



Health and Safety Executive for Northern Ireland

Consultation on revised Approved Codes of Practice:

- Commercial Diving Projects Offshore (L103)
- Commercial Diving Projects Inland / Inshore (L104)
- Recreational Diving Projects (L105)
- Media Diving Projects (L106)
- Scientific and Archaeological Diving Projects (L107)

Consultative Document

February 2015

**Consultation on revised Approved Codes of Practice
(ACOPs) –
Commercial Diving Projects Offshore (L103); Commercial
Diving Projects Inland/Inshore (L104); Recreational Diving
Projects (L105); Media Diving Projects (L106); Scientific
and Archaeological Diving Projects (L107)**

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This Consultative Document is based on the Consultative Document “Consultation to review HSE’s Approved Codes of Practice” and additional consultation correspondence issued by the Health and Safety Executive in Great Britain, whose assistance is gratefully acknowledged.

If you are reading this document on a computer screen and would prefer a printed version, it can be obtained on request. Furthermore, if you require a more accessible format an Executive Summary is available in Braille, large print, on disc or audiocassette, or in Irish, Ulster Scots and other languages of the minority ethnic communities in Northern Ireland. To obtain a summary in one of these formats, please contact Jim Sisk at the address shown at paragraph 20.

INTRODUCTION

1. This consultative document invites views on proposed revisions to the following Approved Codes of Practice (ACOPs): Commercial Diving Projects Offshore (L103); Commercial Diving Projects Inland/Inshore (L104); Recreational Diving Projects (L105); Media Diving Projects (L106); Scientific and Archaeological Diving Projects (L107). The ACOPs are published by the Health and Safety Executive in Great Britain (HSE) and are approved for use in Northern Ireland.
2. These ACOPs provide practical guidance on how to comply with the requirements of the Diving at Work Regulations 1997. In Northern Ireland the applicable legislation is the Diving at Work Regulations (Northern Ireland) 2005.
3. This consultation is undertaken in compliance with Article 18 of the Health and Safety at Work (Northern Ireland) Order 1978 which requires HSENI to consult on revisions to ACOPs prior to seeking the consent of the Department of Enterprise and Investment to approve the revised ACOP for use in Northern Ireland.

BACKGROUND

The role and status of ACOPs and how they are used to help organisations comply with health and safety law.

4. ACOPs provide practical guidance on complying with the general duties of the Health and Safety at Work (Northern Ireland) Order 1978 (HSWO) or the requirements of goal-setting regulations. They are important tools for experienced health and safety audiences that explain the law and enable the control of more complex risks. They can also provide certainty for dutyholders by setting out preferred methods or standards to achieve compliance and by clarifying what is required by terms such as suitable, sufficient or adequate. ACOPs have mainly been made available for high risk activities where some precision is required in the approach to controlling the risks.
5. ACOPs are not law but do have a special legal status; if the advice in ACOP material is followed in relevant circumstances duty holders can be confident they are complying with the law. This is made clear in the front of each ACOP document by a statement that those who comply with the ACOP material will have done enough to comply with the law on the specific issues addressed by the ACOP. Dutyholders may use alternative methods to those set out in an ACOP to comply with the law and this is also stated at the front of each ACOP. However, if the dutyholder is prosecuted for a breach of health and safety law, and it is proved that they have not followed the relevant provisions of the ACOP, then that element of the offence will be taken as proved unless they can show the court that they have complied with the law in some other way.

6. An ACOP can be an appropriate format for providing advice where:
- there are certain preferred or recommended methods to be used (or standards to be met) to achieve compliance; and,
 - the nature of the issue being addressed is such that in most cases dutyholders should be strongly encouraged to pursue those methods (or standards).
7. Guidance material also helps dutyholders comply with the law but differs from the authoritative advice of an ACOP by allowing dutyholders wider discretion to identify the options that are the best fit for the circumstances.

HSE Review of health and safety legislation

8. In his report Professor Löfstedt recommended that HSE should review all of its ACOPs. The UK Government accepted this recommendation and an initial consultation was launched in June 2012 by HSE. That consultative document alongside an analysis of responses is available [on the HSE website](#).

The outcome of the initial HSE consultation on proposals to make minor revisions to the Diving ACOPs

9. In its initial consultation on its ACOP proposals on 25 June 2012 HSE proposed that the five Diving ACOPs should be retained and revised to update their contents and make it clearer what dutyholders can do to comply with legal requirements. Areas of change proposed were:
- Further guidance to be added which will provide additional options for compliance.
 - Advice on common issues, e.g. first aid provision, to be rationalised across the ACOPs so all diving sectors have the same understanding of issues.
 - Areas of ambiguity identified in the advice provided by these ACOPs to be clarified.
 - Updates to reflect advances in diving technology to be made.
 - References to other relevant legislation and guidance to be updated.
10. The proposals to retain and revise the 5 sector specific Diving ACOPs received widespread support, ranging from 80 to 94% of those respondents who expressed a view.

The outcome of the HSE consultation on the detailed revised ACOP

11. Between January 2014 and March 2014 HSE conducted a further targeted consultation of stakeholders on the detailed proposals for updating and

simplifying the ACoP material and guidance in order to provide greater clarity, remove inconsistencies, replace outdated references and reflect changes in technology and industry practice.

12. There were 27 respondents who provided their comments to HSE. Responses were received from commercial divers, trade associations, trade unions, govt. depts., a non departmental public body, a marine institute, professional bodies, diver training services, private companies and diving contractors. The majority of HSE's proposed changes were supported and there were no significant challenges to any of the proposed changes.

THE PROPOSALS

The proposed revisions to the Diving ACOPs

13. It is the policy of the Northern Ireland Executive to maintain parity with the health and safety regime in Great Britain, where appropriate. Accordingly consultees are invited to comment on the proposal by HSENI that the five HSE ACOPs, incorporating the proposed revisions, should be approved for use in Northern Ireland.
14. The revisions to each of the Diving ACOPs, which were proposed by HSE, are set out in tabular form in Annexes 1 to 5. All of the changes relate to providing greater clarity, removing inconsistencies, reflecting technological advances and replacing outdated references. The revisions do not affect the existing legislation (the 2005 Regulations in Northern Ireland) and no new duties are being introduced. The revised ACOPs can be accessed as follows:
 - [Commercial diving projects offshore](#)
 - [Commercial diving projects inland/offshore](#)
 - [Recreational diving projects](#)
 - [Media diving projects](#)
 - [Scientific and archaeological diving projects](#)

COSTS AND BENEFITS

15. The Regulatory Triage Assessment prepared in relation to the GB proposals (Annex 6 refers) stated that since the revised ACoPs will not change existing working practices, but will reflect working practices industry already adopt that have resulted from advances in diving technologies, the impact will be negligible. In other words, it will be 'business as usual' for the industry and as such, current compliance is expected to remain at the same level. It is not expected there will be any impact on health and safety. Revising the diving ACoPs will contribute to the simplification of the health and safety system and also to the aim of reducing the perception that health and safety legislation is complex and over burdensome on industry.
16. There is no reason to believe that the position will differ in Northern Ireland. That being so, the proposals are expected to have minimal impact.

EQUALITY IMPACT

17. The proposals have been screened for any possible impact on equality of opportunity affecting the groups listed in section 75 of the Northern Ireland Act 1998 and no adverse or differential aspects were identified. A copy of the screening document is at Annex 6.

INVITATION TO COMMENT

18. HSENI would welcome your comments on the proposal, by HSENI, that the revised ACOPs should be approved for use in Northern Ireland. Comments are particularly welcome on the assumptions relating to costs and benefits relevant to Northern Ireland, and the conclusion that the proposals would have no adverse effect on any section 75 groups.

19. Comments, in whatever format you choose to use, should be sent to: -

Jim Sisk

Health and Safety Executive for Northern Ireland

83 Ladas Drive

Belfast BT6 9FR

(Tel: 028 9054 6816; Fax: 028 9054 5383:

Textphone: 028 9054 6896

E-mail: Jim.sisk@hse.gov.uk)

so as to arrive not later than **noon on 1 April 2015**.

20. HSENI tries to make its consultation procedures as thorough and open as possible. Responses to this consultation will be kept at the office of HSENI at the above address after the close of this consultation period, where they can be inspected by members of the public or be copied to them. HSENI can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on confidentiality in relation to your response to this consultation.

21. The Environmental Information Regulations 2004 and the Freedom of Information Act 2000 give the public rights of access to information held by a public authority, namely, HSENI in this case. These rights of access to information include information provided in response to a consultation. HSENI cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to

decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or be treated as confidential.

22. This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances.

February 2015

Health and Safety Executive
for Northern Ireland

Changes to the Commercial Diving Projects Offshore Approved Code of Practice (ACoP)

(Excluding updated references, paragraph changes and minor drafting and grammatical changes)

(Greyed out lines indicate that these changes / updates are not open for consultation)

ACoP	Original Para	Original text / heading	Changed text / summary
Offshore	Whole doc.	“so far as <u>is</u> reasonably practicable”.	HSE now uses the phrase “so far as reasonably practicable”.
	Whole doc.	“he or she” or “him or her”.	HSE no longer uses gender specific language, these phrases are replaced with either “their”, “they”, or “them”.
	Pages 1 & 2	Introduction & Scope	HSE has introduced a standardised format for all ACoP ‘Introduction’ pages, which has been applied to this ACoP. Key information e.g. previously contained within ‘scope and application’ is retained. ‘Who wrote the code etc.’ / ‘Updating arrangements’ has been removed.
Offshore cont.	Para 5(a)	Scope and areas covered by the Code	HSE has updated the Para by referring to the Health and Safety at Work (Application outside Great Britain) <u>Order 2013</u> (not the 1995 Order). Also included is reference to ‘energy structures e.g. wind farms and ‘emerging energy technologies’ (EETs).
	Para 13	Definitions in the Regulations	HSE has updated the Para to be consistent with all other ACoPs by inserting “local ambient”. The Para reads; “Environments such as scientific clean rooms or submersible craft subjected to an internal pressure of less than 100 millibars above <u>local ambient</u> atmospheric pressure are not covered by the Diving Regulations”.

