



Treasury Minutes on the Fifty-first and Fifty-second Reports from the Committee of Public Accounts 2003-2004

51st Report: Success in the regions

52nd Report: Health and Safety Executive:

Improving health and safety in the construction industry

**Presented to Parliament by the Financial Secretary
to the Treasury by Command of Her Majesty
February 2005**

TREASURY MINUTES DATED 9 FEBRUARY 2005 ON THE
FIFTY-FIRST AND FIFTY-SECOND REPORTS FROM THE
COMMITTEE OF PUBLIC ACCOUNTS, SESSION 2003-2004

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Fifty-first Report

Department of Trade and Industry

Office of the Deputy Prime Minister

Success in the Regions

PAC conclusion (i): Problems in relationships with government departments that hampered the RDAs' early years provide a poor precedent for the potentially more complex relationships if any elected regional assembly were established. Targets developed by the DTI with RDAs led to conflicts between regional priorities and national policies while departments' delays in approving RDAs' projects damaged relationships with regional stakeholders. ODPM should take the lead in spelling out clearly the different roles, responsibilities and authority of RDAs, departments and any elected regional assembly.

1. The Government accepts this recommendation. The Government set out its proposals for the powers and responsibilities of elected regional assemblies in the "*Your Region, Your Choice*" White Paper, published in May 2002. This was developed further in the Draft Regional Assemblies Bill and accompanying policy statement, published on 22 July 2004, which made clear that the RDA would become a functional body of an elected regional assembly.

2. However, following the North East referendum the Deputy Prime Minister made a statement to Parliament on 8 November 2004 in which he made clear that the Government did not intend to introduce the legislation necessary to establish elected regional assemblies.

3. As part of SR2004, the Department of Trade and Industry (the Department), working in partnership with other departments, is coordinating the implementation of a new approach to tasking the Regional Development Agencies (RDA)s that will be aligned more closely to the priorities identified in Regional Economic Strategies as well as high-level Public Service Agreement (PSA) targets. The new framework will come into effect from April 2005 (see also the response to the Committee's conclusion (ii)).

PAC conclusion (ii): Current RDA targets concentrate too much on short-term contributions to Whitehall objectives and too little on longer-term regional impact. Existing targets give RDAs too little freedom to develop regional solutions to regional issues, to plan for the long-term or to act strategically. Longer-term measures of regional economic performance, which require improved data collection, would provide a better match with RDAs' overall objectives and with departments' Public Service Agreement targets.

4. The Department agrees with this recommendation. Spending Review 2004 announced the Government would be introducing a new strategic tasking framework. Working in partnership with other departments and the RDAs, the Department is coordinating the implementation of this new approach to tasking the RDAs that will be aligned more closely to the priorities identified in the Regional Economic Strategies as well as with high-level PSA targets. The new framework will come into effect from April 2005. This new approach will align RDA targets more closely with the Regional Economic Strategies and relevant PSA Targets. It will mean that the RDAs have real ownership of the targets and are motivated to deliver; and will require departments and RDAs to forge closer partnerships to ensure that national policy and priorities take full account of regional priorities. As the National Audit Office's (NAO) report states (page 10) "This will help the RDAs

and departments to work on regional priorities in a way that also serves national interests more effectively”.

5. The Spending Review also announced that, at the same time the Government and the RDAs will work together to agree a new RDA performance monitoring framework by April 2005 that is more transparent and efficient, less bureaucratic and places greater reliance on internal and independent audit.

PAC conclusion (iii): The DTI should measure RDAs’ impact on regional economic performance by means of improved regional data recommended by the Allsopp review of statistics for economic policymaking. The DTI, RDAs and the Office of National Statistics need to work closely together to improve the availability and timeliness of regional economic performance data. A key issue will be to ensure regional data are comparable, particularly if they are not collected or collated centrally, so they can be used to measure the relative impact of the RDAs.

