

Health and Safety Executive Board			HSE/22/A10
Meeting date	29-Nov-22	FOI Status	Open
CM9 Ref	2022/205962		
AGENDA HSE Board Meeting 28/29 November 2022 Cardiff City Hall			

18:00-19:00 **28 November - Radisson Blu**
HSE Board Private Session

19:30-21:30 **HSE Board Dinner**

29 November - Cardiff City Hall
HSE Board Meeting

GOVERNANCE			Presenter
08:00	1	Welcome Declarations of interest Minutes of meeting 24 October 2022 Matters arising & Action Log Chair's update Committee update - ARAC	Chair HSE/22/M09 HSE/22/AL Verbal Verbal Martin Esom
ASSURANCE			
08:20	2	Chief Executive's Report - November 2022	HSE/22/48 & Verbal update Sarah Albon & ExCo members
08:50	3	Business Performance	HSE/22/49 David Murray
09:20	4	HSE Science Assurance - update	HSE/22/50 Karen Russ, Andrew Curran and Cath Noakes
09:50	5	Update on BSR	Presentation Peter Baker/Clare Millington- Hume/Angela Storey

DECISION

10:35	6	HSE Fees Regulations and Proposed Hourly Rates for 2023/24	HSE/22/51	David Murray
11:05	7	Building Safety Regulator – Update on Fees and Charges Consultation	HSE/22/52	David Murray

INFORMATION BRIEFING

11:35	8	HSE Working with Wales	Presentation	
12:05	9	Overview of HSE Wales	Verbal	Philip White

12:10 10 AOB/Meeting Review

12:15
Lunch
to include networking with Cardiff
colleagues

13:25-
13:30
Gather for Stakeholder event

13:30-
16:30
STAKEHOLDER EVENT


Health and Safety Executive Board			HSE/22/M10
Meeting Date:	24 January 2023	FoI Status	Open
FoI Exemptions			
CM9 Reference:	2022/000796		
Minutes of HSE Board Meeting 28 November 2022 Cardiff City Hall			

Attending

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

Also attending

Sarah Albon – Chief Executive	James Anderson – Chief Technology Officer	Peter Baker – Director, Building Safety	Rick Brunt – Director, Engagement and Policy
Clare Millington-Hume – Director, Human Resources	David Murray – Director, Finance and Corporate Services	Karen Russ – Director, Science and Commercial	Angela Storey – Director, Operational Services
Philip White – Director, Regulation			

 - Secretariat	 , Michael Jennings - observers	Gill Weeks – DWP Independent Reviewer - observer	Cath Noakes – Chair of Science Quality Assurance Group; Andrew Curran – Chief Scientific Officer
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Apologies: Ken Robertson

Minutes

Closed Meeting	
1	Welcome and Declarations of Interest Sarah Newton welcomed everyone to the meeting Apologies were received from Ken Robertson. 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. There were no declarations of interest The Chair informed the Board that she had signed, on behalf of the Executive, the Offshore Installations (Safety Zones) (No 3) Order (2022). Draft minutes of meeting 24 October 2022 (HSE/22/M09), matters arising and actions (HSE/22/AL)

