health effects, we are not complacent about this. We are currently carrying out a 2nd post implementation review of the Control of Asbestos Regulations and, as part of this, we have gathered views from a broad range of stakeholders to consider if the current approach remains the most appropriate given conditions in Great Britain.

Asbestos continues to pose a risk and that is why HSE is clear on the need for it to be managed appropriately. We welcome engaging with the Committee on this important area of work both to share our approaches to date and to hear the views of different stakeholders who have been, and continue to be, impacted by this devastating disease to help shape our work going forward.

Securing compliance with the law

Press releases giving details of recent prosecution cases, along with other HSE press announcements, are published on this [link](#). The cases cited below illustrate just some of the complex and challenging investigations and interventions undertaken or supported by HSE.

Power Link Machine (UK) Co Ltd: In March 2018 HSE received a call from an employee of Power Link Machine (UK) Co Ltd, stating that they believed that they were being asked to work on containerised generator sets that had been imported from China with gaskets that contained asbestos. An Inspector visited site and took 2 samples of these gaskets. These were subsequently tested by colleagues in Science Division at Buxton. Analysis showed that the gaskets contained chrysotile asbestos.

On 26th March 2018 a Prohibition notice under the REACH regulations was served, prohibiting the importation of any products containing chrysotile asbestos.

In September 2018 HSE received a second call from an employee at Power Link stating that they were being asked to work on a newly imported generator set which contained gaskets that looked very similar to those analysed in March. HSE colleagues from Field operations and Science Division visited the site and took into possession a box containing the gaskets that had been removed by another employee of the company. These gaskets were analysed by SD and again were found to contain chrysotile asbestos. An investigation showed that the company responded to a customer request for a generator set and imported one from Power Link Machine (Shanghai) Co Ltd that was old stock. The company failed to check if this generator set contained asbestos and allowed two employees of Power Link based in Shanghai and three GB based employees to work within this unit. The Company accepted the word of a fourth employee who stated that they had removed asbestos whilst working in Malaysia and allowed him to remove the gaskets. They failed to follow the relevant [guidance](#) for this activity and also exposed this employee to chrysotile asbestos fibres.

A prosecution under the REACH regulations and Section 2 of Health and Safety at Work etc Act 1974 (HSWA) was proposed. Delays were caused by the company failing to respond to requests for written submissions and the COVID pandemic.

The case was eventually heard in Leeds magistrates court on 1st July 2021 where Power Link Machine (UK) Co Ltd was fined a total of £22000 plus costs (£6000 for the breach of the REACH PN and £16000 for the breach of section 2).

Fullwood Care Ltd and Options for Supported Living: A patient with a history of violence and aggression, in the care of Fullwood Care Ltd, with support provided by Options for Supported Living (OSL), stabbed an employee of Options in the neck on 2 November 2014. The carer had been left alone in the Fullwood kitchen with the patient who had access to a knife which she used to stab the carer, who sustained physical injuries and suffered PTSD. The investigation into this incident found that no information, instruction and training was provided to the OSL carers.

OSL pleaded guilty to a breach of Section 2(1) of HSWA at the start of the trial. Marie Binns (Options manager) was found to have breached Section 37, and accepted a simple caution. Fullwood Care Limited pleaded guilty to a breach of Section 3 of HSWA.

Judge's remarks: "No fault can be attached to the carer. She was woefully let down by her employer and by the 1st Defendant [Fullwood Care]. Both were at fault for this totally foreseeable and completely avoidable incident. In the Court's view... both Defendants fell far short of the appropriate standard in this case. The failures were significant and serious."

Great Baddow High School: Following the death of nine year old Leo Latifi, after an unsecured locker unit weighing 188kgs fell onto him whilst he waited for a swimming lesson, Great Baddow High School, Chelmsford pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974 and has been fined £16,700 and ordered to pay costs of £12,000. HSE's Communications colleagues worked closely with operational and legal colleagues and Leo's family's representatives to develop a sensitive handling plan in readiness for the sentencing in late June 2021.

Reduce the likelihood of low-frequency, high-impact catastrophic incidents

Supporting Net Zero: After rigorous assessment of evidence conducted by colleagues in Energy Division and Science Division, HSE has signed an exemption under the Gas Safety (Management) Regulations (GSMR) to allow Northern Gas Networks Ltd (NGN) to convey natural gas with a hydrogen content of ≤20% in an isolated section of the public gas network at Winlaton, Gateshead (the Winlaton Trial Network). The trial is limited to 12-months operation within a 3 year period (to allow for any operational delays) and is part of the HyDeploy programme to explore and gain assurance of the feasibility of wider deployment of hydrogen blending, which reduces the releases of carbon dioxide emitted when burning natural gas. BEIS Minister of State Ann-Marie Trevelyan and, Parliamentary Under Secretary of State Lord Callanan attended

the launch on 15 July. HSE will continue to engage with NGN as the trial progresses and will inspect operations there as part of the GSMR intervention plan.

Safety Alert: Marine loading arms (MLAs) are used to transfer material from ship to shore. They are often located in arduous environments which can result in significant degradation. An incident occurred where lack of lubrication on a pivot joint caused a catastrophic failure resulting in the collapse of the arm on a busy fuel terminal. The failure could have resulted in serious injury from the falling arm, or a major loss of hazardous hydrocarbons resulting in a significant safety incident and adverse environmental impacts. Investigation identified that the circumstances of this incident could readily be repeated across other sites. Regulatory and Mechanical engineering inspectors worked closely together to produce a [Safety Alert](#) identifying root causes and explaining measures needed to prevent a reoccurrence. This has been published externally and shared with industry, sharing our findings to prevent similar incidents elsewhere.

Decommissioning and Dismantling: Over the last two years colleagues in Energy Division, Field Operations Division and Construction Division have developed and commenced implementation of a strategy to engage with offshore and onshore operators and contractors involved with the decommissioning and dismantling of North Sea assets. A virtual team of CD and FOD inspectors has been trained and over the last few months their initial interventions have started to deliver results. This includes:

- clients providing relevant information prior to the structure arriving onshore
- improvements to the health and safety culture on site
- development of innovative dismantling processes
- greater engagement with HSE.

There are currently four pro-active interventions under way; three are either due onshore or have just arrived. Both offshore and onshore dutyholders are engaging positively and organisations such as Decom North Sea are facilitating forums and workshops to allow HSE to engage with a wider audience.

Published fatalities update¹

Date of incident	Name	Age	Description of incident	Local Authority	General Industry Sector	Employment status
09/12/2020	Darren Nevill	38	The deceased was exposed to a harmful substance	Broxbourne	Construction	Employee
24/03/2021	Charles May	20	The deceased died in an overturning vehicle	Derbyshire Dales	Agriculture	Self employed
15/04/2021	Paul Johnson	45	The deceased fell from height	Rutland UA	Construction	Employee
28/04/2021	Dariusz Zamylo	44	The deceased was struck by a moving vehicle	Angus UA	Services	Self employed
04/05/2021	Timothy Horwood	59	The deceased fell from height	North Devon	Manufacturing	Self employed
07/05/2021	Josh Hardman	23	The deceased was struck by an object	South Ribble	Agriculture	Employee
10/05/2021	Fernley Baker	70	The deceased came into contact with cattle	Exeter	Services	Member of the public

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](#).

13/05/2021	Patrick Rice	43	The deceased came into contact with electricity	Mid Devon	Construction	Employee
19/05/2021	Mark Faulding	48	The deceased fell from height	Bradford	Construction	Member of the public
21/05/2021	Kevin Peckham	66	The deceased came into contact with machinery	East Cambridgeshire	Agriculture	Employee