6. The Department agrees with this recommendation. The Spending Review confirmed that Office of National Statistics (ONS) would fully implement the recommendations arising from the Allsopp Review, in particular by launching new surveys during 2006 in accordance with a plan for full delivery by 2009; and creating a Government Statistical Service presence in each region by March 2007. An external stakeholder group, including the Department, RDA representation and the ONS, has been set up and will meet quarterly to agree the implementation of the Allsopp recommendations and the availability of regional economic performance data. Its remit includes: the provision of advice to ONS on the strategic direction ONS should take in its Allsopp Implementation Programme through advice, guidance and identification of priorities for ONS’ outputs; to advise the Allsopp Programme Board on a plan for implementing the Allsopp recommendations including those which fall outside of the ONS’ responsibility; and to deliver and to secure the necessary commitment from departments and other administrations to deliver new and improved information required to implement the Allsopp recommendations.

PAC conclusion (iv): RDAs have too little influence over public expenditure on skills and transport, even though these activities are vital components of regional economic development. The DTI, as RDAs’ advocate within Whitehall, and ODPM’s Regional Co-ordination Unit, which has a role in ensuring departments’ actions properly take account of the implications for other departments, have been unable so far to secure adequate influence for the RDAs in these two key areas. The DTI and ODPM should pursue vigorously the 2004 Spending Review commitments about improving the regional integration of skills and transport funding streams with RDAs’ activity.

7. The Government accepts this recommendation. The Government has devolved many areas of responsibility to the RDAs in the last two Spending Reviews. This has helped increase the influence of the RDAs over a number of mainstream departmental programmes. The Government also recognises the value of RDA advice on funding streams relevant to regional economic development, and is taking this forward as follows.

Regional Funding Allocations

8. As part of the Pre-Budget Report on 2 December, HM Treasury, Department for Transport, the Department and the Office of the Deputy Prime Minister (the Office) jointly published a consultation paper: *Devolving decision making: A consultation on regional funding allocations*. The consultation paper¹ sets out

¹ www.hm-treasury.gov.uk/pre_budget_

Government proposals to involve the regions more in decision making on regional transport, economic development and housing. In this document, the Government proposes to provide clearer funding assumptions – including providing regional transport allocations for the first time and planning guidelines for the longer term – to provide a better basis for regions to plan and to give them a stronger voice in the next Spending Review

RDAs and Learning Skills Councils (LSC)

9. The Government has been working with RDAs to establish Regional Skills Partnerships, which bring together RDAs, Learning and Skills Council (LSC), Jobcentre Plus, the Small Business Service, the Skills for Business network and other partners. The Spending Review announced measures to strengthen this further, outlining that the Government will consider favourably proposals for further integration of planning and funding of adult skills and workforce development at a regional level including, in those regions where the RDA and the LSC desire it, a “dual key” approach to the management of adult skills budgets operated by the RDA Chief Executive and the Regional LSC Director.

Northern Way – economic growth strategy

10. As part of the Sustainable Communities Plan the Deputy Prime Minister invited the three northern RDAs to show how the North could unlock the potential for faster economic growth through better exploitation of its assets, infrastructure, opportunities and resources. The result was the publication of *Moving Forward: The Northern Way* a comprehensive Strategy for economic growth across the three Northern regions.

11. The Government has been working closely with the Northern Way Steering Group and has already responded to their Strategy's recommendations to Government by equalling RDA funding to create a £100m Northern Way Fund to kick-start the Strategy into practical action. A significant response was also made in the Pre-Budget Report, which announced a more demand-led approach to skills provision in the North through rolling out the Employer Training Pilots (ETPs) – a regionally tailored National Employer Training Programme providing free and flexibly delivered training for low-skilled adults. The Government also supports other inter-regional growth strategies: the Midlands Way and the South West Growth Strategy.

Tasking Framework

12. From April 2005, a new strategic Tasking Framework for RDAs will come into effect. This will ensure that stretching targets are aligned to priorities identified in the Regional Economic Strategies as well as the most relevant Public Service Agreement targets – including those that cover skills and transport. Government Offices (GOs) have been extensively involved in the development of the new framework – liaising with both departments and RDAs.

Regional Co-ordination Unit

13. Finally, as way of clarification on the role of the Office's Regional Co-ordination Unit as featured in the Recommendations. RDAs do not fall within the Regional Co-ordination Unit's remit, which deals solely with GOs. The Regional Co-ordination Unit is the corporate centre of the GO network. GOs bring together the work of 10 government departments and work closely with key agencies, including RDAs, to join up policy, programmes and investment at the regional level.