	<p>The minutes of the previous meeting were cleared subject to an amendment to paragraph 2 (Chief Executive's Report) regarding HSE's preparedness for Covid Public Inquiries to confirm that this included those in Scotland and Wales.</p> <p>The action log was noted. In relation to the covid spot checks lessons learnt action, the Board noted the conclusions drawn from the raw data and how there was no discernible difference in implementation of safety measures between premises with formal employee representation and those without. The Board was assured that employee engagement was an integral feature of all inspection activity.</p> <p>There were no other Matters arising.</p> <p>Martin Esom updated the Board on proceedings at the last Audit and Risk Assurance Committee (ARAC) meeting. This included NAO activities for the last and forthcoming audits, including a fee increase due to the implementation of a new auditing standard for 2022/23; review of the risk register; assurances received from deep dives and other assurance activity; and proposals for the annual effectiveness review.</p>
Decision	Minutes cleared subject to the amendment requested. The Board was also assured by the extent of activity undertaken by the ARAC.
2	Chief Executive's Report (HSE/22/48)
	<p>Sarah Albon updated the Board on current issues, including engagement with Parliament and other government departments and stakeholders.</p> <p>The Board noted in particular the Step Change in Safety's Exemplary Safety Leadership Recognition Award presented to a colleague.</p> <p>The Board also received an update on the Shredmet prosecution where four workers died after a wall collapse.</p> <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> 1. That the forthcoming results of the People Survey would be shared with the Board. 2. The availability of competent health and safety consultants (ref the Airtec prosecution) via the Occupational Health and Safety Consultants Register.
3	Business performance (HSE/22/49)
	<p>David Murray presented the performance report for October 2022, providing details of both Business Plan targets and financial performance:</p> <ul style="list-style-type: none"> • areas of strong performance against new Business Plan milestones, including: the completion of pro-active inspections (with latest figure being >10100) and material breach rates across the sectors largely as or exceeding expectations; Chemical Regulation evaluations; fatal and non-fatal investigations closure, with a positive rolling 12 month performance against new timeliness and enforcement targets for investigations; Business Plan deliverables with all Q2 milestones delivered, noting that two deliverables were off track; and • areas of focus, including: delivery against new performance measures for Major Hazards; and, whilst there had been a slight reduction on average working days lost (AWDL), HR colleagues continued to provide support to Divisions in managing absence;

	<ul style="list-style-type: none"> HSE's financial position with a small underspend at £2m, including early thinking regarding government spending announcements in the recent budget. <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> Forecast spending assumptions and extent of ExCo oversight of the portfolio of programmes and projects and delivery confidence which impacts forecasts. Progress of HSE Pay Reform case and its inclusion in the current forecast. The on-going work on the Performance Framework to develop and improve the quality of management information. The breadth of the IT transformation portfolio and whether the Board could have a summary paper/presentation to enable greater clarity of the portfolio and assurance on its progress. It was noted that this was also an area to be explored by the Finance and Performance Committee.
Decision	The Board noted the performance report.
Action 1	Identify an opportunity to schedule a proportionate update on the IT transformation portfolio after the Finance and Performance Committee had undertaken its work.
4	HSE Science Assurance update (HSE/22/50)
	<p>Karen Russ, Andrew Curran and Cath Noakes presented this update on the effectiveness of the interim assurance process, progress in establishing the Science Quality Assurance Group (SQAG) (including recruitment of members and development of its terms of reference) and how the Group will operate once formally established.</p> <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> How the interim process had embedded good practice in terms of assessing quality and strategic relevance of science work, and improved commissioning and planning of projects. The need for further work on how learning would be applied was acknowledged. SQAG's role in delivering relevant assurances to the Board and that the process for feeding back recommendations made by SQAG to teams to be taken forward would be developed. How the self-assessment model, which had worked well as an interim science assurance measure, was already used elsewhere in HSE, such as project closure and staff annual performance reporting. There may be other areas where it could also be applied (eg CRD). Next steps in terms of mapping HSE's science work to enable the SQAG sub-groups to identify areas of focus. There would be flexibility in terms of experience and expertise across the sub-groups. <p>The Chair thanked Debbie Gillatt and Ken Robertson for their support of the recruitment process for members of the Group.</p>
Decision	There was broad support for the draft terms of reference subject to amendments to reflect the Board's discussion.
5	BSR update (presentation)

