



Ministry of Defence

Ref: FOI2017/03718

Ministry of Defence
Main Building
Whitehall
London SW1A 2HB
United Kingdom
Email: DSA-Enquiries

15 May 2017

Dear [REDACTED],

Thank you for your email of 21 March requesting the following information:

"Dates, meeting agendas and meeting minutes for the last three Joint Liaison Committee (JLC) between MOD and HSE."

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

As stated in my previous letter of 3 April, a search for the information has now been completed within the Ministry of Defence, and I can confirm that some information in scope of your request is held.

Section 27(1) (a) (International Relations) has been applied because some of the information has the potential to adversely affect relations with our allies. As such it was necessary for us to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosure. The public interest test is now complete and it was concluded that the balance was in favour of release.

The last 3 MOD/HSE JLC meetings took place on 11 May 2011, 12 October 2011 and 15 February 2017. Please find attached the minutes from the last 2 meetings in Oct 2011 & Feb 2017 along with the agenda for the latest meeting. Unfortunately, the agenda for the meeting held in October 2011 has not been retained and we are therefore unable to provide this to you. Details for previous meetings have been released in response to a previous FOI request and can be found via the What Do They Know Website at the following link

https://www.whatdotheyknow.com/request/modhse_joint_liaison_committee_j#incoming-201636

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note that between 2011 and 2017 the meetings fell into abeyance as the structure and role of the Defence Safety Authority (DSA) (encompassing the Defence Safety Environment Agency (DSEA)) was in development and no meetings were held. The DSA was formed on 1st April 2015 and is an independent organisation, empowered by charter from SofS to undertake the roles of regulator, accident investigation and Defence Authority for safety. Further information on the DSA can be found via Gov.Uk at the following link

<https://www.gov.uk/government/organisations/defence-safety-authority>

The information provided also falls entirely within the scope of the absolute exemptions provided for at sections 40 (Personal Data) of the FOIA, and has been redacted accordingly.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <https://ico.org.uk/>.

Yours sincerely,

DSA Secretariat

21 Oct 2011

JLC Members

MINUTES OF THE 20th JOINT LIAISON COMMITTEE (JLC) BETWEEN MOD and HSE HELD at MAIN BUILDING, 4 FLOOR, SPINE 2, HISTORIC ROOM 13 on Wednesday 12th October 2011

Present MOD	Mr [REDACTED]	SSDC-Hd	Chair
	Mr [REDACTED]	CESO(RN)	
	Lt Col [REDACTED]	Representing CESO(A)	
	Lt Col [REDACTED]	CGS ArmyInsp-Pol-HS-SO1	
	Mr [REDACTED]	CESO(RAF)	
	Mr [REDACTED]	Representing CESO(CTLB)	
	Mrs [REDACTED]	CESO(DE&S)	
	Mr [REDACTED]	DES SE SEP-Busspt- AsstHd	
	Mr [REDACTED]	DIO SHEF	
	Mr [REDACTED]	Representing CFO-DFRMO	
	Mr [REDACTED]	DCP-EF- Head	
	Mr [REDACTED]	DCP-EF-OHW1	
	Cdre [REDACTED]	DSEA-SE-DNSR-Hd	
	Dr [REDACTED]	SG-DMSD-Civ-OM	
Mr [REDACTED]	CESO(CJO)	Sec	
Mr [REDACTED]	SSDC-Safety-AH		
Mr [REDACTED]	DBR-SSDC-Safety3a		
USAF	Mr [REDACTED]	USAF – 3 rd Air Force Legal Services	
HSE	Mr [REDACTED]	HSE Government, Defence & Education Unit (MOD) Hd Government, Defence & Education Unit	
	Mr [REDACTED]		
Apologies			
	Mr [REDACTED]	DSTL-SHEF DSG-SHEF CESO (PJHQ)	
	Mr [REDACTED]		
	Mrs [REDACTED]		

ITEM	DESCRIPTION	ACTION
1.	Welcome and Introductions	
	1. The Chair welcomed Mrs [REDACTED] (DE&S(CESO)), [REDACTED] (DES SE SEP-BussptAsstHd), Lt Col [REDACTED] (Representing CESO(A)), Lt Col [REDACTED] (CGS ArmyInsp-Pol-HS-SO1), and Mr [REDACTED] (DCP-EF-Head) to the 20 th meeting of the JLC. 2. Apologies are as above.	
2	Minutes of the Last Meeting	
	3. The minutes of the 19 th meeting of the JLC were agreed.	

