

Future Regulation

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Topics to cover today

- Wider Government policy – Brexit, Industrial Strategy, Regulatory Excellence
- HSE Strategy
- How we want to engage with industry
- Current issues
- Land use planning/hazardous substances consents

HSE's Mission

to prevent work-related death, injury
and ill health



Priorities under 4 headings

- lead and engage others;
- sustain an effective regulatory framework (including any implications of the UK's exit from Europe);
- secure effective management and control of risk (through direct interventions with dutyholders) and;
- reduce the likelihood of low-frequency, high impact incidents that have potential for extensive harm to workers and the public.

Headline figures

- **144**
- **2,515**
- **72,702**
- **30.4 million**
- **14.1 billion**

A bit of context - near misses?

Loss of containment – dangerous occurrences (DOs)

Year	DOs	Precursor Total	Fail Vessel	Fire/ Explosion Electrical	Explosion /Misfire	Damage/ fail pipeline/ Equip	Explosion / Fire	Release Flammable Liquid or gas	Release Substance
2012/13	64	42	3	2	1	3	8	15	10
2013/14	77	38	1	2	0	2	7	16	10
2014/15	88	57	3	6	3	11	3	20	11
2015/16	92	66	1	3	2	23	4	21	12
2016/17	51	47	2	1	0	7	4	27	6
Total		250	10	13	6	46	26	99	49