	<p>Peter Baker and Angela Storey provided an update to the Board on several key aspects of the programme including:</p> <ul style="list-style-type: none"> • Ongoing engagement with regulatory partners (Local Authorities and Fire and Rescue Services) to oversee progress in preparedness. • The approach to resourcing the programme delivery and move to business as usual. • The appointment of the Deputy Chief Inspector of Buildings. • Programme delivery and external factors. <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> 1. The challenges in acquiring in-demand expertise and how these could be addressed, including through the use of call-off contracts where necessary, and the need for transparency in the cost recovery model. 2. How measures being put in place to establish more efficient ways of working would support delivery of the full range of business plan activities. 3. The transfer of resources from DLUHC to HSE.
Decision	The Board acknowledged the significant amount of work already undertaken to ensure progress of the programme, often in challenging circumstances.
6	HSE Fees Regulations and Proposed Hourly Rates for 2023/24 (HSE/22/51)
	<p>David Murray presented this paper inviting the board to agree the proposed fees and charges for 2023/24 and seek ministerial approval to the proposed regulations. He explained the rationale behind the proposed increase and how efficiencies in HSE's COMAH work would absorb inflationary increases.</p> <p>The Board sought and received assurance on the following:</p> <ol style="list-style-type: none"> 1. The increase was consistent with the requirements in Managing Public Money for full cost recovery and that HSE was avoiding over-recovery via a number of factors, such as implementing efficiency improvements and reduced per capita overhead cost as a result of HSE's expansion. ExCo would maintain close oversight of costs and their recovery. 2. How communications around the increases would be handled. 3. The reasons behind different approach, adopted by the Office for Nuclear Regulation, to implementing the recommendations of the International Atomic Energy Agency's report regarding consents for the Ionising Radiation Regulations (IRR). The Chair would discuss this with Philip White.
Decision	The Board agreed the proposals and for them to be submitted to the Minister for approval.
Action 2	The Chair to meet with Philip White to discuss the IRR.
7	Building Safety Regulator – update on Fees and Charges Consultation (HSE/22/52)
	David Murray provided an update on the outcome of the consultation and next steps. He explained the two key issues raised by stakeholders and what additional work was being undertaken to identify how they could impact HSE and the Outline Business Case (for funding). He confirmed that, as a result of the deferral in the making of the Regulations to October 2023, the provision for

	charging for registration of High Rise Buildings would be included in DLUHC's Registration Regulations, due to come into force in April 2023. This would need HSE Board approval.
Decision	The Board welcomed the update and agreed that, for the sake of expediency, the Chair could exercise her delegated authority to approve the agreed Registration fee on behalf of the Board.
8	HSE Working with Wales - presentation
	<p>██████████, Head of Operations Wales and the Marches, presented and overview of the breadth of operational, policy and engagement activity undertaken by HSE in Wales.</p> <p>The Board noted the policy differences brought about by devolution, for example HSE's role in the health and social care, and was assured that engagement/working in partnership with Welsh stakeholders featured prominently. HSE's model of working with and in Scotland was being adopted in Wales and would strengthen relationships with the Welsh Government.</p>
Other Business/Meeting Review	The Board noted that the papers for this meeting were of high quality and presentations delivered were clear and concise. A collegiate approach between the Board and ExCo was evident and the BSR update was helpful.

Health and Safety Executive Board		HSE/22/48	
Meeting Date:	29 November 2022	FOI Status:	Open
Type of Paper:	For discussion	Exemptions:	None

Chief Executive's Report 29 November 2022

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

Preventing work related stress to promote, support and sustain good mental health: Working Minds continues to raise awareness of workplace stress and the actions to take to employees across GB. At the end of October colleagues delivered sessions in two webinars, one national and one focused Scottish businesses, reaching more than 4,800 people. These drove substantial web traffic to the campaign site, resulting in new subscribers, and the equivalent of three months of Champions sign-ups in two days. An example of the positive response these received is a 4.2 out of 5 score from attendees on the statement: *'As a result of attending the webinar I will instigate a change in my workplace to help prevent the risk of stress.'*

On the 16th November we recognised the one year anniversary of Working Minds. Marking the occasion was the announcement of the campaign reaching the target milestone of 1,000 Champions, and our latest campaign partner – Institution of Occupational Safety and Health (IOSH). This follows an earlier announcement in November for the International Stress Management Association (ISMA) becoming a campaign partner. In addition, the anniversary activity included substantial media, social media and partner communications, along with the release of a HSE podcast featuring Sarah Newton and Professor Cary Cooper.

Construction sector campaign focused on manual handling: The "[Your Health. Your Future](#)" campaign continued to support the six-week inspection programme. As of 10/11/2022 our manual handling [podcast](#), featuring our principle ergonomist and a guest from CECA, had been downloaded more than 880 times, the campaign website has had more than 15k page views and 3,333 downloads of guidance.