ITEM	DESCRIPTION	ACTION
3.	Matters Arising	
	<p>4. (19th Mtg) <u>Item 3 – Para 5 – US Visiting Forces – Petroleum Spirit Dispensing Installation</u></p> <ul style="list-style-type: none"> • CESO(RAF) advised that this work had now been passed to his organisation as investigation had demonstrated that it was not an infrastructure issue. He said that SOFA and the Visiting Forces Act covers the requirement, so therefore it is subject to internal MOD regulation by Defence Fuels and Gases regulators, who were expected to transfer to the Defence Safety and Environment Authority (DSEA). Governance of the facility is provided by several different organisations/documents. CESO(RAF) said it was the intent to bring the governance together into one document. The Chair was content with this action. He asked to be apprised when the document was established. <p><u>Action CESO(RAF) to report on progress at next meeting.</u></p>	CESO(RAF)
	<p>5. (19th Mtg) <u>Item 4 Para 10-11 – Future Working Arrangements between MOD and HSE</u></p> <ul style="list-style-type: none"> • JLC members had provided comments to HSE's draft Strategic Engagement Paper. In principal Strategic Engagement has been supported by the CESO community, however the aim of the Engagement needed to be clarified. Following discussions with HSE, it was agreed to take stock once the DSEA had bedded down. • A planned meeting between Deputy Chief Executive HSE, Director General MAA and 2nd PUS for 5th October had been postponed. <p><u>Item Closed</u></p>	
	<p>6. (19th Mtg) <u>Item 5, Para 14-15 – Defence Infrastructure Organisation</u></p> <ul style="list-style-type: none"> • Covered under Item 4b – MOD Safety Strategy. <p><u>Item Closed</u></p>	
4.	MOD	
	4.a Update on Formation of Defence Safety and Environment Authority and Governance Structure	
	<p>7. The Chair briefly covered the background to the formation of the DSEA for new members of the committee; Haddon-Cave recommended that internal MOD regulators should be independent of output. The aim of the DSEA was to achieve this. The DSEA was planned to stand up as of 1st November 2011, at which time 2nd PUS would write formally to ██████████ (Deputy Chief Executive HSE) with details of the new organisation structure.</p>	
	<p>8. The Chair said that the focus for DSEA would be to seek assurance that TLBs were complying in 3 broad areas; with UK health and safety and environmental protection law, with internal MOD regulations and with the MOD Safety Strategy. The Chair was keen to explore what type of relationship DSEA could have with HSE. HSE pointed out that formal involvement would not be possible, and suggested that this may be something the Chair could discuss with HSE Strategic Coordinator (Stratco - ██████████) as part of the overall arrangements for engagement. The intention is that DSEA-CPA Hd and HSE Stratco will meet shortly to further discuss the Strategic engagement.</p>	HSE/MOD to liaise on suitable dates for mtg betwn DSEA-CPA-Hd & HSE Stratco


