

**MINUTES OF THE 109<sup>th</sup> MEETING OF THE BOARD OF THE HEALTH AND SAFETY EXECUTIVE FOR NORTHERN IRELAND HELD ON THURSDAY 30<sup>TH</sup> JANUARY 2020 AT 13:15. IN THE TRAINING & RESOURCE ROOM, LADAS DRIVE, BELFAST**

**Present: Board Members:**

Mr D Martin – Chair  
 Mrs H Singleton – Deputy Chair  
 Mr M Mawhinney  
 Mr H Sinclair  
 Mr T Wright  
 Ms L Smith  
 Mr J Kane

**HSENI Officials:**

Mr R Kidd – Chief Executive  
 Mr L Burns – Deputy Chief Executive  
 Mr B Monson – Deputy Chief Executive  
 Mrs N Monson – Deputy Chief Executive  
 Miss L Nelson – Minutes

The Chair welcomed everyone to the meeting. He thanked all for their attendance at the Corporate Workshop which had taken place previous to the Board meeting. He thanked SMT for organising the workshop stating that he found it a very useful and beneficial morning.

<b>Agenda Item</b>	<b>Record of main discussion and Actions Arising</b>	<b>Action by Board Members/ Official(s) and update on progress from Actions Arising</b>
1. Apologies	Mr W Graham	
2. Corporate Health, Safety and Welfare	No significant issues to report.	
3. Declaration of Conflict of Interest(s)	None to report.	
4. Minutes <b>HSENI/34/19</b>	The minutes of the Board meeting held on 24 <sup>th</sup> October 2019 were circulated to Board members prior to the meeting. The minutes were approved and adopted.	
5. Matters Arising and Agreed Actions	The Chief Executive confirmed that matters arising numbers 2, 3, 4 and 5 had been completed. It was agreed that number 1 would be included in April 2020 SHINE. Number 6 is to be carried forward to the April 2020 meeting.	
6. Audit and Risk Management	1. The ARMC met on 16 <sup>th</sup> January 2020.	

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<p>Committee (ARMC) Report <b>HSENI/02/2020</b></p>	<p>2. The following areas were highlighted by the ARMC Chair as having been discussed at the latest ARMC meeting:</p> <ul style="list-style-type: none"> <li>➤ <b>Cyber Security</b> – The ARMC Committee received a very informative presentation from DoF’s Digital Shared Services on cyber security and information risk guidance. It was agreed that Ms Nelson would send a copy of the presentation to Board Members.</li> <li>➤ <b>DfE’s new Raising Concerns Unit</b> reviewed HSENI’s Fraud and Whistleblowing Policies. HSENI will continue to liaise with the unit in relation to further changes if necessary.</li> <li>➤ <b>Internal Audit Reports</b> - 3 internal audit reviews have been carried out to date on Budget Management, Workplace Health Strategy and Scientific Services. All audits received a ‘Satisfactory’ assurance. Two of the reviews carried out received no recommendations.</li> <li>➤ <b>Risk Register</b> – the following risks were discussed at the ARMC meeting - Finance Risk, Reputational Risk and Business Disruption Risk. The ARMC Chair reported that the Reputational Risk in relation to the complaint against HSENI received by NIAO has now been confirmed by NIAO as being closed. The ARMC Chair asked that the Board note in relation to the Business Disruption Risk, the BCP has been revised as a result of audit recommendations. Staff training has yet to be carried out. The ARMC will be informed once this has taken place.</li> <li>➤ <b>Emerging Risks</b> – Legislation and Brexit related work was discussed at the ARMC meeting.</li> <li>➤ <b>Audit Recommendation Progress Paper</b> There are currently four outstanding recommendations. The ARMC Chair assured the Board all recommendations would be implemented.</li> </ul>	<p><i>Ms Nelson to forward a copy of the presentation to Board Members.</i></p>

