

MINUTES OF THE 57TH MEETING OF THE BOARD OF THE HEALTH AND SAFETY EXECUTIVE FOR NORTHERN IRELAND HELD ON THURSDAY 10 SEPTEMBER 2009 AT 12.00 NOON IN THE WATERFRONT PLAZA, LAGANBANK ROAD

Present: Board Members:

Mrs S Lowry – Deputy Chairperson
Mr J Collins
Mr C Cleland
Mr J Gillvray
Mr P Lyons
Mr B Mackin
Mr L Fawcett

HSENI Officials:

Mr J Keyes – Chief Executive
Mr D Breen – Deputy Chief Executive
Mrs L Thompson – Board Secretary

Agenda Item	Record of main discussion and Actions Arising	Action by Board Members/ Official(s) and update on progress from actions arising
1. Apologies	Prof P McKie, Mr G Campbell, Mrs B Maitland.	
	Mrs Lowry welcomed Mr Breen to the meeting and advised the Board that he would be joining future Board meetings.	
2. Corporate Health, Safety and Welfare	<p>Mr Keyes reported that he had carried out an inspection of Ladas Drive on 7 September and indicated that health, safety and welfare issues were satisfactory. He advised the Board that because of the influx of new staff, training will be provided in two key areas, namely personal safety and defensive driving. In regard to the latter, Mr Keyes invited Board members to consider participating and to register their interest with the Board Secretary.</p> <p><i>Action: Board Secretary to compile a list of those Board members who wish to take part in the Defensive Driver Training course.</i></p> <p>There was one first-aid only reportable incident during the last period in which a member of staff received a cut to the leg after striking it on a poorly positioned document skip.</p>	<i>Board Secretary</i>
3. Declaration of Conflict of Interest(s)	None declared	
4. Minutes HSENI/22/09	The minutes of the 56 th Board meeting were approved and adopted.	
5. Matters Arising: (i) Update on Chairman's meetings	<p>It was decided that this item should be held over until Professor McKie is in attendance.</p> <p><i>Action: Professor McKie to update the Board on</i></p>	<i>Professor McKie</i>

<p>with Board Members.</p> <p>(ii) Chairman's Correspondence with DETI Permanent Secretary</p>	<p><i>Chairman's meetings with Board members</i></p> <p>Mr Keyes confirmed that Professor McKie wrote to the DETI Permanent Secretary, Stephen Quinn, regarding the issues that HSENI had encountered with HRConnect. A reply was received from Philip Angus, Head of DETI HR, on behalf of the Permanent Secretary. The response from DETI recognised the significant improvement in the service being provided but also recognised the need for a continued need to actively manage the relationship with HRConnect. Dermot Breen informed the Board that the situation continues to improve. As the problems are Civil Service wide, Central HR in DFP is setting up a number of groups to look at specific areas of the relationship with HRConnect, and HSENI is seeking representation on three of the groups. Mr Lyons asked if the issues surrounding working with HRConnect had been put in the Risk Register. Mr Keyes replied that the generic nature of the key risk on the retention and availability of staff embraced this issue adequately. The Board noted the progress and asked to be kept informed of future developments.</p> <p>Mr Gillvray asked if the Board could see the Risk Register. Mr Collins indicated that the Audit and Risk Management Committee (ARMC) reviewed the risk register on a quarterly basis and reported on this to the Board. He added that if it was felt the Board needed to see the register, it could be appended to the ARMC report.</p> <p><i>Action: Risk Register to be appended to future ARMC reports to Board.</i></p>	<p><i>Board Secretary</i></p>
<p>(iii) Board Effectiveness – Draft Standing Orders</p>	<p>Mr Keyes reported that one of the actions identified as a result of the Corporate Governance training held in January 2009 was that of Board Effectiveness. He added that, given the fact that the NIAO Value for Money report was likely to come out strongly to affirm the high standard of corporate governance and board performance, this issue could be left in abeyance perhaps until the appointment of the next Chairman in April 2011. He did, however, point out that further consideration of the operation of the Board revealed an absence of codified standing orders. With the agreement of the Chairman he had drawn up draft standing orders which had been tabled with a view that these could be discussed at the next Board meeting under an agenda item on Board Effectiveness.</p> <p><i>Action: Include Board Effectiveness as a</i></p>	<p><i>Board Secretary</i></p>