ACoP	Original Para	Original text / heading	Changed text / summary
	Para 14	Definitions in the Regulations – (Definition of a ‘Diving Project’)	HSE has clarified the definition of a ‘Diving Project’ by inserting; “It can be made up of one or more diving operations”.
Offshore cont.	New Para following Para 16	Reference to 1995 AOGBO	New explanatory text (Guidance) has been inserted to explain the reference to the 1995 AOGBO is in fact reference to the 2013 AOGBO.
	Para’s 17 - 19	Definitions in the Regulations ‘Regulation 8’	These three Para’s have been relocated so they follow in regulation numerical order under the ‘Definitions in the regulations’ heading section.
	Para 20	Definitions in the Regulations	HSE has updated the ‘Guidance’ associated with Reg 2(1) & 3(2) to reflect the coverage of the HSWA Application outside Great Britain Order 2013, the Para now reads; “The Diving Regulations cover all diving projects in Great Britain, within UK territorial waters as well as those diving projects conducted in the UK designated areas of the continental shelf that are associated with offshore installations and energy structures e.g. wind farms, wells, emerging energy technologies and pipeline works”
Offshore cont.	Para 22	Definitions in the regulations (Guidance 3(1) (a))	HSE has updated this Para to clarify arrangements for hyperbaric treatment. It now reads; “Where hyperbaric treatment is to be provided at a hospital or other place, the arrangements for this should be covered in the diving project plan. The arrangements should include ensuring the availability of that chamber and arrangements to ensure the safe transport of the diver for treatment”
	Para 24	Reg 5(1)	Paragraph has been slightly re-worded to give clarity and understanding to the term ‘person’. It now reads;

ACoP	Original Para	Original text / heading	Changed text / summary
			<p>"The term 'person' used to identify the diving contractor under this regulation means any person with legal identity and includes an individual and a company".</p>
	Para 25 (a)	Clients and others	Final sentence, HSE has replaced;"must ensure" with " <u>should satisfy themselves</u> " etc.
Offshore cont.	Para 26	Clients and others	<p>First sentence;</p> <p>"must" has been replaced by "<u>should</u>".</p> <p>And "listed in Para 25" had been deleted.</p>
	Para 26 (h)	Clients and others	<p>2nd sentence;</p> <p>"must" has been replaced by "<u>should</u>".</p>
	Para 32	Diving Contractors	<p>Has been re-worded to read;</p> <p>"The diving contractor should ensure that".</p>
	Para 32 (n)	Diving Contractors	" <u>there is</u> " has been removed from the beginning of the sentence.
Offshore cont.	Para 43	Use of compressed air and gas mixtures	<p>HSE has added text to this Para to raise awareness to a possible increased risk of oxygen toxicity when using some decompression techniques in certain decompression tables. It reads;</p> <p>"Some decompression tables include decompressions stops which require higher partial pressures of oxygen. This may pose an increased risk of oxygen toxicity. If such decompression techniques are used, the procedures accompanying the decompression tables should be followed, and the risk assessment for the dive should consider the increased risk of oxygen toxicity".</p>
	Para 44	Exposure limits for surface-orientated diving	<p>The 3rd sentence has been amended by adding "applicable to a single dive". It now reads;</p> <p>"The depth/time limitations '<u>applicable to a single dive</u>' are reproduced in Table 1".</p>
Offshore cont.	Para 47	Water flow, intakes and discharges	<p>The Para has been updated to include the following text;</p> <p>"Other differential pressure situations such as blanked pipelines, void spaces etc. also pose a significant risk".</p>

ACoP	Original Para	Original text / heading	Changed text / summary
	Para 48	Water flow, intakes and discharges	This Para, "Measures to protect the diver should be part of a safe system of work, for example a permit to work system" Has now been added to Para 47
	Para 65	Contents of gas mixes	The first sentence has been slightly re-worded to reflect the need for breathing gas to meet recognised standards, the following has been added; "Breathing gases should comply with recognised international, European or national standards. Breathing gases coming from suppliers should be colour-coded" etc. etc.
	Para 67	Hyperbaric evacuation	Maintaining life support – the minimum period for 'maintaining life' has been increased from 24 to 72 hours (to keep inline with SOLAS and industry guidance.
Offshore cont.	Para 69	Length of diver's umbilical	The Para is updated by adding the following text; "The use of extended umbilicals (greater than 30m) may require in-water tenders or other means of limiting diver movement".
	Para 74	Diver monitoring	HSE has removed the following ACoP text as it is seen as unnecessary: "Monitoring the temperature, heart rate or other physiological parameters of the divers does not assist the supervisor's assessment of safety".
Offshore cont.	Para 75	Heading "Adjacent noisy operations"	This heading has been relabelled "Noise Exposure". The Para has been updated to reflect research into diving alone. The Para now reads; "Divers are exposed to a range of noises, both on the surface and underwater. These levels may be significant and diving contractors should ensure that the risks are managed".
	Para 77	Decompression illness	The final sentence has been updated to read; "Divers should remain close to suitable recompression facilities <u>after completion of their dive in accordance with the decompression tables being used.</u> "
Offshore	Para 78	Altitude changes	This Para is re-worded to confirm that restrictions on travelling / flying should be identified in the

ACoP	Original Para	Original text / heading	Changed text / summary
cont.			<p>diving project plan not recorded in the contractor's generic risk assessment. It reads;</p> <p>"Restrictions on travelling / flying after diving should be identified in the diving project plan and be in accordance with the decompression tables being used"</p>
	Para 82	Duration of saturation exposure	<p>HSE has seen it necessary to amend this Paragraph to make clear that "divers should not be in saturation for a continuous period of more than 28 days including decompression".</p> <p>The phrase "under normal circumstances" in the final sentence has been removed.</p>
	Para 83	Duration of saturation exposure	<p>The 2nd sentence has been amended to read;</p> <p>"Shorter periods at atmospheric pressure <u>may be acceptable</u>" etc.</p> <p>"may be acceptable" has replaced "are possible".</p>
Offshore cont.	Para 87	Use of checklists	<p>The requirement in the final two sentences (as below) has been removed.</p> <p>"Diving contractors should ensure that such checklists are prepared, authorised and used as part of the management systems for diving projects. Their use should be recorded in a suitable format".</p>
	Para 89	Dive Teams	<p>Divers experience – This Para has been slightly reworded, by removing;</p> <p>"care should be taken that the diver's true experience is established beyond reasonable doubt"</p> <p>And replaced it with;</p> <p>"Reliable evidence should be sought to establish the diver's experience e.g. reference to a diver's log book".</p> <p>The end of the final sentence has been changed from;"and provide support." To read; "and provide advice and support".</p>
Offshore cont.	Para 96	Closed bell	<p>2nd sentence, the word "normally" has been removed. The sentence now reads:</p> <p>"To prevent ratcheting, divers should only take part in one bell run etc. etc."</p>

ACoP	Original Para	Original text / heading	Changed text / summary
	Para 97	Closed bell	HSE had added an additional sentence to provide clarity of when bell runs 'lock-off' and 'lock-on' begin and end. The following text has been added; "This is taken to be from when the clamp is first taken off until the clamp is reconnected ready for equalisation".
Offshore cont.	Para 97 (b)	Closed bell	This Para has been re-worded and now states; "each diver may spend up to a <u>total of 6 hours</u> out of the bell" etc. etc. The " <u>offering</u> " of a refreshment break within " <u>3 hours</u> " of the start of the lockout, has been replaced. It now reads; "an adequate refreshment break ' <u>is taken within 4 hours</u> ' of the start of the lock-out. The intention of the refreshment break is to ensure adequate hydration of a diver and to reduce fatigue".
	Para 99	Tenders	The opening sentence reads; "at least one tender is <u>required</u> ". " <u>required</u> " has been replaced by " <u>necessary</u> ".
	Para 117	First Aid	The text the "Required standard" has been replaced with "The most appropriate standard" and "Approved Code of Practice" has been replaced with "Guidance on Regulation (L74)"
Offshore cont.	Para 118	First Aid	The following text has been removed as it duplicates what is said in Para 117; "To the standard required in the Health and Safety (First Aid) Regulations 1981"
	Para 122	Diving Plant	"Wherever possible, comply" has been removed. The text now reads; "should comply with <u>relevant international</u> " etc. etc. standards.
	Para 144	Lifting plant to carry personnel	The following has been removed; "HSE is developing further guidance on this in relation to the proposed Lifting Operations and Lifting Equipment Regulations". (No longer applicable)

ACoP	Original Para	Original text / heading	Changed text / summary
	Para 155	Pre-dive visual inspection	HSE has slightly amended this Para by removing "be asked to". The text now reads; "The dive team "should" carry out etc. etc.
Offshore cont.	Para 163	Supervisors	The opening sentence " A supervisor <u>should</u> " etc. Has been changed to read; "A supervisor <u>must</u> " etc. (To be consistent with Inland / Inshore ACoP) HSE has added an explanation of what 'suitably qualified' means, by adding; "this means holding an approved diving qualification for the diving operation which they are supervising, see HSE's list of approved qualifications on the diving web pages".
	Para 165	Competence	The final sentence of this Para has been slightly changed to include the need to " <u>remaining calm and acting effectively in an emergency</u> ".
	Para 170	Responsibility of the supervisor	Final sentence; "They should ensure that:" Has been changed to read; "They should ensure that so far as reasonably practicable" (taken from Para 170 (a))
Offshore cont.	Para 170 (g)	Responsibility of the supervisor	"They should ensure that" has been removed from the 2 nd line. The Para now reads; ".....properly certified and maintained, <u>and</u> the plant is adequately inspected" etc. etc.
	Para 170 (h)	Responsibility of the supervisor	The final sentence now reads; "Supervisors should <u>check</u> " etc. etc. ('check' has replaced 'ensure')
	Para 176	Competence	The Para has been slightly re-worded as follows; "a diver who has a <u>particular</u> qualification" is changed to read; "a diver who has an <u>approved</u> diving qualification". The following has been deleted; "that is a relevant diver competence assessment certificate".