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	<ul style="list-style-type: none"> <li>➤ <b>Publications from DoF's Accountability and Financial Management Division</b> were noted by the Committee.</li> <li>➤ <b>Closed Section</b> – The ARMC Chair reported on the closed section at the end of the ARMC Meeting with HSENI Board Members and HSENI Senior Management Team to discuss the Internal Audit contract. The first year's extension to Grant Thornton's contract will expire in June 2020. It was agreed to extend the contract for one final year in line with the terms of the original contract.</li> </ul>	
<p>7. Chairman's Business <b>HSENI/03/2020</b></p>	<p><b>Board Self-Assessment Report</b> The Chair stated that the board self-assessment report was a very positive report with pertinent comments. He added that some of the comments had been addressed at the earlier Corporate Workshop. The Chair asked the Board Members if they had further comments on the report to send these to Ms Nelson.</p> <p><b>Board Extensions and Renewal</b> The Chair reported that DfE would like confirmation that the following board members, all of whom are on current extensions until 30<sup>th</sup> September 2020, would be willing to serve a further period of extension until 30<sup>th</sup> April 2021:</p> <p>Hilary Singleton; William Graham; John Kane; Maynard Mawhinney; and Lindsey Smith.</p> <p>All of the above confirmed that they were happy to accept the further extension.</p> <p><b>Board Apprentice Scheme</b> The Chair asked the Board for their agreement to complete an application form for the above scheme, being run by DoF. A discussion took place in relation to the scheme. The CEO said he would inform sponsor</p>	<p><i>Board Members to forward further comments to Ms Nelson if applicable</i></p>

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	branch officials at the next O&L meeting. It was agreed to complete the application form.	
<p>8. Chief Executive's Report HSENI/04/2020</p>	<p>The following items were highlighted by the Chief Executive:</p> <p><b><u>Strategy</u></b> The CEO is liaising with the Oversight &amp; Liaison Branch to have the draft Corporate Plan approved by the Minister. HSENI was able to fill a number of significant vacancies after the success of the financial bid in January. The CEO would like to record thanks to the Department for acknowledging the importance of the work done by HSENI.</p> <p><b><u>Finance and Governance</u></b> The meeting of the financial bid removed many of the issues facing HSENI. There is no longer an overspend pressure due to a shortfall in cover for salaries. HSENI have moved to fill a significant number of vacancies.</p> <p><b><u>Fatal accidents / injury rates / prosecutions</u></b> The Chief Executive highlighted the statistical report detailing provisional figures for work related fatalities/accidents etc. for 2019/20. There have been nine work related fatalities so far in 2019/20 compared to ten in the same period in 2018/19.</p> <p><b><u>Departmental Liaison / Strategic Leadership</u></b> The Chief Executive and Chairman held five stock-take meetings during the period focusing on budgets and a range of correspondence matters. SMT and the Chair attended an Oversight &amp; Liaison meeting with DfE on 13<sup>th</sup> November 2019.</p> <p><b><u>Partnership working and relationship building</u></b> The Chief Executive and SMT attended various meetings</p>	

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	<p>and conferences throughout the period. A number of these were in relation to EU Exit.</p> <p>A discussion took place with regard to EU Exit. The Chair asked if the department had in place a Departmental Brexit Team. The Department does not have a Brexit team.</p> <p>Mr Burns asked the Board to note that HSENI is considering establishing a group to take forward Brexit issues on Chemicals, Product Safety, Legislation and Market Surveillance.</p>	
<p>9. HR Report HSENI/05/2020</p>	<p>The Board was updated in relation to the HR Report and the following items highlighted:</p> <p><b>Sickness Absence:</b> Due to NISRA's ongoing work on NICSHR statistics. No data has been available since May 2019. Mr Burns assured the Board that SMT has no concerns in relation to sickness absence within HSENI.</p> <p><b>Vacancies:</b> Mr Burns highlighted the following vacancies to the Board:</p> <p>Assistant Scientific Officer; Staff Officer (Planning / Complaints); Four H&amp;S Inspectors; Business Advisor Construction (EO1); and H&amp;S Inspector (50%) from 17.03.2020. These vacancies are on hold at present. A SMT decision is required.</p> <p>Work is ongoing to fill two EO1 Complaints Officer posts and one AO post in Information Management.</p> <p>Mr Burns highlighted the following appointments to the Board: <b>EO1</b> – Legislation – filled 13.01.2020. <b>AO</b> – Notifications – filled 09.12.2019</p>	