PAC conclusion (v): ODPM should further streamline the array of funding sources available to support regional development. South East England Development Agency had to devise an initiative to help applicants deal with problems created by over 40 different relevant funding streams with separate monitoring and evaluation criteria. ODPM agreed with us that there are still far too many individual funding streams. The need to make repeated applications and to satisfy a range of monitoring regimes, often with different requirements, creates a bureaucratic burden on applicants and is highly wasteful.

14. The Government accepts this recommendation. This should reference the Single Pot, which was introduced to stream line funding and give greater flexibility to the RDAs etc Government recognises the need to streamline funding, reduce bureaucracy, and rationalise area-based initiatives (ABIs), and has a programme of activity that supports this. There are two developments in hand to do this:

Single Local Management Centres (SLMCs)

15. SLMCs were set up following the Regional Co-ordination Unit's review of ABIs in 2002. Their role is to identify the need and opportunities to reduce bureaucracy at the local level. They are led by GO representatives and relevant local stakeholders. Twelve areas are testing out the SLMC approach, including Hastings – where South East England Development Agency has been actively involved.

16. A variety of approaches are being taken forward across the 12 areas. A number focus directly on simplifying processes for a number of funding streams. They include:

- mapping exercises to understand the exact number of funding streams operating in a particular geographic area (Derby);
- the creation of local “single pots” with a single application, monitoring and reporting process (Hereford and Wolverhampton);
- efforts to set up a Common Audit process, shared across a range of funders and recipients of funding (West Midlands).

17. By illustrating the problems caused by multiple funding streams in a specific geographical location, SLMCs have directly contributed to the development of Local Area Agreements (LAAs).

Local Area Agreements

18. LAAs are currently in the pilot stage and are intended to rationalise Government funding streams going into a local area and much of the bureaucracy that goes with them. The Office is developing LAAs in partnership with other government departments. The original intention was to establish nine pilot areas, one in each region; this was expanded to (with one authority per area) due to extensive expressions of interest, though we have maintained regional balance, with at least two pilots per region. We are aiming to complete negotiations by February 2005 and pilot LAAs will start in April. If these are successful LAAs will be rolled-out more widely from 2006/7.

19. We are encouraging RDAs to engage in local negotiations, to align their funding with the aims of a LAA. Where this does take place, we would encourage them to dovetail their own arrangements with the streamlining principles of the LAA, where possible. For example, there may be scope for RDAs to come to an agreement with LAA partners as regards monitoring arrangements and so avoid duplicate processes.

PAC conclusion (vi): The DTI, ODPM and RDAs should expand their work in developing single application and monitoring arrangements where multiple funding sources persist. Applicants seeking funds for development activities should be able to submit the same information and forms to different funding providers. Shared appraisal and monitoring arrangements should be put in place to allow recipients of funds to complete a single return for each supported activity to satisfy the needs of all funding sources.

20. The Government accepts this recommendation. The Office has agreed with other government departments that, wherever possible, funding streams and outcomes included in LAAs will be monitored through streamlined arrangements as part of the drive for reduced bureaucracy. Additional inspection activity will not be carried out on the back of LAAs and relevant performance information will be shared in a co-ordinated way so as to minimise the burden placed on local areas.

21. As explained above, we would encourage RDAs to dovetail their arrangements with the streamlining principles of the LAA, where possible.

22. Also, in the Urban Regeneration Company (URC) policy area we have been promoting single project appraisals for some time now, and the Urban Regeneration Companies Policy Stocktake Final Report, published in May 2004, formally recommended that “All existing and new URCs, where (EP) is a member, should establish joint RDA/EP project appraisal systems, to avoid duplication and cut down on timetables. Wherever possible, and where appropriate, this principle should be extended to include LAs, and GOs where European funding is concerned”.

23. In terms of current European programmes (2000-06), and specifically the European Regional Development Fund, informal strategic alignment and joint investment planning takes place at the regional level. This has a positive consequence on projects where many regions have developed joint funding application and appraisal systems for specific priorities. Where possible, GOs and RDAs aim to align the objectives of the European Single Programming Documents and the Regional Economic Strategies. Formally, this was most recently undertaken in 2003 as part of the regulatory requirement for a mid term review of European Programmes. Equally RDA budgets are subject to the requirement that investments must be appraised according to the Single Programme Appraisal Guidance (SPAG) developed jointly by contributing departments.