Respiratory health interventions: The Respirable Crystalline Silica (RCS) campaign began in October 2022, with 250 visits planned across 3 industry sectors including foundries, brick cutting and stone cutting. Supporting industry guidance (HSG201 and COSHH Essentials Sheets) have been refreshed and were published on HSE's website ahead of the inspections. Evaluation of the inspection visits to brick cutting businesses (small numbers) is to begin imminently with findings expected Q4. Inspection visits to foundries are continuing whilst inspection visits to stone working businesses will begin 1 December and will run to April. Analysis of the data from these visits, as well as the visits to foundries once completed, will begin next work year. Wood working campaign visits have recommenced with over 1000 inspection visits completed. A dashboard providing a 'real-time' snapshot on visit numbers, actions taken etc is available. A fuller analysis of inspection findings will begin soon, led by colleagues in HSE's Science Directorate, and will run parallel to the remaining small number of planned inspections. Analysis output is expected to be available late Q4.

Health and Work Conference 2022: The Health and Work Conference took place on 15 November 2022. It aimed to help drive cultural change across Great Britain's workplaces particularly with SMEs, to ensure psychological risks are treated the same as physical ones in

health and safety risk management. The conference included a keynote speech from HSE's Minister, Mims Davies MP, and interactive sessions on key areas of work related health. At the event, we also launched HSE's guidance linked to the Health is Everyone Business (HiEB) work: communicating HSE's work strengthening non-statutory guidance to give a set of clear and simple 'principles' to employers to support all disabled people and those with long term health conditions in the work environment. Feedback on the day has been very positive and a formal conference evaluation is now underway. We had 1750 delegates listening to the discussion session around the new guidance, with some workshops attracting over 500 delegates.

Risk by Design Awards 2022: The 2022/23 '[Risk by design](#)' awards have now launched. This invites anyone to nominate a design solution implemented in a UK workplace which has demonstrated a reduction in MSD risks for workers. The deadline for nominations is 31 January 2023 with judging taking place in March.

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

Local Authority Building Control Conference: This two-day event took place in the Midlands in early November. This was a key event for helping Building Control Inspectors understand the changes that will affect them, as they move to becoming a regulated profession by HSE. Peter Baker, HSE's Director of Building Safety and Construction, gave the keynote speech to more than 270 attendees from across 140 local authorities. Whilst most attendees were already subscribed, over the two days a further 50 people signed up to the e-bulletin and a further 41 to research which HSE's insight colleagues are conducting. It was a successful conference and many of the attendees were grateful they were able to ask BSR colleagues questions face-to-face. Follow-up meetings are being arranged for Peter Baker with Local Authority Chief Executives.

Statutory Residents Panel: Work to recruit into our first Statutory Residents Panel is underway with a number of applications being submitted within the first week. Activity has had a focus on sharing material with stakeholders so they can encourage residents via noticeboards etc and reaching disabled audiences via third parties. Social media content in the first week alone, collectively reached 27,500 accounts and an additional e-bulletin was issued to over 10,000 signed-up individuals to also drive traffic to recruitment webpages.

Farm safety: On the eve of half-term, we sent an important reminder via the media to keep children safe near farms. The complexities and sensitivities were laid bare in a positive and supportive [opinion piece](#) from Farmers Weekly columnist Liz Haines.

HSE working with Scotland: The Partnership on Health and Safety in Scotland (PHASS) met in September, chaired by HSE's Director, Scotland, and is now routinely attended by the HSE Chair and Board member, Ken Robertson. A proposal was agreed to align the future agenda for PHASS with the themes in HSE's Strategy – Protecting People and Places. PHASS received an update on HSE's work with Public Health Scotland. We met subsequently to progress action under the signed Statement of Commitment between our two organisations. One area for closer working arises from an independent review of the Scottish Health Protection Network. This is a community that owns the operational protocols for interventions to protect public health in Scotland and develops supporting guidance. HSE is involved where public and work-related health matters overlap and to contribute where we have regulatory *vires* and scientific expertise.