ACoP	Original Para	Original text / heading	Changed text / summary
Offshore cont.	Para 180	Divers	Updated to read; <p>“The main and restricted HSE certificates issued under the Diving Operations at Work Regulations 1981 are still legally valid”.</p> <p>HSE has removed the requirement;</p> <p>“and do not have to be exchanged for the new certificates”.</p>
	Para 182	Divers	Now reads; <p>“Certificates issued by the Manpower Services Commission and the Training Services Agency are still legally valid”.</p> <p>HSE has removed the text;</p> <p>“but can be exchanged for the appropriate HSE certificate”.</p>
Offshore cont.	Para 183	Medical Checks	Para re-worded to be consistent with all diving ACoPs, it reads; <p>“All divers at work must have a valid certificate of medical fitness to dive issued by a HSE medical examiner of divers, generally known as ‘Approved Medical Examiner of Divers (AMED)’. The certificate of medical fitness to dive is a statement of the diver’s fitness to perform work underwater, and is valid for as long as the doctor certifies, up to a maximum of 12 months. A list of HSE medical examiners is available on the HSE diving website”.</p>
	Para 185	Medical Checks	The Para has been removed as it was deemed as an unnecessary comment. The requirement for trainee divers to have a medical remains and is covered by the schools protocol.
Offshore cont.	Para 188	Medical Checks	The Para is strengthened to emphasise the legal requirements on divers (Reg 13(1)(b)) to declare anything which may make them unfit to dive, it now reads; <p>“Divers whose medical fitness may be in doubt for any reason, for example fatigue, minor injury, recent medical treatment or who are taking any medication, must inform their supervisor. Even a minor illness, such as the common cold or a dental problem, can have serious effects on a diver under pressure, and should be reported to the supervisor before the start of a dive. Medications routinely taken may have significant side effects in hyperbaric environments. Supervisors should seek guidance from the diving contractor or the company’s medical adviser if there is doubt about</p>

ACoP	Original Para	Original text / heading	Changed text / summary
			that person's fitness to dive”
Offshore cont.	Para 192	Medical Checks	HSE has updated this Para by removing unnecessary text relating to the medical examiners training and knowledge. The Para now reads; “HSE approves doctors to carry out diving medical examinations. A list of these medical examiners is available on the HSE diving website”.
	Appendix 4	Continuous saturation diving operations	Has been removed from the ‘Glossary of Terms’ – as it is outdated.

Changes to the Commercial Diving Projects Inland / Inshore Approved Code of Practice (ACoP)

(Excluding updated references, paragraph changes and minor drafting and grammatical changes)

(Greyed out lines indicate that these changes / updates are not open for consultation)

ACoP	Original Para	Original text / heading	Changed text / summary
Inland / Inshore	Whole doc.	“so far as <u>is</u> reasonably practicable”.	HSE now uses the phrase “so far as reasonably practicable”.
	Whole doc.	“he or she” or “him or her”	HSE no longer uses gender specific language, these phrases are replaced with either “their”, “they”, or “them”.
	Pages 1 & 2	Introduction & Scope	HSE has introduced a standardised format for all ACoP ‘Introduction’ pages, which has been applied to this ACoP. Key information e.g. previously contained within ‘scope and application’ is retained. ‘Who wrote the code etc.’ / ‘Updating arrangements’ has been removed.
Inland / Inshore cont.	Para 6 (a)	Scope and areas covered by the code	HSE has changed the specific reference to “scallop diving” to read; “commercial shellfish diving”.
	Para 17	Definitions in the Regulations (Definition of a ‘Diving Project’)	Para 17 has now been added to Para 16.
	Following Para 17	Reference to ‘the 1995 Order’	New explanatory text inserted to explain the reference to “the 1995 Order’ is in fact a reference to the 2013 AOGBO
	Para 18 - 20	Definitions in the regulations ‘Regulation 8’	These three Para’s have been relocated so they follow in regulation numerical order under the:- ‘Definitions in the regulations’ heading section.

ACoP	Original Para	Original text / heading	Changed text / summary
Inland / Inshore cont.	Para 21	Definitions in the regulations	<p>HSE has updated the 'Guidance' associated with Reg 2(1) & 3(2) to reflect the coverage of the HSWA Application outside Great Britain Order 2013, the Para now reads;</p> <p>"The Diving Regulations cover all diving projects in Great Britain, within UK territorial waters as well as those diving projects conducted in the UK designated areas of the continental shelf that are associated with offshore installations and energy structures e.g. wind farms, wells, emerging energy technologies and pipeline works."</p>
	Para 23	Definitions in the regulations (Guide 3(1) (a))	<p>Updated to clarify arrangements for hyperbaric treatment. It reads;</p> <p>"Where hyperbaric treatment is to be provided at a hospital or other place, the arrangements for this should be covered in the diving project plan. The arrangements should include ensuring the availability of that chamber and arrangements to ensure the safe transport of the diver for treatment"</p>
Inland / Inshore cont.	Para 25	Definitions in the regulations (Guidance 5 (1))	<p>The paragraph has been slightly re-worded to give clarity and understanding to the term 'person'. It now reads;</p> <p>"The term 'person' used to identify the diving contractor under this regulation means any person with legal identity and includes an individual and a company".</p>
	Para 32	Diving Contractors	<p>This has been slightly re-worded to read;</p> <p>"The diving contractor should ensure that".</p>
	Para 32(l)	Diving Contractors	<p>The sub Para is slightly amended it reads;</p> <p>"The <u>team is</u>" medically fit etc. has been replaced with;</p> <p>"the <u>divers are</u>" medically fit etc.</p>
Inland / Inshore cont.	Para 46	Use of compressed air or gas mixtures	<p>HSE has added text to this Para to raise awareness to a possible increased risk of oxygen toxicity when using some decompression techniques in certain decompression tables. It reads;</p> <p>"Some decompression tables include decompression stops which require higher partial pressure of oxygen. This may pose an increased risk of oxygen toxicity. If such decompression techniques are used, the procedures accompanying the decompression tables should be</p>

ACoP	Original Para	Original text / heading	Changed text / summary
			followed, and the risk assessment for the dive should consider the increased risk of oxygen toxicity".
	Para 47	Exposure limits for surface-orientated diving	The 3 rd sentence has been amended by adding "applicable to a single dive". It now reads; "The depth/time limitations ' <u>applicable to a single dive</u> ' are reproduced in Table 1".
Inland / Inshore cont.	Para 49	Water flow, intakes and discharges	The Para has been updated by adding the following text; "Other differential pressure situations such as blanked pipelines, void spaces etc. also pose a significant risk. If there are any intakes or discharges, suitable measures, for example mechanical isolation, should be taken to ensure that these cannot be operated while a diver is in the water unless the diver is protected by a suitable physical guard" etc. etc.
	Para 54	Safe use of electricity	The final sentence now reads; "shock <u>hazard</u> " instead of "shock"
	Para 55	High pressure water jetting	The word "plant" has been replaced with "equipment".
Inland / Inshore cont.	Para 65	Adjacent noisy operations	This heading has been relabelled "Noise Exposure". The Para has also been updated to reflect research into diving alone. It now reads; "Divers are exposed to a range of noises, both on the surface and underwater. These levels may be significant and diving contractors should ensure that the risks are managed".
	Para 67	Altitude changes	This Para has been re-worded to confirm that restrictions on travelling / flying should be identified in the diving project plan and not recorded in the contractor's generic risk assessment. It reads; "Restrictions on travelling / flying after diving should be contained in the company's diving project plan and be in accordance with the decompression tables being used"
Inland /	Para 78	Dive teams and associated working	The Paragraph has been re-drafted to reflect DVIS 8 and operational experience with swimming pool

ACoP	Original Para	Original text / heading	Changed text / summary
Inshore cont.		practice (Team size)	diving. The following text has been inserted; “In benign conditions in a swimming pool or a tank artificially constructed for the purpose of swimming, diving or for use as an aquarium or media facility, where there is no risk of entrapment and where the diver is in full view from the surface at all times, the standby diver may be dispensed with. The minimum team size is three. a supervisor, a diver on a lifeline and a third person on the surface. The supervisor and third person need not be qualified divers but must be competent” etc. etc.
	Para 82	Standby diver	“ <u>Will normally</u> be on the surface” has been replaced with; “ <u>Should remain on</u> the surface”
Inland / Inshore cont.	Para 87	First Aid	“Required standard” is replaced with; “The most appropriate standard” and “Approved Code of Practice” replaced with “Guidance on Regulation (L74)”
	Para 88 and 88 (a) & (b)	First Aid	These Para’s have been updated to be consistent with the ‘Offshore ACoP, it now reads; “The diver training programme includes training in diving physiology and medicine. The ability to use those skills and knowledge forms an integral part of the diver competence assessment. At the time of their diver training, trainees will also be taught and assessed for a separate first-aid qualification. The first-aid qualification is only valid for three years. Trainees will also be trained in oxygen administration.
Inland / Inshore cont.	Para 90	First Aid	The Para has been updated and now reads; “For diving under this Code, at least two people in the team should be qualified in first aid. The supervisor should be responsible for arranging their duties so that one of them should be able to administer first aid”
	Para 94	Diving plant	The final sentence had been updated to read; “All items of equipment worn by the diver should comply with relevant international, European or national standards”
	Para 97	Divers’ breathing gas supply systems	HSE has added the following text to reflect the need for breathing gas to meet recognised standards, the following text is added to the

ACoP	Original Para	Original text / heading	Changed text / summary
			beginning of the Para; "Breathing gases should comply with recognised international, European or national standards".
Inland / Inshore cont.	Following Para 107	Heading 'Diving baskets and open-bottom bells'	The heading has been updated to read; "Diving baskets and wet bells"
	Para 109	Diving baskets and wet bells	"The <u>provision of</u> " has been removed from the opening of the sentence. The Para now reads; "A secondary means of recovering divers should be provided"
	Para 117	Planned maintenance system	The 2 nd sentence has been slightly amended to read; "Maintenance arrangements should take into account passage of time and usage along with the manufacturer's recommendations"
Inland / Inshore cont.	Following Para 118	Maintenance of diving plant	A new sub heading has been added titled; "Pre-dive visual inspection" The following text has been inserted; "The dive team should carry out a pre-dive visual inspection and check the plant that they are to use, to ensure that it is in serviceable condition and working"
	Para 120	Diving basket and wet bell lift wires	Updated to align with the Offshore ACoP by adding the following text; "Specialised advice on maintenance should be followed to ensure that wires remain fit for purpose".
	Following Para 122	'Suitable Qualifications'	This sub-heading has been removed and replaced with the heading; "Competence"
Inland / Inshore cont.	Para 123 (This Para now follows the old Para's 125 & 126)	Suitable qualifications	HSE has added an explanation of what 'suitably qualified' means, by adding; "this means holding an approved diving qualification for the diving operation which they are supervising, see HSE's list of approved qualifications on the diving web pages"