PAC conclusion (vii): The DTI should specify which organisations are empowered to decide when there are disagreements among local, regional and national bodies. Local authorities have on occasions received the impression that previous funding decisions might be overturned if regional bodies and national bodies disagree. Such lack of clarity strains relationships between organisations that need to work together.

24. The RDAs accept the Committee’s recommendation that the Department and other government departments need to be clear about the responsibilities of – and interactions between – organisations at local, regional and national levels. However, the RDAs cannot agree with the Committee’s view that the Department should specify which organisations are empowered to decide when there are disagreements between local, regional and national bodies.

25. The RDAs believe that economic development activities are often best delivered by several organisations working in partnership and in establishing and developing such partnerships there will inevitably be disagreements between partners at certain times. It is the view of the RDAs that where disagreements occur, these should be resolved by the partners concerned. The RDAs also believe that overcoming and resolving differences between partners makes for a stronger and more effective partnership.

26. The Committee will wish to note of the increasing importance that is being placed on RDA input to national policy-making as evidenced in the RDA input into the 2003 and 2004 Budget process. The exercise is being repeated for Budget 2005.

PAC conclusion (viii): ODPM should adopt a presumption against establishing new organisations unless its policy objectives are not achievable through existing bodies. In the Thames Gateway strategic area, three RDAs have to work with two new urban development corporations as well as partnerships of local authorities, three Government Offices and the Ministerial Committee on Housing Growth and Sustainable Communities. Where it is essential to establish new organisations, ODPM should define the respective responsibilities of the new and relevant existing bodies and oversee the establishment of joined-up arrangements for co-ordination and decision taking.

27. The Office accepts this recommendation. Indeed it is already the Office's policy to only establish a new organisation if its policy objectives are not achievable through existing bodies. The Office works closely with a range of organisations to ensure the delivery of its regeneration agenda. These include the three RDA's, English Partnerships, local authorities, the Housing Corporation and the Environment Agency.

28. Urban Development Corporations (UDCs) have been set up in consultation with local partners where there is an overriding case for a special purpose public sector delivery mechanism. The relationship between the UDCs and local partners was subject to public consultation. The Government will draw upon the responses received when preparing guidance.

29. Accelerating growth in the Thames Gateway represents a major delivery challenge and a step change in the quantity and quality of effort. Local Delivery Vehicles have been established in each of the major development areas and are tasked with driving and co-ordinating delivery of sustainable growth at the local level. These include two UDCs in Thurrock and London Thames Gateway, where there is a major task of land renewal and land use change. Other delivery vehicles will be partnership bodies formed of local authorities, the private sector, RDAs, EP, and the Housing Corporation.

30. Local Delivery Vehicles and UDCs, in Thames Gateway and the other Growth Areas, are designed to be a unifying force. One of their jobs is to bring together the work of the relevant public agencies and bodies in their area. The RDAs have a wider regional or national remit and cannot exclusively focus on the Thames Gateway. The UDC brings a single-minded focus to these complex local areas. The UDCs will not replace the RDAs, but have agreed to work with them to take account of the bigger sub-regional and regional picture. The UDC will provide the co-ordination and framework to assist those agencies in doing what they do best, with the UDC taking on the responsibility for direct intervention where warranted.

Fifty-second Report

Health and Safety Executive

Improving health and safety in the construction industry

PAC conclusion (i): The HSE should trial a mixture of approaches to its programme of blitzes to establish whether carrying out visits unannounced would reveal more serious breaches of Health and Safety regulations than publicised visits. The HSE should also follow up blitzes with unannounced visits at a later date to confirm that improvements sought to health and safety on site have been sustained.

1. The HSE does not accept the first part of this conclusion. Blitzes involve a mixture of approaches but generally combine inspection of a number of sites with more general communication with a wider range of sites. They involve publicity harnessing the media and other communication techniques as well as working with other bodies such as trade associations to communicate with their members. In addition to giving general notice of the blitz, the publicity often provides advice on standards and HSE expectations. The publicity thus augments the impact of a concentrated, inspection programme focusing on particular topics and/or locations. This approach achieves greater impact on a wider audience. As a result, improvements are also obtained at sites that are not inspected. This is a positive outcome for workers on those sites and HSE believes this to be a cost effective use of its limited resources in raising standards and controlling risks.