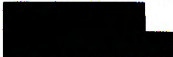
ITEM	DESCRIPTION	ACTION
	<p>9. The postponed meeting between DCE HSE, 2nd PUS and DGMAA was also discussed and agreed it would be rearranged following discussions between DSEA-CPA Hd and HSE Stratco. It was suggested this meeting should take place between January – April 2012 dependent on availability of participants.</p>	
	<p>10. CESO (DE&S) asked if there were any plans to produce a separate General Agreement between the HSE and DSEA as the relationship between the two organisations had changed. HSE said that they did not believe a separate agreement would be required and that the existing General Agreement (signed in 2008) was still fit for purpose, although there may be scope for minor amendments in the future to reflect the changes if deemed appropriate by MOD and HSE.</p>	
	<p>4b. Update on Implementation of MOD Safety Strategy</p>	
	<p>11. The Chair said that MOD's approach to assurance was being changed fundamentally. In the past assurance had been conducted by Functional Safety Board. While this had provided useful information on Departmental performance in each safety domain, it had made it impossible to assess performance by TLB. The fact that TLB holders had now been identified as the senior Duty Holders meant that assurance would need to be reported by TLB in future in order that TLB holders/senior duty holders could be held to account for their safety performance.</p> <p>Duty Holders within MOD</p> <p>12. The CESOs briefed HSE on how each of the TLBs were implementing recommendation 21.B.1 in Haddon-Cave's report that Duty Holders be established for high hazard activities at three levels, TLB holder, 2 star and delivery, or commanding officer, level. The CESOs confirmed that firm plans would be in place for discussion at a DESB meeting in the New Year. DIO-SHEF said further work was being taken forward by a joint DBR/DIO study to define the respective responsibilities of the Head of Establishment as operator/occupant of the site/activity and DIO as infrastructure provider.</p>	
	<p>4c. Occupational Health Surveillance/Monitoring Provision within MOD</p>	
	<p>13. HSE and MOD OH stakeholders had met on 27 July 2011 to discuss OH provision in MOD and the Chair invited DCP-EF-Hd to update the meeting on outcomes. DCP-EF-Hd said MOD was very aware of the legal requirement for health surveillance. Responsibility for delivery of surveillance within the MOD is split;</p> <ul style="list-style-type: none"> • DBS HR ensures that the service is available (for civilians); • TLBs risk assess their activities, identifying those which will require surveillance; • Line Management refers those staff at risk to ATOS/or local OH provider; • DSEA is responsible for the policy to ensure legal and internal compliance. • The Services have their own OH provision and this is sometimes extended to civilians. 	

ITEM	DESCRIPTION	ACTION
	<p>14. DCP-EF-Hd said there was anecdotal evidence that risk assessments were not always identifying where surveillance/monitoring was needed. An improvement in management information was needed; not all line management were aware of the occupational health provision, despite considerable publicity. The MOD's OH provider could only provide information on how many services had been delivered not how many were required; this was for MOD to identify. Action was being taken to improve this area.</p>	
	<p>15. A Civilian Occupational Health and Wellbeing Strategy Group (COHWSG) had been set up to promote health at work and one of its aims was to improve statutory compliance for OH. HSE asked how data on occupational health is collected. DCP-EF-Hd said that MOD had an electronic personnel system known as HRMS on which all sickness absence and causes were recorded. There was also a facility for the individual to state whether he/she believed that the cause was work related. While noting that HRMS was potentially a source of considerable data on sickness absence trends CESOs stated that they did not have access to it. DCP-EF-Hd agreed to look into how HRMS data on sickness absence/occupational health and data from ATOS could be exploited and made available to CESOs. The Chair asked for an update on the progress at the next meeting</p>	<p>DCP-EF-Hd to look into HRMS/ATOS data can be exploited for use by CESOs</p>
	<p>16. DCP-EF-OHW mentioned that a cross-government Occupational Health and Employment Assistance Programme (OH/EAP) had been set up which is (part of a programme of HR and Procurement activity across government departments to bring greater coherence and standardisation to HR services). One of the aims of the OH/EAP is to have a single source for provision of OH services for the whole civil service. The current plan was to have a new centralised contract in place by 2012. DCP-EF-OHW invited HSE input and said he would forward information on the OH/EAP to HSE</p>	<p>DCP-EF-OHW to forward info to HSE on OH/EAP</p>
	<p>4d. MOD Compliance with DSEAR</p>	
	<p>17. HSE asked for an update on work to ensure MOD's compliance with DSEAR</p> <ul style="list-style-type: none"> • CESO(RN) said that Defence Fuels and Gases had visited and assessed all naval sites for compliance with DSEAR. Some sites needed some minor works carrying out. Certificates to operate have been issued. • CESO(A) said that surveys have been undertaken and that zone diagrams were being produced with assistance of DIO. Training courses were being developed. Risk assessments are being undertaken. Northern Ireland military site are reported to be fully compliant with DSEAR. • CESO(RAF) said that all air stations have been assessed and DSEAR boundaries identified. He said that more competent staff were needed and this may require the buying in of external expertise. • CESO(DE&S) said she would provide information to HSE outside of the meeting on the position within DE&S. • DIO-SHEF was working with CESOs. DIO were in the process of identifying which sites had existing DSEAR zone diagrams. It was agreed that the responsibility for conducting risk assessments lay with the TLBs that conducted activities on the sites. DIO were responsible for providing the support that TLBs needed in order to conduct the risk assessments. 	
	<p>18. HSE reminded MOD that DSEAR was wider than just fuels (paint spraying, solvent cleaning, woodworking, catering (flour) etc) may potentially be a higher though less common risk as they are not regulated in the same way. HSE requested a further update at the next JLC.</p>	<p>HSE to be updated on DSEAR compliance at nxt JLC</p>