ACoP	Original Para	Original text / heading	Changed text / summary
	Para 124	Suitable qualifications	<p>This has been amended to read;</p> <p>“Supervisors do not have to have a certificate of medical fitness to dive”.</p> <p>The text;</p> <p>“but should be qualified in first aid (see also Paragraphs 87-92) and should be competent to manage a medical emergency” has been deleted.</p>
Inland / Inshore cont.	Para's 125	Competence	<p>The Para has been slightly updated to be consistent with the Offshore ACoP. The text;</p> <p>“capable of acting sensibly in an emergency” has been replaced with;</p> <p>“remaining calm and acting effectively in an emergency”</p> <p>A final sentence has been added;</p> <p>“A formal supervisor qualification is one way of demonstrating competence”</p>
	Para 127 (a) & (b)	Knowledge and experience	<p>These Para's are removed as the requirements are now covered by the Para's associated with 'Competence'.</p>
	Para 138	Divers	<p>This Para now reads;</p> <p>“The main and restricted HSE certificates issued under the Diving Operations at Work Regulations 1981 are still legally valid”</p> <p>HSE has removed the requirement “and do not have to be exchanged for the new certificates”.</p>
Inland / Inshore cont.	Para 140		<p>The Para now reads;</p> <p>“Certificates issued by the Manpower Services Commission and the Training Services Agency are still legally valid”.</p> <p>HSE has removed</p> <p>“But may be exchanged for the appropriate HSE certificate”</p>
	Para 141	Medical checks	<p>Para re-worded to be consistent with all diving ACoPs, it reads;</p> <p>“All divers at work must have a valid certificate of</p>

ACoP	Original Para	Original text / heading	Changed text / summary
			<p>medical fitness to dive issued by a HSE medical examiner of divers, generally known as 'Approved Medical Examiner of Divers (AMED). The certificate of medical fitness to dive is a statement of the diver's fitness to perform work underwater, and is valid for as long as the doctor certifies, up to a maximum of 12 months. A list of HSE medical examiners is available on the HSE diving website".</p>
Inland / Inshore cont.	Para 143	Medical Checks	<p>This Para has been completely removed. HSE believes the Para provided unnecessary comment.</p> <p>The requirement for trainee divers to have a medical remains and is covered by the schools protocols.</p>
Inland / Inshore cont.	Para 146	Medical checks	<p>The Paragraph has been strengthened to emphasise the legal requirements on divers (Reg 13(1)(b)) to declare anything which may make them unfit to dive (and to be consistent with all other ACoPs), it reads;</p> <p>"Divers whose medical fitness may be in doubt for any reason, for example fatigue, minor injury, recent medical treatment or who are taking any medication, must inform their supervisor. Even a minor illness, such as the common cold or a dental problem, can have serious effects on a diver under pressure, and should be reported to the supervisor before the start of a dive. Medications routinely taken may have significant side effects in hyperbaric environments. Supervisors should seek guidance from the diving contractor or the company's medical adviser if there is doubt about that person's fitness to dive"</p>
Inland / Inshore cont.	Para 147	Medical checks	<p>The opening sentence;</p> <p>"People who dive in a diving project who have suffered etc. etc".</p> <p>Has been replaced with;</p> <p>"Divers who have suffered etc. etc."</p>
	Para 148	Medical checks	<p>HSE has updated this Para by removing unnecessary text relating to the medical examiners training and knowledge and carrying out 'assessments'. The Para now reads;</p> <p>"HSE approves doctors to carry out diving medical examinations. A list of these medical examiners is available on the HSE diving website".</p>

Changes to the Recreational Diving Projects Approved Code of Practice (ACoP)

(Excluding updated references, paragraph changes and minor drafting and grammatical changes)

(Greyed out lines indicate that these changes / updates are not open for consultation)

ACoP	Original Para	Original text / heading	Changed text / summary
Recreational	Whole doc.	“so far as <u>is</u> reasonably practicable”.	HSE now uses the phrase “so far as reasonably practicable”.
	Whole doc.	“he or she” or “him or her”.	HSE no longer uses gender specific language, these phrases are replaced with either “their”, “they”, or “them”.
	Pages 1 & 2	Introduction & Scope	HSE has introduced a standardised format for all ACoP ‘Introduction’ pages, which has been applied to this ACoP. Key information e.g. previously contained within ‘scope and application’ is retained. ‘Who wrote the code etc.’ / ‘Updating arrangements’ has been removed.
Recreational cont.	Para 17	Definitions in the regulations (Definition of a Diving Project)	The Para has been removed as the Regulations are specific when a diving project will end.
	Para 21	Definitions in the regulations (Reg. 5 Guidance)	The paragraph has been slightly re-worded to give clarity and understanding to the term ‘person’. It now reads; “The term ‘person’ used to identify the diving contractor under this regulation means any person with legal identity and includes an individual and a company”.
Recreational cont.	Para 26	Clients and others	The Para reads; “The duty under this regulation also extends to diving contractors, supervisors, divers and to people indirectly involved in the diving project such as dive site operators”.

ACoP	Original Para	Original text / heading	Changed text / summary
			The following text has been removed; “crane operators, lorry drivers and maintenance personnel. These people should ensure that their tasks and the way they undertake them do not affect the safety of the dive team”.
	Para 27	Diving contractors	This has been re-worded to better articulate requirements on the diving contractor. It now reads: “The diving regulations require that one person is identified as the diving contractor for every diving project. The main duties under the diving regulations are placed on the diving contractor”.
Recreational cont.	Para 32	Diving contractors	HSE has removed the final sentence of this Para; “This is because recreational diving projects are, in the main, enforced by local authorities” As it is not accurate.
	Para 45	Decompression procedures	The sentence; “For surface-orientated diving, decompression procedures should be consulted to determine whether the dive requires ‘in-water’ decompression”, has been removed.
		Dive Teams and associated working practice	A new sub heading; “Dive Teams” has been inserted.
Recreational cont.	Para 51	Dive Teams and associated working practice	The fourth sentence has been slightly amended to read; The diving contractor has a duty to engage competent people, which may <u>require</u> that the dive team's competence is verified or demonstrated. <u>Require</u> has replaced “ <u>entail ensuring</u> ”
	Following Para 51	Dive Teams and associated working practice	Para 86 has been moved and inserted here (Originally under the wrong Reg. – Reg. 11)
Recreational cont.	Para 54	First aid training and	This Para has been re-worded and is consistent with the Media & Scientific

ACoP	Original Para	Original text / heading	Changed text / summary
		competences	ACoPs; “The diving contractor is responsible for ensuring that enough people in the diving project are trained and competent in first aid. The risk assessment should identify the first-aid equipment required on site and the number of qualified personnel needed to use it”.
	Para 59	Diving Plant	The following sentence has been added to this Para to reflect the need for breathing gas to meet recognised standards; “Breathing gases should comply with recognised international, European or national standards.”
Recreational cont.	Para 60 (g)	Diving Plant	To ensure any "bail out" has the capacity to enable the diver to reach a place of safety, the Para reads; “appropriate alternative breathing gas source/secondary life support system <u>with adequate capacity to allow the diver to reach a place of safety</u> ”
	Para 62	Diving Plant	The final line has been deleted; “Any voice communications equipment should have adequate power supplies to ensure that such links are not jeopardised by power failure”.
	Para 73	Maintenance of diving plant	HSE has replaced the; “ <u>highest current</u> ” International, European etc. standards to the “ <u>appropriate</u> ” International European etc. standards.
Recreational cont.	Para 86	Directions	This Para has been relocated and now sits under the heading ‘Dive Teams and associated working practices’ Reg. 6.
		Heading “Divers”	Is updated to read; “Divers and persons who dive in a diving project”
	Para 88	Qualifications	The Para has been re-worded to be consistent with all diving ACoPs, it reads;

ACoP	Original Para	Original text / heading	Changed text / summary
			<p>“All divers at work must hold an approved diving qualification suitable for the work that they intend to do. A list of current approved qualifications is available on the HSE diving website”.</p>
Recreational cont.	Para 93	Fitness	<p>The Paragraph has been strengthened to emphasise the legal requirements on divers (Reg 13(1)(b)) to declare anything which may make them unfit to dive (and to be consistent with all other ACoPs), it reads;</p> <p>“Divers whose medical fitness may be in doubt for any reason, for example fatigue, minor injury, recent medical treatment or who are taking any medication, must inform their supervisor. Even a minor illness, such as the common cold or a dental problem, can have serious effects on a diver under pressure, and should be reported to the supervisor before the start of a dive. Medications routinely taken may have significant side effects in hyperbaric environments. Supervisors should seek guidance from the diving contractor or the company's medical adviser if there is doubt about that person's fitness to dive”.</p>
Recreational cont.	Para 94	Medicals	<p>Re-worded to be consistent with all diving ACoPs, it reads;</p> <p>“All divers at work must have a valid certificate of medical fitness to dive issued by a HSE medical examiner of divers, generally known as ‘Approved Medical Examiner of Divers (AMED)’. The certificate of medical fitness to dive is a statement of the diver's fitness to perform work underwater, and is valid for as long as the doctor certifies, up to a maximum of 12 months. A list of HSE medical examiners is available on the HSE diving website”.</p>
	Para 97	Medicals	<p>The Para is re-worded to be consistent with all diving ACoPs, it reads;</p> <p>“HSE approves doctors to carry out diving medical examinations. A list of these medical examiners is available on the HSE diving website”.</p>

Changes to the Media Diving Projects Approved Code of Practice (ACoP)

(Excluding updated references, paragraph changes and minor drafting and grammatical changes)

(Greyed out lines indicate that these changes / updates are not open for consultation)

ACoP	Original Para	Original text / heading	Changed text / summary
Media	Whole doc.	“so far as <u>is</u> reasonably practicable”.	HSE now uses the phrase “so far as reasonably practicable”.
	Whole doc.	“he or she” or “him or her”.	HSE no longer uses gender specific language, these phrases are replaced with either “their”, “they”, or “them”.
	Pages 1 & 2	Introduction & Scope	HSE has introduced a standardised format for all ACoP ‘Introduction’ pages, which has been applied to this ACoP. Key information e.g. previously contained within ‘scope and application’ is retained. ‘Who wrote the code etc.’ / ‘Updating arrangements’ has been removed.
Media cont.	Para 17	Definitions in the regulations (Definition of a Diving Project)	The Para has been removed as the Regulations are specific when a diving project will end.
	After Para 20, New Para inserted	Definitions in the regulations	HSE has inserted this Para to clarify arrangements for hyperbaric treatment. It reads; “Where hyperbaric treatment is to be provided at a hospital or other place, the arrangements for this should be covered in the diving project plan. The arrangements should include ensuring the availability of that chamber and arrangements to ensure the safe transport of the diver for treatment”.
	Para 21	Definitions in the regulations (Guide 5(1))	Re-worded to give clarity to the term ‘person’. It now reads; “The term ‘person’ used to identify the diving contractor under this regulation means any person with legal identity and includes an individual and a company”.