	<i>substantive item on the agenda of next Board meeting.</i>	
6. Audit and Risk Management Committee Report HSENI/24/09	<p>Mrs Lowry, Chair of the Audit and Risk Management Committee (ARMC) reported that she had reviewed the workings of the committee to ensure that the periodicity of meetings was such as to support the Board. She indicated that the committee would meet four times a year sufficiently ahead of Board meetings to permit the tabling of up-to-date minutes. Mrs Lowry went on to report that she and Mr Collins met with Martin Pitt of PricewaterhouseCoopers (PwC), HSENI's newly appointed Internal Auditors. He outlined PwC's approach to audit and was content to attend ARMC meetings when required. He also welcomed the opportunity to meet with the ARMC members only, at least once a year. PwC plans to undertake field work before Christmas and to present its annual report by the end of March 2010. Mrs Lowry then went on to report on the main meeting and informed the Board that the 'Annual Report and Statement of Accounts' was laid before the Assembly on 3 July 2009. Detailed comments and suggested amendments regarding the NIAO Value for Money study had been sent to NIAO through DETI and a response is now awaited. Referring to IFRS, Mrs Lowry reported that progress is going well. With regard to the Risk Register, Mrs Lowry reported that the ARMC was assured that risks are being managed. She indicated that Mr Keyes has reported on two additional actions being taken to manage two risks i.e. Risk D: Damage to HSENI's Reputation - Resolve contractual arrangements with Capita and Risk H: Major Disruption to Business – Draw up a new annex to the Business Continuity Plan covering the threat of swine flu. She went on to report that an outline of the ARMC Annual Report to the Board is being drafted for consideration at a subsequent meeting. Referring to AccountNI, Mrs Lowry confirmed that because it is unable to accommodate HSENI's VAT accounting needs, a 'stand alone' IT based accounting system would be procured. She indicated that the next ARMC meeting will take place early in the new year.</p>	
7. HELANI Committee Report HSENI/25/09	<p>In Mrs Maitland's absence, Mr Breen introduced the minutes of the HELANI meeting which took place on 24 June 2009 and highlighted the following items:</p> <ul style="list-style-type: none"> i. The Launch of the Statement of Intent and Strategic Framework Document had gone very well; ii. Personnel changes have been made to the Local Authority Unit. The unit will now be headed up by Nicola Monson and her team; and 	

	<p>iii. A job description for the Partnership Liaison Officer is progressing well.</p> <p>Mr Gillvray asked if the HELANI Strategic Plan 2009-2011 could be made available to Board members. It was agreed that the Plan would be circulated to Board members.</p> <p>Action: HELANI Strategic Plan 2009-2011 to be circulated to Board members.</p>	<p><i>Board Secretary</i></p>
<p>8. Chief Executive's Report HSENI/26/09</p>	<p>Mr Keyes highlighted the following:</p> <p>NIAO Value for Money Study: Comprehensive comments and suggested alternative wording were submitted to DETI by HSENI on 24 July 2009 and subsequently forwarded to the NIAO by 28 August 2009.</p> <p>Gas Installers' Registration Scheme: At the end of June 2009 the Minister decided that the Gas Safe Register in Northern Ireland would be managed by Capita. HSENI has been working with the DSO lawyers to draw up a contract with Capita. Plans are being advanced for a major public awareness raising campaign.</p> <p>Petroleum Licensing: At the end of June the Minister decided that further consideration needed to be given to the outworking of petroleum licensing by District Councils. HSENI is now working with DETI and District Councils officials in an attempt to find a workable solution. In response to a question from Mr Fawcett, Mr Keyes gave an assurance that none of this in anyway was indicative of a poor standard of public safety in regard to the operation of petrol filling stations - it was instead about the efficiency of the licensing regime.</p> <p>Departmental Liaison: Mr Keyes reported that he and Professor McKie attended the Departmental Oversight and Liaison meeting on 6 August 2009. The meeting touched on the involvement of the Minister in support of HSENI campaigns and events. To this end, requests have been put forward for the Minister's participation in (1) the Launch of HSENI's Small Business Advisory Service's website, (2) the launch of the Child Farm Safety poster 2010 calendar and (3) the opening of the Spring Conference.</p> <p>External Relationships:</p> <p>(i) Mr Keyes and Professor McKie met the Head of the NI Civil Service Bruce Robinson on 26 August to discuss the Dame Carol Black Review.</p> <p>(ii) On 9 September, Mr Keyes and Dermot Breen met with the new Chairman of the Enterprise Trade and Investment Committee, Alban Maginness, at his request for an informal briefing. Mr Breen reported that Mr Maginness had remarked that the HSENI</p>	