ITEM	DESCRIPTION	ACTION
	4e. Office for Nuclear Regulation (ONR) and DNSR	
	19. DSEA SE DNSR-Hd said that primary legislation had been drafted. DNSR was engaged. ONR's status as an agency within HSE would not require review of Annex B of the General Agreement. Once the ONR becomes a statutory body the Annex would need to be separated from the General Agreement and become a stand alone MOA. It was likely ONR would become a statutory body in 18 months time. The Chair said that at this juncture it would be a good time to review the General Agreement.	
5.	HSE	
	5a. HSE Planned Interventions	
	<p>21. HSE outlined its developing proposals for its interventions with MOD. HSE reiterated that it wished to work collaboratively with MOD in order to establish a workable strategic engagement approach which builds on the existing liaison. This though was only one element of HSE's proposed interventions over the next 3 years. The intervention plan includes:</p> <ul style="list-style-type: none"> • <u>Strategic Engagement</u> - HSE's Stratco is now in place and will take the lead role in HSE for managing the strategic approach with MOD. • <u>Working with internal regulators</u> - HSE will continue to work with MOD's internal regulators for higher hazard areas in the following ways: <ul style="list-style-type: none"> ○ HSE's DCE is a member of the Military Aviation Authority's scrutiny committee. ○ HSE's Office for Nuclear Regulation has a programme of work with the defence Nuclear Safety Regulator (DNSR). ○ HSE Explosives Inspectorate and MOD jointly inspect certain MOD sites. • <u>Working collaboratively with safety managers and topic specialists</u> - HSE's Public Service Sector will continue to maintain operational and policy liaison with MOD HQ (SSDC), CESOs and attend the bi-annual meetings of the JLC • <u>Inspections and investigations</u> - HSE will undertake a small number of targeted inspections of MOD activities, and will investigate serious incidents reported to HSE. <p>22. It was agreed that the Chair would discuss the possibility of HSE attending some meetings of DESB with HSE's Stratco.</p>	Chair to discuss HSE attendance
	5b. HSE Reactive Interventions	
	<p>23. The ongoing HSE Investigations List (Annex A) was discussed: Some key points raised were:</p> <ul style="list-style-type: none"> • Helicopter fire training rig at Yeovilton – There was a danger that use of the rig could lead to an uncontrolled release of LPG. 2 x Crown Improvement Notices had been issued as HSE had not been given evidence of compliance. CESO(RN) confirmed that work was now underway to comply. • Boat Collision – Family Day at Poole – Members of public were injured by a boat collision at a family day. HSE was liaising with CESO(RN) • Fatality – A Service person was shot at Lydd Ranges, Kent. Primacy was with the Police. HSE was assisting. <p>24. HSE also acknowledged the hard work and effort which had been put into the LPG gas pipeline safety case study by DIO-SHEF and his organisation – which</p>	