As usual, the PHASS session in September was open to a much wider audience to hear from:

- Dr Karen Gregory, University of Edinburgh, School of Social and Political Science in a presentation entitled 'My life is more valuable than this': Understanding Risk Among On-Demand Food Couriers in Edinburgh, beginning to understand platform working
- Aileen Schofield, Senior Health Promotion Officer, Health Promotion Service on Delivering Healthy Working Lives NHS Forth Valley
- Louise Hoskings, IOSH President, Director Hoskings Associates about 'Catch the wave: putting people at the heart of sustainability'

Mental health at work is featured regularly on the PHASS agenda and continues to be a focus of Scottish public health policy and delivery. HSE's involvement to communicate understanding of, and compliance with, health and safety at work legislation is set in the context of support from the devolved government, public health analysts and the voluntary sector. HSE therefore held a specifically Scottish Working Minds campaign webinar - including a presentation by Lifelines Scotland, an organisation funded by Scottish Government to support the mental health of emergency services workers. Lifelines Scotland explained their carefully developed approach to reducing mental ill health at work and mitigating against traumatic stress. They are an important Working Minds partner with HSE.

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

Recognition Award: In an awards ceremony on 8 September, Energy Division's (ED) Workforce Engagement Specialist inspector, Bob Egan, was presented with the "Exemplary Safety Leadership Recognition Award" for his significant personal contribution and commitment to SCiS over its 25-year history. Step Change in Safety ([SCiS](#)) was founded in 1997 by the Oil and Gas Industry Trade Associations. The Health and Safety Executive is one of its many members. The original aim of SCiS was to reduce the UK offshore injury rate by 50%, something which was achieved in 2004.

In introducing the award, SCiS's CEO Steve Rae said: "*Dundee-born Bob has worked in the offshore oil and gas industry since 1992. Prior to that, he worked in the petrochemical and construction industries. His offshore career began as a pipefitter and he has worked for the majority of contracting companies in the UKCS. Latterly, he was Petrofac Trade foreman, shutdown co-ordinator and Elected Safety Rep (ESR) on Maersk Oil's GP3 FPSO. As an ESR for over seven years, Bob won the 'Safety Representative of the Year' title at the 2014 Offshore Safety Awards and was praised for being "a role model for safety leadership... who earned the unwavering respect of his peers, constituents and managers"*.

Bob was appointed to the role of Workforce Engagement Specialist within the Health and Safety Executive's Energy Division in 2019. His appointment followed a four-year secondment from global oilfield services company, Petrofac, as the HSE's Head of Workforce Engagement where Bob worked alongside HSE Inspectors to help improve the link between the HSE and the on and offshore workforce. Step Change said Bob's appointment to HSE was both 'visionary and inspired'.

Bob is a very active offshore inspector and works with all of ED's Inspection Management Teams to establish a picture of how effectively offshore duty holders have engaged their workforce, from Managing Director to apprentice, in managing major accident hazards effectively. Bob has developed ED's [Workforce Engagement Inspection Guide](#) which is used by all of HSE's Offshore inspectors. In addition to his offshore work, Bob has also been called in to assist in regulating COMAH operators. Bob was the Co-Chair of the SCiS Workforce Engagement Support Team for

several years and he remains a key member. Bob and Chris Flint, ED Director, are both members of the SCiS Leadership Team.

Armada Kraken, Bumi Armada UK: Offshore Inspectors from HSE's Energy Division have served an Improvement Notice on the company Bumi Armada UK after problems were identified with its management of alarms related to the control and prevention of major accidents offshore on its Armada Kraken floating production, storage and offloading ([FPSO](#)) installation. This follows inspections revealing that they were not adequately managing critical alarms in accordance with its own procedures and industry guidance. More than 900 standing and nuisance alarms were uncovered during the inspection. Current industry guidance recommended no more than five. It was foreseeable that critical alarms, including those relating to the fire and gas system, and which are necessary for the effective control of major accident hazards, could be missed by control room operators.

It is not the first time HSE has flagged the issue. In 2018, HSE identified alarm management issues following an inspection and no sustained progress has been made to resolve these issues specific to Armada Kraken FPSO. One of the Offshore Sector related press, Energy Voice, has publicised the Improvement Notice which will support HSE's messages relating to the sector ensuring that alarm loadings on control room operators are kept as low as possible particularly those related to fire and gas detection, in order to prevent a major accident.