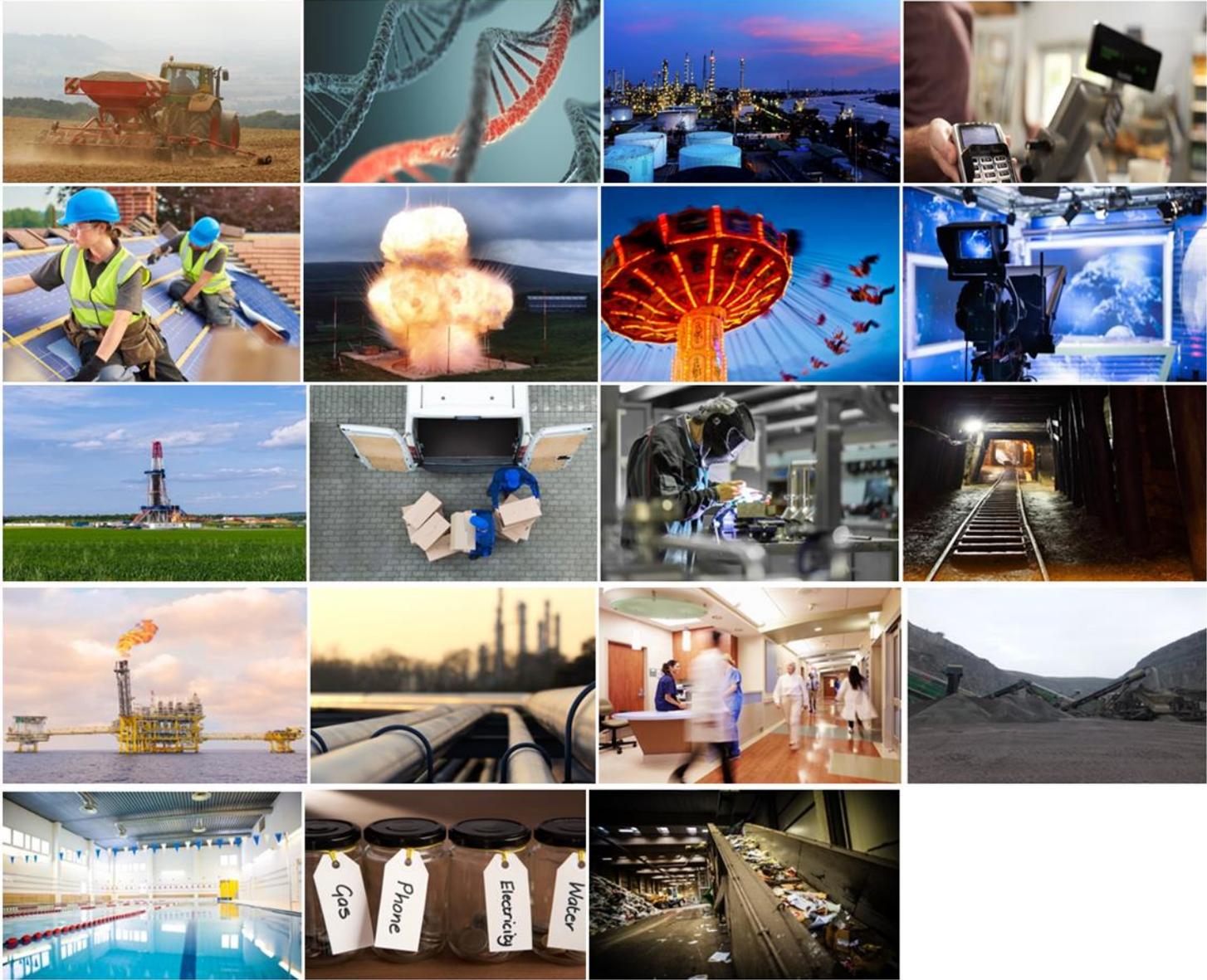
HSE Strategy



Helping
Great Britain
work well

 <p>Acting together Promoting broader ownership of health and safety in Great Britain</p>	 <p>Tackling ill health Highlighting and tackling the costs of work-related ill health</p>	 <p>Managing risk well Simplifying risk management and helping business to grow</p>
 <p>Supporting small employers Giving SMEs simple advice so they know what they have to do</p>	 <p>Keeping pace with change Anticipating and tackling new health and safety challenges</p>	 <p>Sharing our success Promoting the benefits of Great Britain's world-class health and safety system</p>

Sector plans



Key priorities 2017/18

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

- Work with stakeholders, including trade associations, on **strengthening leadership** across all the major hazard sectors
- Through COMAH Strategic Forum recommend benchmarks for effective process safety leadership in high hazard industries
- Asset integrity, cyber security

Acting together



Acting together
Promoting broader ownership of
health and safety in Great Britain

- The Regulator cannot by itself make safety management better
- We will deploy our inspection and enforcement powers as and when required
- But real traction will happen where the regulators and industry and employee representatives work collaboratively to raise performance

Acting together



Acting together
Promoting broader ownership of
health and safety in Great Britain

The COMAH Strategic Forum

A high level joint chemical industry and regulator forum working to improve major accident hazard management and raise standards across industry

- Chair – Ken Rivers
- Members: HSE, EA, ONR, SEPA, NRW, BIS, TSA, CIA, UKPIA, CBA and UKLPG

Profiling, targeting, strategy

- CEMHD changes to COMAH Intervention Planning
- Introducing:
 - Establishment Profile
 - Inspection Targeting
 - Establishment Strategy
- Rolling out to:
 - 1/3 of COMAH sites Q3 17/18
 - Most remaining COMAH sites from Q2 18/19

Profiling targeting strategy

- Taking it back to the SMS
- Expected benefits
 - Improved understanding of COMAH sites
 - Interventions with impact
 - Audit trail
- Resources
 - Weighing the demand
 - Forecasting
 - Non-visited sites

Safety reports...

- Quality over length
- Greater focus on impact on site
- Clear approach to dealing with well established sites



Current issues – land use planning





Planning problems don't happen overnight...



1951 – green field site



2017 – urban sprawl

Impact of events....



Grenfell Tower July 2017

Recent HCl release - Sept 2017



Current issue – regulatory review



First of a series of reviews by Cabinet Office of arms length public bodies. Follows on from other reviews of HSE (eg Löfsted review)