ITEM	DESCRIPTION	ACTION
	had now been accepted by HSE.	
	5c HSE Cost Recovery Proposals	
	25. HSE acknowledged that MOD had responded to the consultation on cost recovery. HSE could not say what the likely cost would be to MOD in a typical year but suggested that the table at Annex A might give an indication of the extent of HSE interventions with MOD. HSE said that, subject to the consultation, the intention was that crown bodies would fall under the proposal; however the detailed billing process was still in its infancy. The likely costs for interventions were detailed in the consultation paper. The plan was for the cost recovery system to be operation from April 2012.	
	5d Proposed changes to HSG 65	
	26. HSE explained that HSG 65 (Health and Safety Management) was being refreshed. The current HSG 65 focussed on a single model (Policy Organisation Planning Measuring Audit Review - POPMAR) as an approach to managing health and safety, and although POPMAR will remain an option, the refreshed version will use the 'plan do check act' model which recognises that there are also a number of alternative approaches that can achieve the same outcome. It is hoped that the new version will be finalised by early 2012.	
	5d Work Related Deaths	
	27. HSE explained that the work related deaths protocol has been updated to allow all regulators, including HSE, to have the provision to take prosecutions in England and Wales before the inquest is heard in appropriate cases, and where it is in the interests of justice to do so. Previously, other than the Crown Prosecution Service, this occurred only in exceptional circumstances. 28. HSE pointed out that the Corporate Manslaughter legislation had been amended extending the duty of care owed to persons detained in Service custody premises which are the responsibility of the Ministry of Defence. Further advice can be found on the Ministry of Justice website in their circular 2011/07	
	5f. RIDDOR Reporting	
	29. In response to a question from MOD, HSE explained to the committee that subject to legal changes HSE would be extending the over 3 day requirement for RIDDOR reporting to seven days (in line with Lord Young's report). The changes were unlikely to take place before April 2012 and in the meantime RIDDOR remains the same. 30. The CESOs said that this change would cause complications for past trend analysis. HSE acknowledged this problem.	
	31. Reporting of accidents – HSE sought confirmation that MOD's policy on voluntarily reporting of work related fatal accidents and certain other accidents in Great Britain to HSE as per the General Agreement were still extant. The Chair confirmed that it was, and TLBs would be reminded of this voluntary agreement.	TLBs to be reminded of the voluntary requirement to report RIDDORs

ITEM	DESCRIPTION	ACTION
	5g Active Monitoring (Leading Indicators)	
	<p>32. HSE highlighted the existence of HSG254 'Developing process safety indicators - a step by step guide for chemical and major hazard industries'. Although primarily addressed to major hazard operators, HSE said the generic model for establishing a performance measurement system, in this guide, can be applied to other enterprises requiring similar levels of assurance. Offering a six-stage process to adopt in order to implement a programme of performance monitoring for process safety risks.</p> <p>33. A free downloadable pdf version can be obtained via the following link: http://books.hse.gov.uk/hse/public/saleproduct.jsf?catalogueCode=9780717661800</p>	
6.	Any Other Business	
	<p>34. CESO(DE&S) had invited David Snowball (HSE's Strategic Co-ordinator) to DE&S to gain a greater understanding of the organisation .</p> <p>35. As part of the dialogue between HSE and MOD at the JLC, HSE said it would welcome information about strong health and safety leadership (eg the 'Navy Safe' work) – though the JLC may not be the appropriate forum to explore such example in detail.</p>	
7.	Date of Next Meeting	
	<p>36. The 21st meeting of the JLC would be held on either Wednesday 3/10 April 2012, in Main Building dependent on availability of suitable conference facilities. Room details to be confirmed.</p> <p>37. The meeting will commence at 10:45 for a MOD pre-meeting. HSE/USAF will join the meeting at 11.00.</p>	


 Secretary to JLC
 DSEA-CPA-Policy2


Outline of some HSE interactions with MOD since the last JLC.

