

HSE Update for POOSH Meeting – 11 June 2011

Löfstedt Report – Update

HSE consulted on the first set of seven statutory instruments identified as being redundant or overtaken by more up-to-date legislation between 23 January and 12 March, with a view to revocation on 1 October 2012:

- Anthrax Prevention Order 1971 etc (Revocation) Regulations 2005.
- Employment Medical Advisory Service (Factories Act Orders etc Amendment) Order 1973
- Health and Safety (Foundries etc) (Metrication) Regulations 1981
- Non-ferrous Metals (Melting and Founding) Regulations 1962
- Pottery (Health and Welfare) Special Regulations 1950
- Pottery (Health etc) (Metrication) Regulations 1982
- Regulations for use of locomotives and wagons on lines and sidings in or used in connection with premises under the Factory and Workshop Act 1901 (1906)

Consultation to remove a further 14 legislative measures began on 3 April 2012 and runs until 4 July 2012:

- Celluloid and Cinematograph Film Act 1922
- Celluloid and Cinematograph Film Act 1922 (Exemptions) Regulations 1980
- Celluloid and Cinematograph Film Act 1922 (Repeals and Modifications) Regulations 1974
- Construction (Head Protection) Regulations 1989 (NB: these have been superseded by the Personal Protective Equipment at Work Regulations 1992)
- Docks Regulations 1988
- Docks, Shipbuilding etc (Metrication) Regulations 1983
- Gasholders (Record of Examinations) Order 1938 and a related provision (section 39 (2)) in the Factories Act 1961
- Gasholders and Steam Boilers (Metrication) Regulations 1981
- Locomotives etc Regulations 1906 (Metrication) Regulations 1981
- Notification of Conventional Tower Cranes Regulations
- Notification of Conventional Tower Cranes (Amendment) Regulations 2010
- Notification of Installations Handling Hazardous Substances Regulations 1982
- Notification of Installations Handling Hazardous Substances (Amendment) Regulations 2002
- Shipbuilding and Ship-repairing Regulations 1960.

Government intends to scrap, consolidate or improve 84 per cent of existing health and safety regulations by end 2014, greatly reducing the burdens on business and creating a clearer regulatory framework.

Two independent challenge panels have been established:

- *The Independent Regulatory Challenge Panel* looks at complaints from businesses about decisions made by HSE or local authority inspectors. No cases have been considered so far, as cases are expected to go through the normal complaints procedures first.
- *The Myth Busters Challenge Panel* looks at complaints regarding advice from non-regulators such as insurance companies, health and safety consultants and employers, and quickly assess if a sensible and proportionate decision has been made. So far 25 cases have been considered – details will be published on the HSE website shortly.

An independent evaluation of the Construction (Design and Management) Regulations 2007 has been published. The evidence provided will support policy development in this area. Industry will be fully consulted before any changes.

New guidance on Portable Appliance Testing published on 30 April 2012, replacing two previous sets of guidance.

RIDDOR

Legislative change to RIDDOR made on 6 April 2012 to extend to seven days (from three) the period an employee needs to have taken off work before an injury or accident needs to be reported (a Common Sense Common Safety commitment supported by Löfstedt).

In their response to Löfstedt, the government committed to having revised regulations on the statute books by 2014. HSE are planning to consult on proposals for revising RIDDOR over the summer, with an anticipated implementation date of October 2013 for any revised regulations.

HSE Interventions.

Discussions are still taking place on the technical details of the scheme, which we expect to conclude soon. Therefore, FFI will not be introduced in April but at the next available opportunity, which is likely to be October 2012. HSE is taking advantage of the extra time to work further with businesses to improve their understanding of the scheme and how it will affect them. Detailed guidance for employers and organisations will be available on HSE's website ahead of implementation. A practice run of the new processes and procedures underpinning the scheme is already underway in HSE and will continue until the scheme is implemented.