



# **HEALTH AND SAFETY EXECUTIVE FOR NORTHERN IRELAND**

## **MANAGEMENT STATEMENT AND FINANCIAL MEMORANDUM**

**2008**

**DUE FOR REVIEW 2011 – 2012 FINANCIAL YEAR**

# HEALTH AND SAFETY EXECUTIVE FOR NORTHERN IRELAND

## MANAGEMENT STATEMENT

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## 1. INTRODUCTION

### Definitions

This document contains the following definitions:

- “HSENI” means the Health and Safety Executive for Northern Ireland
- “the Board” means the board of HSENI
- “the Chief Executive” means the Chief Executive of HSENI
- “the Chairman” means the Chairman of HSENI’s Board
- “the Department” means “the Department of Enterprise, Trade and Investment”
- “GANI” means Government Accounting Northern Ireland
- “DFP” means the Department of Finance and Personnel
- “OFMDFM” means the Office of the First Minister and Deputy First Minister
- “C&AG” means the Comptroller and Auditor General
- “UK GAAP” means generally accepted accounting practice
- “Departmental Minister” refers to the Minister of DETI
- “Public Service Agreement (PSA)” is the published annual statement of aims and objectives of a government department
- “OCPANI” means Office of the Commissioner for Public Appointments for Northern Ireland

### 1.1 This Document

1.1.1 This *Management Statement and Financial Memorandum* has been drawn up by the Department in consultation with HSENI and with the approval of DFP. During the suspension of the Northern Ireland Assembly all references to the Assembly should be taken to mean the UK Parliament at Westminster and all references to “the Minister” should be taken to mean the relevant direct rule Minister with responsibility for the Department and for HSENI.

1.1.2 Subject to the legislation noted below, this *Management Statement* sets out the broad framework within which HSENI will operate, in particular:

- HSENI’s overall aims, objectives and targets in support of the Department’s wider strategic aims and the outcomes and targets contained in its current Public Service Agreement (PSA);
- the rules and guidelines relevant to the exercise of HSENI’s functions, duties and powers;
- the conditions under which any public funds are paid to HSENI;
- how HSENI is to be held to account for its performance.

1.1.3 The associated *Financial Memorandum* sets out in greater detail certain aspects of the financial provisions, which HSENI shall observe. However, the *Management Statement and Financial Memorandum* does not convey any legal powers or responsibilities.

1.1.4 The document shall be periodically reviewed by the Department in accordance with the timetable referred to in Section 7 below.

1.1.5 HSENI, the Department, or the Minister, may propose amendments to this document at any time. Any such proposals by HSENI shall be considered in the light of evolving Departmental policy aims, operational factors and the track record of HSENI itself. The guiding principle shall be that the extent of flexibility and freedom given to HSENI shall reflect both the quality of its internal controls to achieve performance and its operational needs. *The Department will determine what changes, if any, are to be incorporated in the document.* Legislative provisions shall take precedence over any part of the document. Significant variations to the document shall be cleared with DFP after consultation with HSENI as appropriate. (The definition of "significant" will be determined by the Department in consultation with DFP.)

1.1.6 The *Management Statement and Financial Memorandum* is approved by DFP Supply and signed and dated by the Department and HSENI's Chief Executive. It should be copied to Public Service Improvement Unit, DFP, for information.

1.1.7 Any question regarding the interpretation of the document shall be resolved by the Department after consultation with HSENI and, as necessary, with DFP.

1.1.8 Copies of this document and any subsequent substantive amendments shall be placed in the Library of the Assembly. It will also be made available on HSENI's website.

## **1.2 Founding legislation; status**

1.2.1 HSENI is established under Article 12 of the Health and Safety at Work (Northern Ireland) Order 1978 as amended by the Health and Safety at Work (Amendment) (Northern Ireland) Order 1998. HSENI carries out its functions on behalf of the Crown.