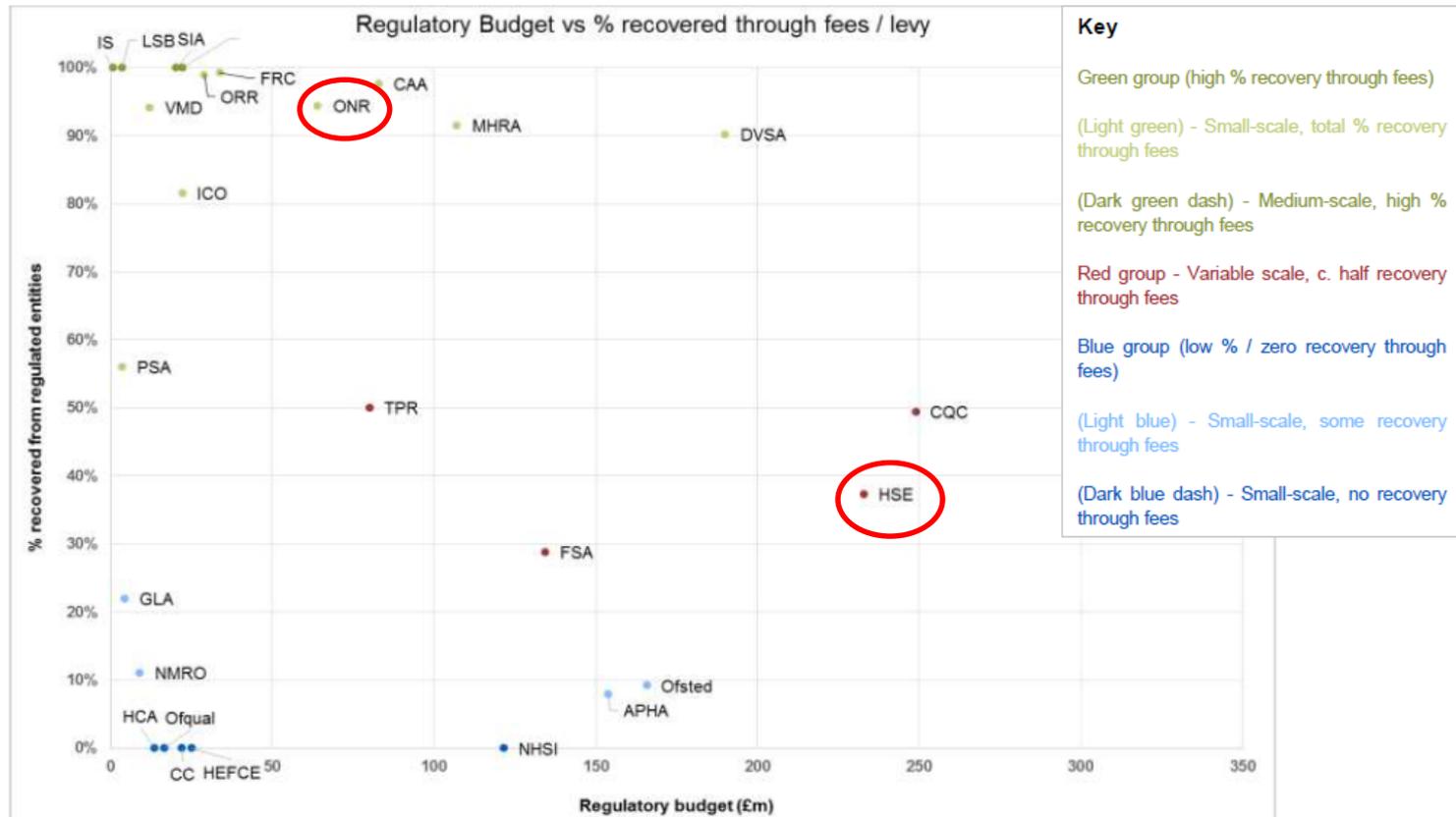
Recommendations

- 7.29. We recommend that a default presumption of full cost recovery (including enforcement costs) should be adopted by regulators for regulated activities where regulated self-assurance is feasible. This would facilitate an approach to regulation which emphasises the need for the regulated to ensure compliance and for the regulator to make use of other mechanisms (e.g. purchasers) to encourage compliance and improvement.

What proportion does HSE cost recover?



Figure 6: Regulatory budget and cost recovery



Sources: Regulatory Futures Data Collection, PB2015, desk research

Notes: Data largely relates to the 2015 to 2016 financial period and therefore may not reflect the latest position

EU exit - negotiations

- The UK and the EU start from a unique position – close regulatory alignment, trust in one another’s institutions, and a spirit of cooperation stretching back decades.
- There is work to do, with the exit negotiations continuing, but the destination is clear: a deep and special partnership that sees both sides emerge strong and prosperous.
- One of the government’s key principles for the negotiations is to work together with the EU to minimise disruption and give as much certainty as possible to citizens and businesses.

EU exit - Trade

- The government is seeking a bold and ambitious Free Trade Agreement with the EU that is of greater scope and ambition than any such existing agreement.
- This would involve the greatest possible tariff- and barrier-free trade with our European neighbours.
- The government wants to ensure that UK companies have maximum freedom to trade with and operate within European markets – and to let European businesses do the same in the UK.

Brexit - Impact on Health and Safety Legislation



- All current legislation will continue after Brexit.
- Legislation will not change in the short to medium term.

Conclusions

- CEMHD looking to better target interventions intended to improve the safety management systems of duty holders.
- CEMHD want to work closely with dutyholders and stakeholder groups to deliver regulatory outcomes
- Continually changing political and regulatory environment present new challenges
- Core work never changes