FOR INFORMATION ONLY

(The aim of this table is to show the type of engagements that HSE has had with MOD. It is not intended to discuss the nature of any current investigations in detail).

Updated 05/10/2011

TLB	Date	Event	Status / issue
MOD	Nov 2009 - 10	Nimrod	Ongoing – follow up proposed
Army	2009 - current	Kaylee McIntosh cadet fatality	With Scottish PF - No update
RFA	June 2010 (from Dec 2009)	Initial accident in December 2009 – contractor fell down hatch on RFA ship in Liverpool	Investigation concluded. No further action proposed. CLOSED.
DIO	2011/12	LPG pipework inspections 2011/12	Ongoing - No additional update
DSG	Nov 2010	Bovington (DSG) 2nd line maintenance - WAH on tall vehicles	Crown Improvement notice complied with. CLOSED.
RAF	Dec 2010	HMS Sultan (RAF Site) – possible asbestos contamination underground pipes	HSE considering outcomes from investigation - Ongoing.
Army	Jan 2011	RCB candidate died during physical exercises	No current HSE involvement. Inquest still pending.
Army (RE)	Jan 2011	Royal Engineer soldier died whilst dismantling bridge	HSE has primacy - Ongoing
DSDA	Feb 2011	Bicester – FLT reversed and struck another FLT injuring driver	Investigation ongoing.
Army	April 2011	Contractor fell down unlit stairway.	HSE investigating. Inspector due to speak to local DIO rep. Ongoing.
Army	April 2011	Sgt sustained injuries when horse fell on top of him – subsequently died in hospital.	NFA. CLOSED.
DIO	June 2011	Corsham mine – fire precautions in mine	Crown notice issued - ongoing
RAF/JHC	June 2011	Downwash from Chinook helicopter caused injuries to MOPs	CESO A and HSE have discussed. No update
RN	July 2011	MOPs injured during boat collision on families day at Poole	Initial inquiries. To liaise with CESO RN.
RN?	Sept 2011	Yeovilton Fire Training Rig – flame failure devices etc	Update pending. Enforcement being considered. ONGOING
Army	Sept 2011	Lydd ranges – fatal - soldier shot on live range practice	Police & HSE investigation – Police primacy. Ongoing
DSTL		HSE granted exemption from CAWR Reg.8 – Licensing	
DSTL		CE exemption for civilian use of military respirator requested	ongoing
DE&S		use of iodine based water disinfectants	ongoing
DE&S / RAF	Sept 2011	CE marking of US equipment – installation/use at US sites	ongoing
DE&S		Advice re cylinder testing	
DIO		Advice re DSEAR zoning maps	
DIO		gas pipelines safety case	
DE&S		Engagement on EMF directive	
Centre		Advice re Stress mgt standards	
RN		Communication with CESO RN re HMS Cattistock	

DSA-HQ-Pol-660-02-01

31 Jan 2017

MOD-HSE JLC Membership

AGENDA FOR THE 1st MOD-HSE JOINT LIAISON COMMITTEE (JLC) – to be held on Wednesday 15th February 2017 in Floor Three Spine 4 Meeting Room 16, Main Building.