	<p>presentation had been very comprehensive and interesting and added that Mr Maginness had seemed surprised at the extent and range of issues that HSENI are responsible for. He showed particular interest in construction and farming.</p> <p>Mr Keyes then responded to a question concerning the current Ombudsman Case which he indicated was still under investigation</p> <p>Mr Gillvray felt that the table of prosecutions was deficient in that the dates of offences were not included and asked if this could be accommodated. Mr Keyes agreed to include these dates in future reports.</p> <p><i>Action: Date of occurrence of offences to be included in the Table of Prosecutions Completed.</i></p> <p>Mr Keyes then referred to the Quarterly Monitoring Report for period ending 30 June 2009 and highlighted the following items: Target Not Achieved: HSENI'S Simplification Plan – forms could not be made available to complete and submit electronically by 30 June due to delay in migration to NIGov. Mr Gillvray asked if, instead of 'Target Not Achieved', the explanation could be changed to indicate when it might be achieved. This was agreed.</p> <p><i>Action: Update Simplification Plan target entry.</i></p>	<p><i>Mr Keyes</i></p> <p><i>Mr Breen</i></p>
<p>9. HR Report HSENI/27/09</p>	<p>Mr Breen updated the Board in regard to the HR Report and highlighted the following items:</p> <p>Sickness Absence – In July, 9 staff were absent for a total of 82 working days. No warnings issued during this period. Of these absences, 2 members of staff were on long term sick absence which accounts for 42 of the 82 days. Staff on long term absence to be referred to the Occupational Health Service if appropriate.</p> <p>The Board expressed its frustration at the inability of HRConnect to provide the necessary data to NISRA so that absence rates can be calculated. It asked if HSENI could, as an interim step, calculate its own rates.</p> <p><i>Action: HSENI to calculate its own absence rate figures.</i></p> <p>One member of staff was dismissed due to Gross Misconduct.</p> <p>Learning and Development HSENI's Training and Resource Plan for 2009/10 was approved by the Senior Management Team. In the future, staff will have to self register for courses through HR Connect.</p>	<p><i>Mr Breen</i></p>

Service Development Programme (SDP)

The SDP Project Board has now been stood down having met its objectives on staff recruitment and accommodation. The filling of outstanding vacancies will be carried forward by DHR.

Staff Numbers and Recruitment

The staff complement for HSENI remains at 131 with a total of 14 vacancies comprising existing and new posts. An Interest Circular has been issued via the HRConnect portal to recruit 2 PTO Compliance Officers for general enforcement duties.

Consideration is being given as to how best utilise the vacant Typist post. Three of the four Gas Compliance Officers posts have been filled and, subject to OHS medical approval, the fourth candidate will be appointed as soon as possible. HRConnect is currently advertising the two posts for Stress Business Advisers and interviews will take place in early October. It is hoped to recruit a Workplace Health Nurse and Physiotherapist, subject to suitable applicants, within the next quarter. Consideration is being given as to how best utilise the vacancy for an Administrative Officer. The Staff Officer post in Legislation branch will be filled by early October and recruitment is underway for four HSWNI Business Advisers, with interviews taking place w/c 21 September 2009.