ACoP	Original Para	Original text / heading	Changed text / summary
Media cont.	Para 28	Diving contractors	Re-worded to be consistent with the other ACoPs. It now reads; “The diving regulations require that one person is identified as the diving contractor for every diving project. The main duties under the diving regulations are placed on the diving contractor”.
	Para 34	Diving Contractors	Updated to provide clarity and accuracy. The Para now reads; “Before any person acts as a diving contractor, they must ensure that HSE is provided with information about their identity and where they can be contacted. The diving contractor is also required to inform HSE of any subsequent changes to this information. Full details required are set out in Schedule 1 to the Diving Regulations. HSE will acknowledge receipt of such information”.
Media cont.	Para 38	Diving project plan and risk assessment	The Para has been removed as it only reiterates the diving contractor’s responsibilities regarding a diver’s competence to dive, which is already covered under ‘Competence’.
	Para 41	Risk Assessment	HSE has re-worded the Para to read; “As a matter of safe working practice, the supervisor should keep the site-specific risk assessment under review and revise it if necessary”. HSE has removed; “to ensure that it is adequate and does not need to be revised”.
		Dive Teams and associated working practice	A new sub heading; “Dive Teams” has been added.
Media cont.	Para 52	Dive Teams	The final sentence has been slightly amended to read; “The diving contractor has a duty to engage competent people, which may <u>require</u> that the dive team’s competence is verified and demonstrated. “entail ensuring” is replaced with ‘ <u>require</u> ’
	Following Para 52	Dive Teams and associated working practice	Para 98 has been moved and inserted here (Originally under the wrong Reg. – Reg. 11)
	Para 53	Pools and tanks	The Para has been updated to provide more clarity, it reads; “For diving in clear water in tanks and pools using

ACoP	Original Para	Original text / heading	Changed text / summary
			SCUBA, where the diver is in full view from the surface at all times where no entanglement or entrapment hazards are present and there is no interference from other activities, e.g. scenery or set, the minimum team size can be three”:
Media cont.	Para 55	First Aid training and competencies	This Para has been updated to read; “The diving contractor is responsible for ensuring that enough people in the diving project are trained and competent in first aid. The risk assessment should identify the first aid equipment required on site and the number of qualified personnel needed to use it”
	Para 58	First Aid training and competencies	“Approved Code of Practice” has been replaced with Guidance on Regulation (L74)
	Following Para 59	Diving Plant	A new Para has been inserted to reflect the need for breathing gas to meet recognised standards, it reads; “Breathing gases should comply with recognised international, European or national standards.”
Media cont.	Para 60 (h)	Diving Plant	Sub point (h) has been deleted. It has been identified as not being part of the required minimum equipment for divers using SCUBA.
	Para 61 (e)	Diving Plant	To ensure any "bail out" has the capacity to enable the diver to reach a place of safety, the Para now reads; “ <u>bail-out system with adequate capacity to allow the diver to reach a place of safety</u> ”
	Para 71	Communications	This Para has been removed as requirements for boat equipment are covered by the appropriate Maritime and Coastguard Agency coding.
	Para 83	Maintenance of diving plant	HSE has removed reference to the “ <u>highest</u> ” International, European etc. standards. It now reads; “to <u>appropriate</u> international, European or national standards”
Media cont.	Para 84	Maintenance of diving plant	From this Para HSE has deleted; “Gas purity tests should be taken as recommended by the manufacturer and a record of the results kept”
	Para 86	Maintenance of diving plant	For consistency with Offshore & Inland / Inshore ACoPs, HSE has removed; “divers <u>will be asked to</u> carry out a pre-dive visual

ACoP	Original Para	Original text / heading	Changed text / summary
			inspection” etc etc. The Para now reads; “divers carry out a pre-dive visual inspection” etc’. etc.
	Para 98	Supervisors (Directions)	This Para has been moved from its original location (ACoP under Reg. 11 – the wrong Reg.) and inserted as ACoP under Reg 6.
		Heading “Divers”	Has been updated to read; “Divers and persons who dive in a diving project”
Media cont.	Para 100	Qualifications	2 nd sentence now reads; “The list is available on the HSE diving website”
	Para 106	Qualifications	The Para now reads: “All HSE certificates issued under the Diving Operations at Work Regulations 1981 remain legally valid” HSE has removed; “parts” “and do not have to be exchanged for the new certificates”.
Media cont.	Para 107	Fitness	The Paragraph has been strengthened to emphasise the legal requirements on divers (Reg 13(1)(b)) to declare anything which may make them unfit to dive (and to be consistent with all other ACoPs), it reads; “Divers whose medical fitness may be in doubt for any reason, for example fatigue, minor injury, recent medical treatment or who are taking any medication, must inform their supervisor. Even a minor illness, such as the common cold or a dental problem, can have serious effects on a diver under pressure, and should be reported to the supervisor before the start of a dive. Medications routinely taken may have significant side effects in hyperbaric environments. Supervisors should seek guidance from the diving contractor or the company's medical adviser if there is doubt about that person's fitness to dive”.
Media cont.	Para 108	Medicals	Para has been re-worded to be consistent with all diving ACoPs, it reads; “All divers at work must have a valid certificate of medical fitness to dive issued by a HSE medical examiner of divers, generally known as ‘Approved Medical Examiner of Divers (AMED). The certificate of medical fitness to dive is a statement of the diver's fitness to perform work underwater, and is valid for

ACoP	Original Para	Original text / heading	Changed text / summary
			as long as the doctor certifies, up to a maximum of 12 months. A list of HSE medical examiners is available on the HSE diving website".
	Para 111	Medical checks	HSE has updated this Para by removing unnecessary text relating to the medical examiners training and knowledge. The Para now reads; "HSE approves doctors to carry out diving medical examinations. A list of these medical examiners is available on the HSE diving website".

Changes to the Scientific & Archaeological Diving Projects Approved Code of Practice (ACoP)

(Excluding updated references, paragraph changes and minor drafting and grammatical changes)

(Greyed out lines indicate that these changes / updates are not open for consultation)

ACoP	Original Para	Original text / heading	Changed text / summary
Scientific & Archaeological	Whole doc.	“so far as <u>is</u> reasonably practicable”.	HSE now uses the phrase “so far as reasonably practicable”.
	Whole doc.	“he or she” or “him or her”.	HSE no longer uses gender specific language, these phrases are replaced with either “their”, “they”, or “them”.
	Pages 1 & 2	Introduction & Scope	HSE has introduced a standardised format for all ACoP ‘Introduction’ pages, which has been applied to this ACoP. Key information e.g. previously contained within ‘scope and application’ is retained. ‘Who wrote the code etc.’ / ‘Updating arrangements’ has been removed.
Scientific & Archaeological cont.	Para 15	Definitions in the regulations	This Para has been re-worded consider the introduction of additional risks which need to be addressed in the diving project plan. It now reads; “There is nothing in the Diving Regulations that prevents scientific and archaeological dive teams being made up of a mix of both people who are at work and people who are not. However, such an arrangement may introduce additional risks to be addressed in the diving project plan. All people who dive must be competent to do so. If anyone in the team who is not at work is allocated duties under the Diving Regulations they must be competent to perform them”.
	Para 19	Definitions in the regulations (Definition of a Diving Project)	The Para has been removed. As the Regulations are specific when a diving project will end.

ACoP	Original Para	Original text / heading	Changed text / summary
Scientific & Archaeological cont.	Following Para 22	Definitions in the regulations (Reg. 3 guidance)	HSE has inserted this Para to clarify arrangements for hyperbaric treatment and to be consistent with the other ACoPs. It reads; "Where hyperbaric treatment is to be provided at a hospital or other place, the arrangements for this should be covered in the diving project plan. The arrangements should include ensuring the availability of that chamber and arrangements to ensure the safe transport of the diver for treatment"
	Para 23	Definitions in the regulations (Reg. 5 guidance)	The Paragraph has been slightly re-worded to give clarity and understanding to the term 'person'. It now reads; "The term 'person' used to identify the diving contractor under this regulation means any person with legal identity and includes an individual and a company".
Scientific & Archaeological cont.	Para 27	Diving Contractors	Re-worded (for consistency) to better articulate requirements on the diving contractor. It reads; "The diving regulations require that one person is identified as the diving contractor for every diving project. The main duties under the diving regulations are placed on the diving contractor".
	Para 32	Diving Contractors	Updated to provide clarity and accuracy, the Para reads; "Before any person acts as a diving contractor, they must ensure that HSE is provided with information about their identity and where they can be contacted. The diving contractor is also required to inform HSE of any subsequent changes to this information. Full details required are set out in Schedule 1 to the Diving Regulations. HSE will acknowledge receipt of such information"
Scientific & Archaeological cont.	Para 36	Diving project plan and risk assessment	The Para has been removed as it only reiterates the diving contractor's responsibilities regarding a diver's competence to dive, already covered under

ACoP	Original Para	Original text / heading	Changed text / summary
			'Competence'.
	Para 37 (a)	Risk Assessment	The word 'sea' has been replaced with 'water'.
	Para 39	Risk Assessment	Re-worded to read; <p>"As a matter of safe working practice, the supervisor should keep the site-specific risk assessment under review and revise it if necessary".</p> <p>HSE has deleted;</p> <p>"to ensure that it is adequate and does not need to be revised".</p>
		Dive Teams and associated working practice	A new heading "Dive Teams" has been added.
Scientific & Archaeological cont.	Para 46	Dive Teams	HSE has removed the words "pair of hands" and "rescue" and replaced them with "person" and "recover" <p>the sentence now reads;"it may be necessary to have another <u>person</u> to help <u>recover</u> someone from the water or to go for help".</p>
	Para 47		The fourth sentence has been slightly amended to read; <p>The diving contractor has a duty to engage competent people, which may <u>require</u> that the dive team's competence is verified or demonstrated.</p> <p><u>Require</u> has replaced "<u>entail ensuring</u>"</p>
	Following Para 47	Dive Teams and associated Working Practice	The original Para 84 has been moved and inserted here (Originally under the wrong Reg. – Reg. 11)
Scientific & Archaeological cont.	Para 48	Dive Teams and associated Working Practice (Pools and tanks)	This Para has been relocated to sit under ACoP material for Reg10 (2)
	Para 49 - 50	Dive Teams and associated Working Practice (Pools and tanks)	These Paragraphs have been completely re-worded to provide clarity when diving in Pools and Tanks. They now read; <p>"For diving in clear water in tanks and</p>