The meeting will commence at 10:30

Item	Description	Purpose	Lead
1.	Welcome and Introduction		
	Opening statement by Chair	To introduce the purpose and themes of the meeting	Chair
2.	Terms of Reference	To agree the Terms of Reference	Sec
3.	Representation, Frequency of Meetings	To discuss and agree the representation of the meetings i.e. Is this a External Regulator to Internal Regulator meeting with the regulated in attendance	Chair
4.	How the JLC Used to Resolve Differences	Discuss route to resolution of issues e.g. Local resolution to escalate to JLC should this not be possible as final option.	Chair/HSE
5.	HSE Intervention and Training	Briefing of how HSE approaches its Interventions with MOD	HSE
6.	Updating of the MOD-HSE General Agreement	Introducing the work to update the MOD-HSE General Agreement and Annexes	Sec/HSE
7.	Helping Great Britain Work Well	HSE briefing on their new Sector Strategy	HSE
8.	Fees for Intervention and Application to USF	Update on the position of the Mildenhall FFI	USF/HSE
9.	Revision of the MOD-HSE-USF Memorandum of Agreement	Discussion on the timetable and changes needed to update the MOA	USF/Chair
10.	Date of Next Meeting.	Suggest Sept 2017	

23 February 2017

JLC Members

MINUTES OF THE 1st JOINT LIAISON COMMITTEE (JLC) BETWEEN MOD and HSE HELD at MAIN BUILDING, 3 FLOOR, SPINE 4, MEETING ROOM 16 on Wednesday 15th February 2017

Present MOD	<p>[REDACTED]</p> <p>Col [REDACTED]</p> <p>Col [REDACTED]</p>	<p>DSA-HQ-TL CESO(JFC) CESO(RAF) CESO(RN) Representing CESO(DE&S) CESO(A) DSA-DFSR-TL DSA-DNSR-Hd DSA-DLSR-TL DSA-MAA-AP-Hd DSA-HQ-Pol3a</p>	<p>Chair</p> <p>VTC Sec</p>
HSE	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	<p>HSE –Transport and Public Sector HSE –Public Sector TL HSE – Legal Advisor</p>	
Apologies			
	<p>Cdr [REDACTED]</p> <p>Mr [REDACTED]</p> <p>[REDACTED]</p>	<p>DSA-DMR-Hd USAF – 3rd Air Force Legal Services USAF – 3rd Air Force Claims</p>	<p>Delayed due Public Transport Delayed due Public Transport</p>

ITEM	DESCRIPTION	ACTION
1.	Welcome and Introductions	
	<p>1.1 Historically, JLCs were routinely held between MOD/HSE on a six monthly basis and were jointly chaired. This is the first JLC held since 2011. DG-DSA and Dr [REDACTED] (HSE) have endorsed the resurrection of this meeting in view of the new defence safety structure following the formation of the DSA and to improve working relationships between MOD and HSE.</p> <p>1.2. Apologies are as above.</p>	

ITEM	DESCRIPTION	ACTION
2	Terms of Reference	
	<p>2.1. The Terms of Reference were discussed. Amendments to improve the clarity of the Terms of Reference were agreed.</p> <p>2.2 Action 17.01.01 - The Sec to amend and circulate a revised version of the TOR.</p> <p>2.3 Action 17.01.02 – JLC members to provide comment on the revised TOR by 3 March 2017.</p>	<p>Sec</p> <p>Sec</p> <p>Members</p>
3.	Representation and Frequency of Meetings	
	<p>Representation:</p> <p>3.1. Following discussion the current membership was acknowledged as appropriate, however it was agreed to:</p> <ul style="list-style-type: none"> • Consider inviting representation from the medical community (either physically or as copy addressees) to ensure that the JLC covered Health as well as Safety. Within MOD currently health and welfare are managed independently from Safety. Previously the Civilian Occupational Health Consultant in Surgeon General's area provided this interface. The post has been gapped since 2015. • Invite DSTL and other Defence Agencies <p>3.2 – Action 17.01.03 – Sec to extend invitation to Surgeon General and to DSTL and other Defence Agencies</p> <p>Sec's Note: Wg Cdr [REDACTED] would represent Surgeon General Medpol in future.</p> <p>Frequency</p> <p>3.3. It was agreed that initially the meetings would be bi-annual, with a view to making them annual. Extra-ordinary meetings can be called.</p> <p>Governance</p> <p>3.4. It was discussed whether the JLC should be jointly Chaired (MOD & HSE) as in the past. It was agreed that MOD should chair the JLC.</p>	<p>Sec</p> <p>Sec</p>
4.	How the JLC is Used to Resolve Differences	
	<p>4.1. It was discussed that as the JLC was a joint working forum, the use of the phrase "resolve differences" (mentioned in the TOR and in the General Agreement) suggested an</p>	