International Regulators' Forum (IRF) AGM: Chris Flint, Director ED and Dave Walker of HSE, together with a colleague from OPRED-BEIS, represented the UK's Offshore Major Hazard Regulator at the first face-to-face IRF AGM since 2019. These events are aimed at ensuring that the directors of the offshore safety regulators from Australia, Brazil, Canada, Denmark, Ireland, Mexico, New Zealand, Norway, The Netherlands, UK, and the USA can directly discuss the challenges, successes, and developments in regulating the offshore oil and gas industry. The AGM was hosted by Norway's Petroleum Safety Authority (PSA) which, like many of the other regulators, is focussed primarily on offshore oil and gas production.

There was a common theme of energy security and supply for all of the regulators. This was reflected in several of the other regulators being assigned the responsibility for offshore renewables. Chris Flint chaired a session on "Capacity and Competence" which was mostly focussed on industry's challenges in recruiting enough trained workers to safely operate both oil & gas and renewable energy facilities. This concern was also reflected in the Regulators' challenges with ensuring they have the resources to regulate the challenges arising from ageing oil and gas infrastructure and the move to wind, Carbon Capture and Storage (CCS) and green hydrogen projects.

The PSA presented on developments in Norway's CCS industry, which is progressing rapidly, particularly with the [Northern Lights](#) project's offshore CO₂ injection well being completed, and the onshore CO₂ terminal at an advanced stage of construction.

There was also a common theme of regulator concern at industry's ability to manage safely the integrity of ageing assets. This has been a particular concern with Australia, Brazil, and the UK in relation to FPSO installations. There was a consensus that the key means to achieve effective regulatory impact was by influencing the most senior leaders of the organisations regulated by IRF members. The UK's ongoing Process Safety Leadership inspection initiative is an example of such an approach.

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

Working at Height: We designed and launched updated 'safe use of ladders and stepladders' online [guidance](#) this year to bring it up to date with modern standards (added advice on new ladder types, e.g. telescopic), and have been measuring its impact.

In the six months since its launch the webpages have:

- been viewed over 100,000 times
- achieved a user satisfaction score of 88% (HSE's website average is 74%)
- consistently been in the 'Top 100' pages on HSE's website
- seen downloads of ladders/work at height online material increase by 54%
- increased engagement (time spent on pages) due to improved user journey and task focused content .

Home Builders Federation (HBF) is providing HSE with a case study that demonstrates the impact of this, how they have used the updated guidance to help change behaviour on sites, and how it led to a reduction in accidents involving a fall from a ladder.

Securing compliance with the law

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

Norbord Europe: Following a four week trial, during which Norbord Europe strongly contested the prosecution for failing to have safe systems of work for those employees responsible for cleaning hot ash from wood drying machinery, leading to the death of an employee who sustained burn injuries over 90% of his body, the jury reached a unanimous guilty verdict and a fine of £2.15 million was imposed by the Sheriff. Inspectors from HSE's Field Operations Division, supported by a Process Safety expert from our Chemicals, Explosives and Major Hazards Division worked alongside the Crown Office and Procurator Fiscal Service to bring this prosecution and hold Norbord to account.

Gas Safety: Gas Safety Week was rescheduled to an awareness day following the period of National Mourning in September, and [HSE told the story of Tony Deyn](#), who had a lucky escape after an engineer carried out unsafe gas work in his house. This news release received coverage in local media, thereby raising awareness of the need to ensure gas work, including recommended annual safety checks on appliances, is carried out by registered engineers.

Inaccurate Local Exhaust Ventilation tests: Airtec Filtration Ltd, St Helens is used by businesses across the country to test their extract ventilation systems and reduce airborne contaminants in the workplace. Local exhaust ventilation (LEV) is a key control in reducing exposure to substances hazardous to health and there is a statutory duty to Thoroughly Examine and Test (TEXT) such systems by a competent person at least every 14 months. After concerns were raised about the accuracy of Airtec's reports, an investigation by the Health and Safety Executive (HSE) found that the firm provided its customers with "inaccurate test results", which potentially left workers unaware of the risks they faced.

In one incident, the HSE found that an Airtec engineer failed to identify the presence of rubber fumes in a car manufacturing business, which are carcinogenic and can lead to cancer. In another, an engineer is reported to have inadequately identified substances at a baking company as food dusts, and failed to provide information to highlight the presence of asthmagens which can lead to occupational asthma. After multiple visits to companies where testing was undertaken by Airtec, HSE inspectors found "significant and common failings" at each site.