ACoP	Original Para	Original text / heading	Changed text / summary
Scientific & Archaeological cont.		(First new Para)	pools using SCUBA, where the diver is in full view from the surface at all times, where no entanglement or entrapment hazards are present,; and there is no interference from other activities e.g. no powerful or aggressive animals in fish storage tanks or aquariums, as justified by the risk assessment, the minimum team size can be three.
		Dive Teams and associated Working Practice (Pools and tanks) (Second new Para)	“This may be a dedicated person on the surface and two qualified divers (one of whom would have to be the supervisor) in the water who must each act as standby diver to the other, or the supervisor on the surface, a diver on a lifeline and a third person on the surface to assist with the emergency recovery of the diver, if needed. In either case, the person on the surface does not have to be a qualified diver but they should be familiar with the diving project plan and arrangements for obtaining immediate assistance in an emergency. They should not leave the dive site while the operation is taking place”.
		Dive Teams and associated Working Practice (Pools and tanks) (Third new Para)	“The risk assessment must identify the situations where this is safe and record the appropriate measures which should be taken to ensure that the risks are controlled. It should cover how the diver, if injured or unconscious, can be lifted from the water before help arrives and how help can be summoned without delaying assistance to the diver”.
	Para 51 - 55	Dive Teams and associated Working Practice (First Aid training and competencies)	These Para's remain unchanged but are relocated as ACoP under Reg 6(3)(a), not ACoP under Reg 10(2) as previously recorded.
	Para 51	First Aid training and competencies	Re-worded for consistency; “The diving contractor is responsible for ensuring that enough people in the diving project are trained and competent in first aid. The risk assessment should identify the first-aid equipment required on site and the number of qualified personnel needed to use it”.
Scientific &	Para 53	First Aid training and	“Approved Code of Practice” has been replaced with “Guidance on Regulation

ACoP	Original Para	Original text / heading	Changed text / summary
Archaeological cont.		competencies	(L74)
	Para 57	Diving plant	Following the opening sentence, HSE has re-worded the Para to address capacity requirements for an alternative breathing gas source or life support system (bail out etc.) for emergency use, it now reads; “In the case of surface supplied diving operations independent primary and secondary supplies of breathing gas should be available to each diver. Such gas supplies should be arranged so that interruption of the supply to one diver will not affect other divers' supplies. Whatever type of breathing apparatus is in use, each diver should have available an alternative breathing gas source or life support system for emergency use. This should have sufficient capacity to allow the diver to reach a place of safety”
Scientific & Archaeological cont.	Para 58	Diving plant (Two way communications)	From this Para HSE has removed the phrase; “tape recording facilities”. Also removed is the stated example; “For example, the risk assessment should take into account the circumstances of the dive and identify whether there is a need for direct voice communications”.
	Following Para 58	Diving plant (Two way communications)	A new Para has been inserted to explain the benefits of recording communications. It reads; “There are benefits to recording such communications and keeping the recording until the dive is successfully completed. For example, if an incident occurs during the dive the recording may help in any subsequent investigation”
Scientific & Archaeological cont.	Para 69	Diving Plant (Availability of compression chambers)	The Paragraph has been completely removed as the requirement is never used in practice.
	Para 70	Maintenance of Diving Plant	The first sentence is updated by removing the word “frequent” from “including <u>frequent</u> immersion” etc.

ACoP	Original Para	Original text / heading	Changed text / summary
	Para 72	Maintenance of diving plant	HSE has removed the original Para and replaced it with; “The equipment maintenance scheme should be based on the manufactures’ recommendations and be in accordance with the appropriate international, European or national standards”.
Scientific & Archaeological cont.	Para 79	Supervisors competency (First new Para)	This Paragraph has been withdrawn and replaced with following new paragraphs to explain clearly ‘Supervisor’s competency’. The new Para’s read; “The diving contractor must consider the competence of a person before appointing them as a supervisor. When considering competence, the diving contractor should consider such questions as whether the person is knowledgeable, practical, reliable; capable of conducting the diving operation in a safe manner; capable of managing members of the diving team appropriately and remaining calm in an emergency. A formal supervisor qualification is one way of demonstrating competence”
		Supervisors competency (Second new Para)	“The diving contractor will be in a good position to decide on a person's competence if the person has worked for the organisation for some time. If the diving contractor does not know the person, it will be necessary for the diving contractor to make appropriate enquiries concerning the person's knowledge and experience”.
		Supervisors competency (Third new Para)	“A supervisor must be suitably qualified (this means holding an approved diving qualification for the diving operation they are supervising, see HSE’s list of approved qualifications on the diving web pages) as a diver for the diving techniques to be used in the operation”.
		Supervisors competency (Fourth new Para)	Supervisors who do not dive do not have to have a certificate of medical fitness to dive”.
Scientific & Archaeological cont.	Para 81	Supervisors responsibility	The Para has been re-worded but still retains the same requirements. It reads; “The supervisor should carry out or check that a site-specific risk assessment has

ACoP	Original Para	Original text / heading	Changed text / summary
			been carried out and ensure that it is still current for the prevailing circumstances on the day of and during the dive”.
	Para 84	Supervisors (Directions)	This has been moved from its original location (ACoP under Reg. 11 – the wrong regulation) and inserted as ACoP under Reg. 6 (following Para 47).
		Heading “Divers”	The heading has been updated to read: “Divers and persons who dive in a diving project”
Scientific & Archaeological cont.	Para 90	Qualifications	The text originally stated “HSE issues an annual list of approved diving qualifications for diving under this code etc. etc.” This has been removed and replaced with; “Divers must hold an approved diving qualification before they can be engaged to dive in a diving project. A list of approved qualifications is available on the HSE diving website”.
	Para 95		The Para now reads; “All HSE certificates issued under the Diving Operations at Work Regulations 1981 remain legally valid”. HSE has removed the requirement; “and do not have to be exchanged for the new certificates”.
Scientific & Archaeological cont.	Para 96	Fitness	The Paragraph has been strengthened to emphasise the legal requirements on divers (Reg 13(1)(b)) to declare anything which may make them unfit to dive (and to be consistent with all other ACoPs), it reads; Divers whose medical fitness may be in doubt for any reason, for example fatigue, minor injury, recent medical treatment or who are taking any medication, must inform their supervisor. Even a minor illness, such as the common cold or a dental problem, can have serious effects on a diver under pressure, and should be reported to the supervisor before the start of a dive. Medications routinely taken may have significant side effects in hyperbaric

ACoP	Original Para	Original text / heading	Changed text / summary
			environments. Supervisors should seek guidance from the diving contractor or the company's medical adviser if there is doubt about that person's fitness to dive.
Scientific & Archaeological cont.	Para 98	Medical checks	Para re-worded to be consistent with all diving ACoPs, it reads; “All divers at work must have a valid certificate of medical fitness to dive issued by a HSE medical examiner of divers, generally known as ‘Approved Medical Examiner of Divers (AMED). The certificate of medical fitness to dive is a statement of the diver's fitness to perform work underwater, and is valid for as long as the doctor certifies, up to a maximum of 12 months. A list of HSE medical examiners is available on the HSE diving website”.
Scientific & Archaeological cont.	Para 101	Medical checks	HSE has updated this Para by removing unnecessary text relating to the medical examiners training and knowledge. The Para now reads; “HSE approves doctors to carry out diving medical examinations. A list of these medical examiners is available on the HSE diving website”.

Regulatory Triage Assessment	
Title of regulatory proposal	Proposal to update five sector specific Diving Approved Codes of Practice (ACoPs)
Lead Department/Agency	Health & Safety Executive
Expected date of implementation	November 2014
Origin	Domestic
Date	15 th August 2013
Lead Departmental Contact	Mike Readitt HID Offshore Diving and Pipelines Policy Team
Departmental Triage Assessment	Out of scope of 'One-in Two-out', 'Fast Track' and 'Accountability for Regulator Impact' processes. No Regulatory Policy Committee confirmation or Reducing Regulation Committee clearance needed.
Rationale for intervention and intended effects	
<p>The rationale for intervention is to update, simplify and future proof the five existing sector specific Diving Approved Codes of Practice (ACoPs). The proposal covers changing some ACoP material into guidance and providing compliance options when following the Diving at Work Regulations 1997. The ACoP material and guidance will also be updated to provide greater clarity, remove inconsistencies, reflect technological advances and replace outdated references.</p>	
Viable policy options (including alternatives to regulation)	
<p>HSE's proposal is to update the existing five sector specific Diving Approved Codes of Practice (ACoPs):-</p> <ul style="list-style-type: none"> • Commercial Diving Projects Offshore (L103) 	

- Commercial Diving Projects Inland / Inshore (L104)
- Recreational Diving Projects (L105)
- Media Diving Projects (L106)
- Scientific and Archaeological Diving Projects (L107)

Initial assessment of business impact

The proposal is to update and simplify current ACoP material and guidance. Each proposed change in each ACoP has been reviewed internally and will be open to challenge by the diving industry (through targeted consultation during January and March 2014). At this point in time we see no significant cost implications for the industry. The evidence base (see attached) provides a description of the diving industry and an economic justification of why HSE expect negligible costs associated with these changes (including familiarisation costs).

This proposal is part of a wider programme of simplification of health and safety legislation and will contribute to reducing the impression that health and safety legislation is complex and an excessive burden on industry.

One-in, Two-out status

Previous advice to HSE from the Better Regulation Team has confirmed ACoPs do not fall under the 'One-in Two-out' process. Similarly, 'Fast Track' is not appropriate to the updating of ACoPs as the process is only applicable to regulatory change. Under the 'Accountability for Regulator Impact' (ARI) process, the changes associated with the five diving ACoPs has internally been classed as 'insignificant'.