ITEM	DESCRIPTION	ACTION
	<p>adversarial approach which was not the case. This phrase's use would need amending during revision of the TOR and General Agreement. (see further discussion under Item 6).</p> <p>4.2. The joint working through the JLC will enable feedback to senior management both in DSA and HSE of any issues of concern</p>	
5.	HSE Intervention on Training	
	<p>5.1. HSE briefed on the Training Intervention. HSE would be visiting Pirbright, Catterick RAF Halton and HMS Raleigh , with DSA representatives involved These interventions are to enable HSE to provide assurance that MOD are adequately managing high risk training activities during basic training- and to compare and contrast across the services.The focus is on arduous physical activity and live fire tactical training The findings would be shared with MOD in a report once the interventions had concluded later this year..</p> <p>5.2. HSE asked if the DSA-DAIB could provide a representative for the Intervention because of the benefits of shared working. HSE were advised that this was unlikely with current staff resources and workloads.</p>	
6	Revision of the MOD-HSE General Agreement	
	<p>6.1. This work was in its early stages. The original intent of the General Agreement was to establish working procedures between MOD and HSE for statutory inspection and enforcement to assist HSE Inspectors and CO/HoEs.</p> <p>6.2. The General Agreement was developed before the creation of the DSA and Internal Regulations and the revision needed to take this into consideration. It was discussed that:</p> <ul style="list-style-type: none"> • some of the annexes which cover inspection of regulated areas i.e. military diving could become stand-alone-agreements, or • whether there is a need for a separate General Agreement between MOD and DSA for the areas covered by the Defence Regulators which could incorporate some of the existing annexes. • DSA-DFSR-TL said that the Fire Annex (F) was probably no longer needed. <p>6.3. Action – 17.01.04 -DSA HQ Pol took an action to provide an amendment plan and time-table for the revision of the General Agreement.</p>	Chair/Sec

ITEM	DESCRIPTION	ACTION
7	Helping Great Britain Work Well	
	<p>7.1. HSE briefed on HSE's Helping Great Britain Work Well sector strategy. The Helping Great Britain work well strategy sets out the priority themes HSE us to focus on over the next five years.</p> <ul style="list-style-type: none"> • Acting Together to promoting broader ownership of health and safety in Great Britain - this means all those who undertake, or influence, workplace activities and attitudes. • Tackling Ill Health - Highlighting and tackling the costs of work-related ill health - A key element of this theme will be in earlier prevention, which is more cost-effective than trying to intervene when a person is suffering from more serious ill health. • Managing Risk Well - Simplifying risk management - Sensible and proportionate risk management is integral to delivering business • Keeping Pace with Change - Anticipating and tackling new health and safety challenges • Sharing Success - This strategy has largely concerned itself with improving standards in Great Britain. But HSE are also looking to share best practice and the latest thinking and innovation around the world. 	
8	Fees for Intervention – Application to United States Force	
	<p>8.1. Unfortunately due to public transport travel difficulties the USF representatives were unable to make the meeting.</p> <p>Sec's Note, it was agreed outside of the Committee that the USF element would be the first topic of future meetings.</p>	Sec
9.	Revision of the MOD-HSE-USF Memorandum of Agreement	
	Sec's Note: The revision of the Memorandum of Agreement would be tied into the work revising the General Agreement with the HSE to ensure parity.	Sec
10.	Date of Next Meeting	
	10.1 The next meeting would be held in September 2017 – dates to be agreed	


 DSA-HQ-Pol3a