## **1.3 The functions, duties and powers of HSENI**

1.3.1 The principal functions of HSENI are to:

- (a) promote key occupational health and safety messages and themes to targeted sectors and groups;
- (b) communicate appropriate, timely and practical occupational health and safety information and advice;
- (c) improve compliance with health and safety standards through inspection and enforcement activities;
- (d) ensure that an effective and up to date health and safety at work regulatory framework is maintained.

## **1.4 Classification**

1.4.1 For policy and administrative purposes HSENI is classified as an executive non-departmental public body.

1.4.2 For national accounts purposes HSENI is classified within the central government sector.

## **2. AIMS, OBJECTIVES AND TARGETS**

### **2.1 Overall aim**

2.1.1. The overall aim of HSENI, as set out in its three year corporate plan, is to ensure that the risks to peoples' health and safety arising from work activities are effectively controlled.

### **2.2 Objectives and key targets**

2.2.1 The Department determines HSENI's performance framework in the light of the Department's wider strategic aim and current PSA objectives and targets. HSENI's objectives and key targets are to be agreed within HSENI's corporate and operating planning process, and shall be consistent with the Department's Public Service Agreement (PSA).

2.2.2 The objectives, targets and performance measures for HSENI shall be set out in its three year corporate plan and annual operating plan, both of which shall be approved by the Department.

## **3. RESPONSIBILITIES AND ACCOUNTABILITY**

### **3.1 The Minister of the Department**

3.1.1 The Minister is accountable to the Assembly for the activities and performance of HSENI. His responsibilities include:

- in consultation with the Board, approving HSENI's strategic objectives and the policy and performance framework within which HSENI will operate (as set out in this *Management Statement and Financial Memorandum* and associated documents);
- keeping the Assembly informed about HSENI's performance;
- approving the amount of grant-in-aid to be paid to HSENI and securing Assembly approval; and
- carrying out responsibilities specified in the founding legislation, including the appointment of Board Members and the Chairman of the Board.

## **3.2 The Accounting Officer of the Department**

3.2.1 The Permanent Secretary, as the Department's Principal Accounting Officer (the "Departmental Accounting Officer"), is responsible for the overall organisation, management and staffing of his Department and for ensuring that there is a high standard of financial management in the Department as a whole. The Departmental Accounting Officer is accountable to the Assembly for the issue of any grant-in-aid to HSENI. The Departmental Accounting Officer designates the Chief Executive of HSENI as HSENI's Accounting Officer, and may withdraw the accounting officer designation if he believes that the incumbent is no longer suitable for the role.

3.2.2 In particular, the Departmental Accounting Officer shall ensure that:

- HSENI's strategic aims and objectives support the Department's wider strategic aims and current PSA objectives and targets;
- the financial and other management controls applied by the Department to HSENI are appropriate and sufficient to safeguard public funds and for ensuring that HSENI's compliance with those controls is effectively monitored ("public funds" include not only any funds granted to HSENI by the Assembly but also any other funds falling within the stewardship of HSENI);
- the internal controls applied by HSENI conform to the requirements of regularity, propriety and good financial management;
- any grant-in-aid to HSENI is within the ambit and the amount of the Request for Resources and that Assembly authority has been sought and given; and
- he appoints one of the Board members to be Deputy Chairman, after consultation with the HSENI Chairman.

3.2.3 The responsibilities of a departmental Accounting Officer are set out in more detail in Annex 4.1 of *Government Accounting Northern Ireland*.

## **3.3 The Departmental Sponsor Division**

3.3.1 Within the Department, Business Regulation Division is the sponsoring Division for HSENI. The Division, in consultation as necessary with the Departmental Accounting Officer, is the primary source of advice to the Minister on the discharge of his responsibilities in respect of HSENI, and the primary point of contact for HSENI in dealing with the Department. Business Regulation Division shall carry out its duties under the management of a senior officer who shall have primary responsibility for overseeing the activities of HSENI.

3.3.2 The sponsor Division shall advise the Minister on:

- an appropriate framework of objectives and targets for HSENI in the light of the Department's wider strategic aim and current PSA objectives and targets;
- an appropriate budget for HSENI in the light of the Department's overall public expenditure priorities; and