The proposal is expected to have negligible costs to industry and has an equivalent annual net cost to business of zero.

Rationale for Triage rating

HID Policy and Economists have chosen to undertake an internal scrutiny of the impact the proposed changes will have on the industry through the completion of this Triage Assessment. This was to determine the impact the changes will have, and equally important, to assist in determining the policy approach to be adopted. The conclusions from the assessment had confirmed that there will be a negligible cost impact on the diving industry, including

micro-business.

The proposed changes are to update, simplify and future proof the existing sector specific ACoPs. They do not amend existing diving legislation, do not change the duties, change behaviour, or impose additional costs on the industry. However, the changes will contribute to the removal of burdens and the provision of greater clarity. HSE has identified some small savings as part of the assessment, but they are insignificant and it would not be proportionate to commit resources to calculate them.

Departmental sign off (SCS):not required Date:

Economist sign off (*senior analyst*): Alan Spence Date: 14th Aug. 2013

Better Regulation Unit sign off: Kevin Walkin



Date: 11th Sept. 2013

Supporting evidence

1. The policy issue and rationale for Government intervention

- 1.1 There is a perception that health and safety legislation is complex and over burdensome on industry. In order to consider this the Government initiated the 'Löfstedt Review' to look at opportunities for reducing the burden of health and safety regulation on business.
- 1.2 The Löfstedt Review reported that overall a wide range of stakeholders supported the principles of Approved Codes of Practice (ACoPs), including the Diving ACoPs and saw them as a vital part of the Health & Safety system, forming a key link between goal setting legislation and guidance, though many also felt there was room for improvement. Stakeholders also supported the Diving ACoPs in comments received as part of the 'Red Tape Challenge' Health and Safety Theme.
- 1.3 HSE undertook an initial review of its ACoPs so businesses had certainty about planned changes and when changes can be anticipated. This was followed by a public consultation (June – Sept. 2012) to establish if the ACoPs were still required, provided an unambiguous guide to what is required by law, were up to date, reflected changes in technology and were presented in the most appropriate way for their audience. Included within the consultation were proposals to update and amend the 5 Diving ACoPs:-
- Commercial Diving Projects Offshore (L103)
 - Commercial Diving Projects Inland / Inshore (L104)
 - Recreational Diving Projects (L105)
 - Media Diving Projects (L106)
 - Scientific and Archaeological Diving Projects (L107)
- 1.4 Replies to this consultation from Diving stakeholders confirmed there was widespread support to revise and update each Diving ACoP.

2. Policy objectives and intended effects

- 2.1 In line with the recommendations from the Löfstedt Review HSE will, within the review timescales (by the end of 2014), update and re-publish revised ACoPs for each of the five diving sectors listed above.

- 2.2 Revising the Diving ACoPs will ensure that appropriate ACoP material is changed to guidance, technological advances are reflected, operational experience is applied to ensure the content is unambiguous and references updated.
- 2.3 HSE will, between Jan and March 2014, engage and consult with the Diving industry sectors on all proposals for change, thus reducing any familiarisation resource.

3. Policy options considered, including alternatives to regulation

- 3.1 HSE's proposal is to update the five sector specific Diving ACoPs that are listed overleaf. This is a deregulatory measure, as ACoPs have a special legal status and therefore is an alternative to regulation.

4. Expected level of business impact

(Diving industry overview)

- 4.1 Diving at work covers a wide range of activities from deep saturation diving in support of the offshore oil and gas industry to recreational instruction by an individual professional instructor. The "diving industry" can be considered as a number of sectors where people need to go underwater to work. With the exception of the recreational sector, diving is primarily a method of getting to a work site that happens to be underwater. These sectors generally align with the Approved Codes of Practice.
- 4.2 The Diving population is estimated at around 53,000. This includes approx. 5,000 "commercial" divers holding current diving medicals, approx. 8,000 members of the armed forces (includes "recreational at work" diving as part of adventurous training) and in excess of 40,000 members of the public receiving some form of paid instruction every year.
- 4.3 It has been previously estimated (arising from policy work undertaken in 2011 to amend the Diving at Work Regs 1997) by the Chief Inspector of Diving that 90% of 'all' diving contractors are micro businesses (they have fewer than 10 employees).

5. Engagement and Consultation (Compliance and familiarisation impact)

- 5.1 The revision of the five diving ACoPs will not impact on existing legislation (the Diving at Work Regulations 1997) and will not introduce any additional burdens on industry.
- 5.2 HSE has already commenced consultation on the broad principles of revising the ACoPs with the Diving Industry Committee and Recreational Diving Industry Committee during 2012/13. The feedback from these meetings has been receptive and positive. HSE has acknowledged and acted on the diving industry's request to retain the ACoPs as sector specific documents and not merged into a single document.
- 5.3 As all the proposed changes relate to providing greater clarity, removing inconsistencies, reflecting technological advances and replacing outdated references, the Diving Operational Strategy Team are not proposing to undertake public consultation on the changes via a formal consultation document. Consultation will take the form of engagement meetings to be organised with the Diving and Recreational Diving Industry Committees early in 2014. These two Committees represent the vast majority of the industry, they consist of Trade Associations, Dive Contractors, Unions, Police, Ministry of Defence, Training organisations e.g. PADI, BSAC, the BBC, Maritime Coastguard Agency and the Professional Divers Association, Dive Site Operators, Royal National Lifeboat Institution and HSL.
- 5.4 The objective of these targeted meetings will be to openly consult with sector representatives on all the changes and take targeted and specific feedback. As a result this approach will reduce familiarisation costs and have the potential to have a zero implementation cost.
- 5.5 The revised ACoPs will not change existing working practices, but will reflect working practices industry already adopt that have resulted from advances in diving technologies. Therefore, the impact will be negligible. In other words, it will be 'business as usual' for the industry and as such, current compliance is expected to remain at the same level. It is not expected there will be any impact on health and safety.
- 5.6 At this stage it is envisaged the revised ACoPs will be HSE priced publications. However, they will also be publically available to download as 'pdf' versions, free of charge, from the HSE Diving website. Since January 2010 HSE (to Aug. 2013) has sold 264 copies of the Diving ACoPs as listed below;
- L103 = 80 copies, L104 = 106 copies, L105 = 32 copies, L106 = 22 copies and L107 = 24 copies.
- 5.7 It is believed the number of purchases of the revised ACoPs will be on the same scale and therefore the cost will be negligible. It is therefore

reasonable to assume that there will not be any additional cost to industry as a result of revising and re-publishing the five diving ACoPs.

6. Benefits

- 6.1 Revising the diving ACoPs will contribute to the wider Government policy objective of simplifying the health and safety system. It will also contribute to the aim of reducing the perception that health and safety legislation is complex and over burdensome on industry.

DETI EQUALITY SCREENING FORM

Part 1. Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

Information about the policy

Name of the policy

Proposal relating to the revised Approved Codes of Practice (ACOPs) and guidance - Commercial Diving Projects Offshore (L103); Commercial Diving Projects Inland/Inshore (L104); Recreational Diving Projects (L105); Media Diving Projects (L106); Scientific and Archaeological Diving Projects (L107), which the Health and Safety Executive for Northern Ireland proposes to approve for use in Northern Ireland.

Is this an existing, revised or a new policy?

Revised

What is it trying to achieve? (intended aims/outcomes)

These ACOPs and guidance provide practical guidance on how to comply with the requirements of the Diving at Work Regulations 1997. In Northern Ireland the applicable legislation is the Diving at Work Regulations (Northern Ireland) 2005.

Are there any Section 75 categories which might be expected to benefit from the intended policy?

If so, explain how.

The benefits from the ACOPs and guidance will apply equally to all S75 categories and to others affected by the guidance.

Who initiated or wrote the policy?

The Health and Safety Executive in Great Britain

Who owns and who implements the policy?

Subject to approval for use in Northern Ireland the policy is owned and implemented in Northern Ireland by the Health and Safety Executive for Northern Ireland.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

If yes, are they

- financial
 - legislative
 - other, please specify
-

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

- staff
- service users
- other public sector organisations
- voluntary/community/trade unions
- other, please specify - Companies and individuals whose work involves diving operations.

Other policies with a bearing on this policy

- what are they?

The Löfstedt review of health and safety legislation 'Reclaiming health and safety for all'. A UK Government independent review to make proposals for simplifying health and safety law.

- who owns them?

Department for Work & Pensions

Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Section 75 category	Details of evidence/information
Religious belief	Although there is no available data the revisions to the ACOPs and guidance apply equally beneficially to all Section 75 categories and others.
Political opinion	As above.
Racial group	As above.
Age	As above.
Marital status	As above.
Sexual orientation	As above.
Men and women	As above.

generally	
Disability	As above.
Dependants	As above.

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

Section 75 category	Details of needs/experiences/priorities
Religious belief	Although there is no available data the revisions to the ACOPs and guidance apply equally beneficially to all Section 75 categories and others.
Political opinion	As above.
Racial group	As above.
Age	As above.
Marital status	As above.
Sexual orientation	As above.
Men and women generally	As above.

Disability	As above.
Dependants	As above.

Part 2. Screening questions

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4 detailed below.

If the public authority's conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority's conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions detailed below and indicate the level of impact on the group i.e. minor, major or none.

Screening questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? minor/major/none		
Section 75 Category	Details of policy impact	Level of impact? minor/major/none
Religious belief	Revisions to the ACOPs and guidance on how to comply with the requirements of the Diving at Work Regulations 1997. It is proposed that the ACOPs and guidance should be adopted for use in Northern Ireland.	None. The revisions to the ACOPs and guidance have no bearing on equality of opportunity.
Political opinion	As above	As above
Racial group	As above	As above
Age	As above	As above
Marital status	As above	As above
Sexual orientation	As above	As above

Men and women generally	As above	As above
Disability	As above	As above
Dependants	As above	As above

2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

Section 75 category	If Yes , provide details	If No , provide reasons
Religious belief		The revisions to the ACOPs and guidance will apply equally beneficially to all of the Section 75 Groups and to other groups and have no relevance to the promotion of equality of opportunity.
Political opinion		As above

Racial group		As above
Age		As above
Marital status		As above
Sexual orientation		As above
Men and women generally		As above
Disability		As above
Dependants		As above

3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?		
Section 75 category	Details of policy impact	Level of impact minor/major/none
Religious belief	Revisions to the ACOPs and guidance on how to comply with the requirements of the Diving at Work Regulations 1997. It is proposed that the ACOPs and guidance should be adopted for use in Northern Ireland.	None. The revisions to the ACOPs and guidance have no bearing on good relations between people of different religious belief, political opinion or racial group.
Political opinion	As above	As above
Racial group	As above	As above

4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If Yes , provide details	If No , provide reasons
Religious belief		The revisions to the ACOPs and guidance will apply equally beneficially to all of the Section 75 Groups and to other groups and have no relevance to the promotion of good relations between people of different religious belief, political opinion or racial group.
Political opinion		As above
Racial group		As above

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

Although there is no available data the revisions to the ACOPs and guidance will apply equally to all of the Section 75 Groups and adverse impact on people with multiple identities is not anticipated.