2. However HSE agrees that the impact of blitzes would be reduced if individual sites had notice of whether they were likely to be inspected. In practice the vast majority of HSE construction site inspections are unannounced and this is the case for all inspections carried out during blitzes.

3. HSE agrees with the second part of the conclusion which reflects HSE's current practice. It normally carries out follow up visits after blitzes where particular matters of concern found during the blitzes need pursuing. It proposes to carry out more structured, follow up visits to improve the quality and range of its evaluation data. However a follow up is not always straightforward as blitzes tend to cover smaller sites with shorter construction periods.

PAC conclusion (ii): To better assess its impact, the HSE should consider an annual omnibus survey to determine whether attitudes of employers and employees towards key health and safety issues are changing over time....

4. HSE agrees with the recommendation for using surveys to obtain intelligence about attitudes and standards over time. It is planning a programme of Workplace Health and Safety Surveys (WHASS) to record health and safety conditions as perceived by workers and by employers across workplaces in Great Britain. This will supplement existing data sources, in particular relating to accidents and ill health. However the Survey will also allow more detailed questioning about injuries and ill health than can be achieved from existing sources – for example better information about the nature and scope of major injuries to the self-employed. In addition, the survey will estimate the prevalence of a range of factors which influence the incidence of work-related injuries and ill-health including health and safety 'climate' in workplaces, the prevalence of established hazards and the use of methods to mitigate risk. A large-scale pilot of the survey has recently commenced. The main WHASS survey is planned to be in the field in the period October 2005 – March 2006.

5. The construction industry will be included in the WHASS Survey. However to obtain more statistically valid intelligence for construction a parallel and complementary survey is currently being carried out in the industry. HSE will need to await the outcomes of both the WHASS and construction surveys to make an informed judgement about frequency, scope, methodology etc of both to ensure value for money, but the intention is to collect data on an annual basis.

PAC conclusion (iii): To assess the HSE's impact on trends in accident rates, as opposed to other factors which might have an influence, the HSE should commission research to establish whether there is a link between accident rates, structural changes in the industry and changes in the volume and type of work being undertaken by the construction industry.

PAC conclusion (iv): The HSE should measure and report on the impact of its work against the sector's activities which carry the greatest risks; for example falls from height and workplace transport on site.

6. These conclusions and the associated text in the Committee's report address a number of related issues. These include measuring the impact of HSE initiatives, assessing the impact of structural and other business changes on health and safety performance and reporting on accident data for key risks in addition to data at the pan-sector level. HSE agrees with these conclusions and already has a portfolio of completed and current research that addresses some of the factors involved. These can be found at <http://www.hse.gov.uk/research>. It will develop these further particularly in respect of impact evaluation. The nature of the construction industry and the range of HSE intervention techniques means that it is not always possible unequivocally to isolate the direct and indirect impact of HSE. However HSE is committed to increase the quality and range of its evaluations and to feed the lessons from these into future work programmes.

7. HSE does publish more detailed breakdown of accident types and causation in construction than is suggested in the Committee's report. This can be accessed on the HSE website at <http://www.hse.gov.uk/statistics/pdf/rhscon.pdf>.

PAC conclusion (v): The HSE should act to encourage clients, architects, designers and others to put more emphasis on long-term health and safety implications when designing buildings, for example by emphasising the business benefits to be derived such as lower maintenance costs over the longer term. It should also consider disclosing the health and safety records of high profile buildings.

8. HSE agrees with the first part of this recommendation. This reflects current policies and strategy for regulating construction. HSE believes that clients, designers and contractors can exercise considerable influence – both positive and negative – on health and safety performance. It seeks to publicise both good and bad performance to assist in the lessons of both being learnt – for example it publishes details of all enforcement action it takes on its website at <http://www.hse.gov.uk/enforce/off03-04/index.htm>. However it does not believe that the systematic reporting of health and safety performance at the level of high profile individual buildings would be practicable or statistically significant and would require considerable HSE resource to deliver.