Staff Opinion Survey

HSENI will no longer undertake its own staff survey. Instead it will be part of the NICS Staff Attitude Survey embedded in which there will be HSENI specific questions. It is expected that the survey will go live during September. The survey will take a two-fold approach (i) a sample number of staff will be contacted by telephone and (ii) all other staff will be asked to complete an online survey.

HR Strategy

Mr Breen reported that HSENI has produced a draft HR Strategy which is currently with TUS for comment. Once these comments have been received and considered the strategy will be finalised after which Board endorsement will be sought.

Mr Fawcett asked if the Board should not be agreeing strategy instead of simply endorsing it. Mr Keyes explained that the HR Strategy was very much an operational document that provided guidelines it was not a strategic plan. Given this confusion it was agreed to change the name of the document to better reflect its purpose.

Action: Draft HR Strategy to be re-named HR Policy and Guidelines.

Mr Breen

	Mrs Lowry thanked Mr Breen for his report on HR matters.	
10. Financial and Risk Management Report HSENI/28/09	<p>Mr Keyes referred to the Report and highlighted the following items:</p> <p>DRC Expenditure HSENI surrendered £239k DRC in the June Monitoring Round. This related to an over-funding of the Fuel Oils Liaison Unit in the budget allocation for the current year. Due to ongoing vacancies, a further £250k has been offered for surrender in the September monitoring round.</p> <p>Programme Expenditure A feature of this expenditure will be high value awareness campaigns on gas safety and asbestos. The bid for £35k for capital, as part of the June monitoring round, was successful. This funding will be used to procure essential lab equipment and new accounting software.</p> <p>Internal Audit The Audit and Risk Management Committee (ARMC) met with representatives from PwC, our new internal auditors, on 1st September 2009. Fieldwork is planned for the autumn.</p> <p>Risk Management The HSENI Risk Register for the quarter ended 30th June 2009 was reviewed at the ARMC meeting of 1st September 2009. No risks crystallised and no new risks were identified during the period.</p> <p>AccountNI HSENI will not be moving the administration of Programme expenditure to the AccountNI solution, due to AccountNI's inability to meet HSENI's needs. This will continue to be managed in house and will be supported by new accounting software.</p> <p>IFRS Mr Keyes explained that HSENI accounting processes have to move from GAAP to IFRS during the 2009/10 financial year and work is ongoing in this regard. Shadow accounts will run for one year and from next year the accounts will be based on IFRS standards. These accounts will be audited around the end of December 2009 by the NI Audit Office through Moore Stephens.</p> <p>Addendum to the Financial and Risk Management Report Board members were presented with an addendum to the Financial and Risk Management Report and Board endorsement was sought for expenditure of some £300k for the cover of two substantial awareness raising campaigns, one relating to the</p>	

	replacement of the CORGI gas installers registration scheme to bring NI into line with GB and the other relating to the dangers of working in buildings where asbestos containing materials might be present. After some discussion the Board duly approved this expenditure.	
11. Legislation Report HSENI/29/09	Mr Breen presented the Legislation Report. The Board noted the current position in relation to the delivery of current Legislative Programme and noted the position with regard to other matters highlighted in the report.	
12. A.O.B.	<p>(i) Asbestos Licence Review Panels: Mr Keyes explained that certain operational developments in relation to the holding of certain asbestos licences meant that there was a need to establish from within the Board an Asbestos Licence Review Panel and that the Deputy Chairperson would be progressing this matter in due course.</p> <p><i>Action: Establish an Asbestos Licence Review Panel</i></p> <p>(ii) Presentation on the Draft NIAO Value for Money Report: Mr Breen gave a presentation to the Board which outlined the NIAO's recommendations and HSENI's response to these.</p>	<i>Mrs Lowry</i>
13. Date and Venue of next Board Meeting	The next Board meeting will be held on 3 December 2009 in the Robens Room, Ladas Road.	
	There being no further business, the meeting closed at 3.20pm	

Liz Thompson
Board Secretary
10 September 2009

Board Minutes adopted and approved:

Signed: *Stephanie Lowry*
Stephanie Lowry,
HSENI Deputy Chairperson

Dated: 3 December 2009