Part 3. Screening decision

If the decision is not to conduct an equality impact assessment, please provide details of the reasons.

The provisions of the proposed revised ACOPs and guidance will apply universally and would be expected to benefit, rather than adversely impact, all of the Section 75 groups equally and to the same extent as other groups.

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced.

The provisions of the proposed revised ACOPs and guidance will apply universally and would be expected to benefit, rather than adversely impact, all of the Section 75 groups equally. There are therefore no grounds for mitigation or alternative policies.

If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

All public authorities' equality schemes must state the authority's

arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

Timetabling and prioritising

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been ‘**screened in**’ for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people’s daily lives	
Relevance to a public authority’s functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public

authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

If yes, please provide details

Part 4. Monitoring

Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Effective monitoring will help the public authority identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

Part 5. Disability Duties

Under the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (Northern Ireland) Order 2006), public authorities, when exercising their functions, are required to have due regard to the need:

- **to promote positive attitudes towards disabled people; and**
- **to encourage participation by disabled people in public life.**

5. Does this policy/legislation have any potential to contribute towards promoting positive attitudes towards disabled people or towards encouraging participation by disabled people in public life? If yes, please give brief details.

Name of Consultees

Action on Hearing Loss
 Advice NI
 AES
 Age NI
 Age Sector Platform
 Agency for the Legal Deposit Libraries
 Alliance Party
 Allpipe Engineering Ltd.
 An Munia Tober
 Archbishop of Armagh and Primate of all Ireland
 Ards Business Centre Ltd.
 Argyle Business Centre Ltd.
 Armagh Business Centre Ltd.
 Aspergers Network
 Attorney General (NI)
 Autism Northern Ireland
 Ballymena Business Centre Ltd.
 Banbridge Enterprise Centre
 Bar Council
 Belfast Centre for the Unemployed
 Belfast City Centre Management
 Belfast Harbour Commissioners
 Belfast Health and Social Care Trust
 Belfast Hebrew Congregation
 Belfast Islamic Centre
 Belfast Solicitors Association
 Bishop of Down and Connor
 Board of Deputies of British Jews
 BOC
 Bombardier
 British Deaf Association
 British Library – Legal Deposit Office
 Bryson House
 BSC and Electric Ireland
 Buildhealth NI
 Business in the Community
 Calor Gas (NI) Ltd.
 Cancer Focus Northern Ireland
 Cara-Friend
 Carers NI
 Carrickfergus Enterprise Agency Ltd.
 Catholic Bishops of Northern Ireland
 Causeway Enterprise Agency Ltd.
 Cedar Foundation
 Central Services Agency
 Chartered Institute of Environmental Health NI
 Chemical Business Association

Chief Constable Police Service of Northern Ireland
Children in Northern Ireland
Children's Law Centre
Chinese Chamber of Commerce
Chinese Welfare Association
Civil Law Reform Division
Civil Service Occupational Health Service
Commission for Victims and Survivors
Commissioner for Children and Young People for NI
Commissioner for Older People for Northern Ireland
Committee on the Administration of Justice
Communication Access
Community Foundation for Northern Ireland
Community Relations Council
Construction Employers' Federation
Construction Industry Training Board NI
Cookstown Enterprise Centre Ltd.
Co-Operation Ireland
Council for Catholic Maintained Schools
Countryside Services Ltd.
Courts and Tribunal Service
Craigavon Borough Council
Creggan Enterprises Ltd.
Democratic Unionist Party
Disability Action
District Councils
Driver and Vehicle Testing Agency
Du Pont (UK) Industrial Ltd.
Dungannon Enterprise Centre Ltd.
East Belfast Community Development Agency
East Belfast Enterprise Park Ltd.
East Belfast Partnership Board
Eastern Group Environmental Health Committee
Employers For Disability NI
Engineering Employers' Federation NI (EEF)
Equality Coalition
Equality Commission
Executive Council of the Inn of Court of NI
Falls Community Council
Federation of Small Businesses
Fermanagh Enterprise Ltd.
Fire Brigades Union
Food Standards Agency Northern Ireland
Forensic Science Agency of Northern Ireland
Foyle Women's Information Network
Freight Transport Association
General Consumer Council for Northern Ireland
Gingerbread Northern Ireland
GMB

Gray & Adams (Ireland) Ltd
Greater Shankill Partnership
Green Party
Harland and Wolff Heavy Industries Ltd.
Health and Safety Executive
Health and Social Care Board HQ
Heron Brothers Ltd.
HM Council of County Court Judges
HM Revenue and Customers
Home Retail Group
Inclusive Mobility and Transport Advisory Committee (IMTAC)
INCORE Conflict Resolutions Ltd.
Indian Community Centre
Independent Political Parties
Information Commissioner's Office
Institute of Directors
Institute of Directors (NI Division)
Invest NI
Judge G Conner
Justice for Asbestos Victims
Kesh Development Association Charitable Trust
Labour Party
Labour Relations Agency
Larne Development Forum
Law Centre (NI)
Law Society of Northern Ireland
Lisburn City Council
Lonmin (NI) Ltd
Lord Chief Justice Office
Mallusk Enterprise Park
Maritime and Coastguard Agency
McAlorum Construction Ltd.
McClay Library, QUB
MENCAP
Methodist Church in Ireland
Mindwise
Ministry of Defence
MPs & MEPs (NI)
Mr Sam McKane
Musicians Union
Mutual Energy Ltd.
National Collection of NI Publications
National Library of Ireland
Newry and Mourne Enterprise Agency
Newtownabbey Borough Council
NI21
North Belfast Partnership
North City Business Centre Ltd.
North Down Development Organisation Ltd.

North / South Ministerial Council
 North West Community Network
 Northern Group
 Northern Health and Social Care Trust
 Northern Ireland Assembly Library
 Northern Ireland Assembly Members
 Northern Ireland Assembly – The Speaker
 Northern Ireland Association for Mental Health
 Northern Ireland Association for the Care and Resettlement of Offenders
 Northern Ireland Audit Office
 Northern Ireland Authority for Utility Regulation
 Northern Ireland Association of Citizens Advice Bureaux
 Northern Ireland Centre for Competitiveness
 Northern Ireland Chamber of Commerce
 Northern Ireland Chamber of Trade
 Northern Ireland Committee/Irish Congress of Trade Unions
 Northern Ireland Commissioner for Children and Young People
 Northern Ireland Conservative Association
 Northern Ireland Council for Ethnic Minorities
 Northern Ireland Council for Voluntary Action
 Northern Ireland Court Service
 Northern Ireland Electricity
 Northern Ireland Environment Link
 Northern Ireland Fire and Rescue Service
 Northern Ireland Gay Rights Association
 Northern Ireland Housing Executive
 Northern Ireland Human Rights Commission
 Northern Ireland Judicial Appointments Commission
 Northern Ireland Law Commission
 Northern Ireland Local Government Association (NILGA)
 Northern Ireland Prison Service
 Northern Ireland Public Service Alliance (NIPSA)
 Northern Ireland Safety Group (NISG)
 Northern Ireland Statistics and Research Agency (NISRA)
 Northern Ireland Tourist Board
 Northern Ireland Women's European Platform
 NSPCC, Northern Ireland Regional Office
 NUS/USI
 NW Community Network
 Occupational Health Service
 Office of Industrial Tribunals
 Omagh Enterprise Co. Ltd.
 Ormeau Enterprises Ltd.
 Participation the Practice of Rights Project
 Pharmaceutical Society of Northern Ireland
 POBAL
 Police Federation for Northern Ireland
 Police Service of Northern Ireland
 Presbyterian Church in Ireland

Prince's Trust
 Progressive Unionist Party
 Prospect
 Quarry Products Association NI
 Queen's University
 Roads Service
 Roman Catholic Church
 Roy Coulter Consulting Ltd.
 Royal College of Midwives
 Royal Institution of Chartered Surveyors (RICS)
 Royal National Institute for the Blind (NI)
 Rural Community Network
 Rural Development Council
 Scotia Gas Networks (SGN)
 SDLP
 Seagate Technology (Ireland)
 Sense NI
 Services Industrial Professional Technical Union (SIPTU)
 Sinn Fein
 Social Security Agency
 Society of Local Authority Chief Executives
 South Belfast Partnership Board
 South Eastern Health and Social Care Trust
 South West Fermanagh Development Organisation Ltd.
 Southern Education and Library Board
 Southern Group Environmental Health Committee
 Southern Health and Social Care Trust
 SSE Airtricity Energy Supply (NI) Ltd
 Strabane Industrial Properties Ltd.
 Tennants Textile Colours Ltd.
 Townsend Enterprise Park Ltd.
 Traditional Unionist Voice
 Training for Women Network Ltd.
 Translink
 Transport Salaried Staff Association
 UK Independence Party
 UK National Committee of UN Women
 Ulster Farmers' Union
 Ulster Scots Community Network
 Ulster Teachers' Union
 Ulster Unionist Party
 Union of Construction, Allied Trades and Technicians (UCATT)
 Union of Shop, Distributive and Allied Workers (USDAW)
 UNISON (Northern Ireland)
 Unite the Union
 University of Ulster
 Volunteer Centre
 Volunteer Now
 Visual Access NI (Braille, Audio and DAISY)

Water Service
West Belfast Development Trust Ltd.
West Belfast Partnership Board
Western Group Environmental Service
Western Health and Social Care Trust
Westlink Enterprise Ltd.
William Keown Trust
Women's Forum NI
Women's Information NI
Women's Resource and Development Agency
Women's Support Network
Women's Training, Enterprise and Childcare
Workers' Party
Workspace