

## **CORPORATE HEALTH AND SAFETY COMMITTEE – 25TH JUNE 2012**

**SUBJECT: RECENT HEALTH AND SAFETY EXECUTIVE UPDATES**

**REPORT BY: DEPUTY CHIEF EXECUTIVE**

---

### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to inform Members, Management and Trade Union Safety Representatives of recent updates in Health and Safety information, advice and guidance.

### **2. SUMMARY**

- 2.1 As of 6th April 2012, the period of incapacitation of employees injured out of or in connection with their work activity by which their injury must be notified by the Health and Safety Executive (HSE) increased from 'over three days' to 'over seven days' (not counting the day on which the accident happened). The deadline by which the over-seven-day injury must be reported has also increased from 10 to 15 days from the day of the accident.

Incapacitation means that the worker is absent or is unable to do work that they would reasonably be expected to do as part of their normal work.

Employers must still keep a record of all over three day injuries to confirm eligibility to sickness benefits. The Authority's Corporate Accident / Incident Reporting Form has been changed to incorporate these changes.

- 2.2 The HSE has formed a 'Myth Busters Challenge Panel' that provides a mechanism for anyone (whether on behalf of a company or organisation, or as an individual), who receives advice or is told that a decision has been taken in the name of health and safety that they believe to be disproportionate or inaccurate, to challenge that advice.

The Panel will consider cases where advice is given by non-regulators (eg insurance companies, health and safety consultants, suppliers, contractors and employers) who quote health and safety as the reason to do or not do something, or where the challenger considers the advice be inaccurate or disproportionate. The panel will offer its opinion on whether the advice was correct and proportionate in terms of its interpretation of the requirements of health and safety legislation, but not on the role of other regulators or consider challenges about issues that relate solely to another regulator. The panel will also not consider cases where the health and safety regulator has made a decision - the HSE's Independent Regulatory Challenge Panel will deal with these.

The Challenge Panel Chair is Judith Hackitt, Chair of HSE and HSE Board member Robin Dahlberg is Vice-Chair. They are supported by a pool of 11 independent panel members who have a wide range of experience and backgrounds in managing risk on a day-to-day basis.

- 2.3 A Commissioner for the Education Service in Blaenau Gwent and former Chief Executive of Wrexham County Borough Council has been appointed as the HSE Board member representing the interests of local authorities. Isobel Garner replaces Sandy Blair as a non-executive director. Her appointment commenced on 1st April for a three year term.

### **3. RECOMMENDATION**

3.1 That the contents of the report be noted.

Author: Andrew Wigley, Health and Safety Officer

Consultees: Nigel Barnett, Deputy Chief Executive

Gareth Hardacre, Head of Human Resources and Organisation Development

Donna Jones, Health and Safety Manager