Dutyholders often rely on consultants for complex or technical health and safety assistance. Poor advice or lack of competency, as in this case, leaves dutyholders in breach of health and safety law despite firms investing time and money to try to protect their workers.

Intervening with service providers like Airtec has a significant gearing effect as this can raise standards and effect change across many workplaces. With the right communications, the message is amplified to send a strong message to others in the sector to ensure that they are competent too. HSE is working with key stakeholders and using social media to tell the story of the prosecution of this service provider, to ensure others take action to check their work is being done competently and to deter those who are taking investment from GB industry while leaving people exposed to harm and businesses to further costs and risk of enforcement.

Multi-defendant prosecution: During the building of a new agricultural building to increase grain storage on a large arable farm in Oxfordshire, in September 2019, a worker suffered life changing injuries when the metal pipe of a concrete pump boom arm he was holding struck an overhead power line (OHPL).

The farm owner and sole trader, Alexander Madden, had taken the role of Principal Contractor and had failed to ensure, when the concrete pouring method was changed that it was properly planned, managed and monitored. The specialist building contractor and the victim's employer, Connop and Sons Ltd, failed to properly supervise the concrete pump operator and to ensure that the work being carried out did not cause a risk of contact with the OHPL which was known to be in the vicinity. Sean Walker, a very experienced and properly trained concrete pump operator, working for a sub-contractor, ignored his training and recklessly operated the pump in a way which caused it to contact the OHPL. The victim was in a coma for several days and was fortunate not to die.

The defendants were sentenced on 28th October as follows:

Madden - £3,000 fine and contribution to costs for breaching regulation 13(1) of the Construction (Design and Management) Regulations.

Connop and Sons Ltd - £50,000 fine and contribution to costs for breaching regulation 14 of the Electricity at Work Regulations.

Walker – 12 month community order with requirement for 60 hours unpaid work and contribution to costs for breaching Section 7 of the Health and Safety at Work Act.

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

Internal engagement: We have completed analysis of feedback and comments following the One HSE events. On the whole, the feedback has been very positive. Here are the results from a total of 542 responses to the post-event survey:

- 88% indicated they felt the events offered them the chance to speak directly to senior leaders
- 93% indicated they felt the events offered them a chance to connect with their colleagues
- 94% felt more informed about work going on elsewhere in our organisation and have indicated that they want to know more about 'how' we are delivering our strategy, including specific projects and next steps
- silent seminars and market stalls were rated 4/5 stars, but colleagues felt they needed more time to ask questions and interact with the stalls
- colleagues would like more networking opportunities and breaks in the day
- colleagues would also like to hear from external speakers

These results and the comments we received will be used to shape the next series of events in 2023.

HSE Band 4 Trainee Inspector Recruitment: The latest band 4 Regulatory Inspector campaign has secured 39 new employees who started with the organisation on the 1st November. The

campaign ran from April 2022 and offers were made in mid-August to enable new employees to start at the beginning of November 2022.

Our selection process was developed and implemented to identify candidates with the right behaviours and potential to achieve our Master level diploma training programme and continues to be successful in identifying the number of candidates we need and creating a reserve list. This approach has included more flexibility for internal and OGD candidates and we ran two campaigns to allow internal and OGD applicants to compete on experience, skills and behaviours with a relevant qualification to apply for posts.

We are pleased to say that this approach has meant that 9 posts have been filled by internal employees of HSE which is extremely positive and shows how much we value and seek to develop our internal talent, within the Organisation.

Published fatalities update¹

Since the last update to the Board, **5** 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
11/04/2022	Elizabeth Smith	88	The deceased died following a fall	North Northants UA	Construction	Member of the public
23/08/2022	Cristian Regiu	37	The deceased was struck by an object	West Devon	Manufacturing	Employee
23/08/2022	Luke Nightingale	54	The deceased was struck by an object	West Devon	Manufacturing	Employee
04/09/2022	Cyril David Smith	79	The deceased was struck by a moving vehicle	Torbay UA	Services	Employee
06/09/2022	Malcolm Ollerenshaw	60	The deceased came into contact with something fixed or stationary	High Peak	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](#).