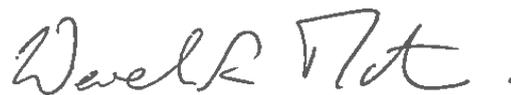
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	<p><b>AO</b> – Notifications – filled 13.01.2020</p> <p>Mr Burns highlighted the following other staffing issues:            Three places have been secured for trainee inspectors on the September/October 2020 RTP cohort.            PI competition will take place May / June 2020.            Trainee inspector competition under consideration.</p> <p>A discussion took place in relation to the current staffing issues facing HSENI in relation to BREXIT. The Chair stated that appropriate action should be taken if necessary.</p>	
<p>10. Finance Report  <b>HSENI/06/2020</b></p>	<p>The Finance Report provided the Board with an update on spend to 31<sup>st</sup> December 2019 and on profiled budget allocation for 2019/20 financial year.</p> <p>Mr Burns informed the Board that the January Monitoring call has been issued, and that there had been a successful outcome from the October Monitoring round.</p> <p>Mr Burns highlighted the following to the Board:</p> <p><b>Staff and Operating Costs:</b>            The following bids have been met:</p> <ul style="list-style-type: none"> <li>• £92K in relation to the increased national insurance contributions brought about by the change in rules regarding contracted-out pension schemes;</li> <li>• £140k to cover increase in pension contributions (the total increase was calculated as £315k but funding for £175k of this was allocated to HSENI in the revised opening budget);</li> <li>• £25k for new PI post to be in place from December 2019;</li> <li>• £20k for 2 Complaints Officers to be in place from January 2020;</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Transfer of £19k from HSENI to DoF in relation to Boaz House – this was to be baselined from the previous year, but this did not take place;</li> <li>• Transfer of £39k from HSENI to DoJ in relation to the new arrangement for explosives functions following the retirement of the explosives compliance officer.</li> </ul> <p>The following bids were withdrawn as they were not required in the current financial year, given the level of vacancy and other savings, as well as the limited time remaining in which to spend the budget. These have been highlighted as pressures in future years:</p> <ul style="list-style-type: none"> <li>• £100k to fund projected pay increase in the current financial year;</li> <li>• £175k to fund historic pay increases which were able to be funded by HSENI in previous financial year due to high vacancy levels;</li> <li>• £80k to fund the uplift of the previous cohort of trainee inspectors to inspector grade;</li> <li>• £48k for support costs associated with the new CMS system.</li> </ul> <p><b>Programme and Capital Expenditure:</b></p> <p>The following adjustments to the Programme and Capital budgets as a result of the successful outcome of the October Monitoring Round:</p> <ul style="list-style-type: none"> <li>• £90k transfer from DAERA to HSENI in relation to the Farm Safety Campaign;</li> <li>• £4k transfer to PPSNI from HSENI in relation to case charges for HSENI cases under the new charging arrangements;</li> <li>• £15k Capital for replacement of essential lab equipment.</li> </ul> <p>Mr Burns assured the Board that he was confident HSENI spend would fall within the 1% tolerance.</p>	
11. Legislation Report	Mr Burns highlighted the following in the Legislation Report:	

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HSENI/07/2020	<p>The vulnerability of divergence should Northern Ireland receive special circumstances and need to change legislation. HSENI does not have the skills or knowledge to produce blank legislation as it does not have a policy making function. HSENI will also lose support from Europe as a result of no longer being a Member State. Mr Burns said that all NICS Departments were experiencing the same uncertainties.</p> <p>The Board noted the remainder of the report.</p>	
12. AOB HSENI/08/2020	<p><b>Condition Management Programme</b></p> <p>Mrs Monson highlighted the 'Condition Management Programme'. This is an ongoing Pilot Programme within the Construction Sector. The programme is funded by the Department for Communities and is supported by HSENI and the Construction Industry Training Board (CITB). It is designed to provide professional health care support to current employees within the construction sector suffering from ill-health conditions.</p>	
13. Date of next Board Meeting	<p>The next Board meeting will be held on Tuesday 28<sup>th</sup> April 2020 @ 09:30am.</p> <p>Board agenda business finished at 15:10pm</p>	

Board Minutes adopted and approved:

Signed:



Dated:

28<sup>th</sup> April 2020

**Derek Martin, HSENI Chairman**