PAC conclusion (vi): The HSE should encourage government clients to prioritise health and safety requirements, for example by providing a checklist of key risks at each stage of a project, which clients could use to question potential contractors on how they propose to manage such risks.

9. HSE agrees with this conclusion. It has collaborated with the Office of Government Commerce (OGC) on production of the Achieving Excellence in Construction Procurement Guide 10 (AE10) on health and safety. This is an integral part of a suite of guides to support the implementation of Achieving Excellence in Construction initiative.

10. AE10, together with the summary document 'A Manager's Checklist for Construction Projects', maps onto the OGC Gateway process. Gateway Reviews examine programmes and projects at critical stages in their lifecycle. The process is based on well-proven techniques that lead to more effective delivery of benefits together with more predictable costs and outcomes.

11. AE10 and the Manager's Checklist provide guidance on ensuring that key health and safety issues and risks have been identified and are being actively managed.

PAC conclusion (vii): To increase the deterrent effect of prosecution, the HSE should consider asking the Home Secretary to seek a direction to the newly established Sentencing Advisory Panel Council to frame a sentencing guideline on health and safety offences....

12. HSE shares the Committee's concerns about the low level of fines imposed following health and safety prosecutions. HSE accepts that the issue of sentencing guidelines goes beyond health and safety and it will need to consider a co-ordinated approach involving other relevant regulators. HSE will form a view on how best to take this forward when the final recommendations and report of the Hampton Review – Reducing Administrative burdens: effective inspection and enforcement – are available.

PAC conclusion (viii): The HSE should determine whether there is a link between the tax status of vulnerable workers and the incidence of fatalities and major injuries in the construction industry.

13. HSE agrees with this conclusion. The construction survey referred to in paragraph 4 above will cover a range of topics about the type of work and characteristics of workers' jobs. It should provide rates of workplace injury according to: status, occupation, qualifications, time in construction jobs, time in the UK, frequency of payment, hours of work, and permanency (permanent or temporary such as agency or casual). HSE will be exploring further whether and how such factors influence risks of injury.

14. This survey data will supplement the intelligence HSE already has to hand about the respective risks to employees and the self-employed. HSE's current evidence about status of worker and incidence rates of injury comes from injuries reported by employers, self-employed workers under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) and from surveys such as the Labour Force Survey (LFS). Given the level of RIDDOR underreporting, particularly from the self-employed, it is more reliable to compare incidence rates by status in the LFS. This shows that rates of reportable injury in construction are not significantly different between self-employed workers and employees. For example, in 2002/03, the rate of reportable injury for employees is 2285 per hundred thousand employees, and the rate for self-employed workers is 2294 (each estimate has a sampling error of 10 per cent).

PAC conclusion (ix): The HSE should work with the Home Office and other departments to access intelligence on illegal workers and the activity of gang masters, and alert employers and contractors to the dangers of engaging with such people.

15. HSE will continue to work with other government departments to tackle illegal working in ways appropriate to its remit. HSE is an established member of the Home Office Workplace Enforcement and Illegal Working Steering Group, and participates in the Department of Trade and Industry-led discussions on the setting-up of a joint workplace enforcement agency. It also takes part in regional, multi-agency Operation Gangmaster fora, set up to exchange intelligence on trends in the use of gangmaster-controlled labour; and is participating in the multi-agency Joint Enforcement Pilot, due to start early in 2005. Though evidence as to a link between illegal working and risk are not yet clear, workers operating in the informal economy may be more vulnerable than others.

16. HSE has commissioned specific research to inform policy developments in this area. In addition the surveys referred to in paragraphs 3, 4 and 10 above should also provide further intelligence.

PAC conclusion (x): The HSE should collect hard evidence for its view that targeting inspection activities at larger companies influence others along the supply chain. Influencing those employed by smaller firms, for example, as sub-contractors on large contracts, may in practice require more direct targeting of smaller operators.

17. HSE agrees with this recommendation. This is relevant to the broader issue of securing improved evaluative evidence (referred to in conclusions (iii) and (iv) above) to inform further the development of HSE's Construction Programme. Because of the nature of the construction procurement and delivery process there are a number of different parties involved including clients, designers, main contractors, specialist contractors, material and product suppliers etc. A principle underpinning health and safety legislation is that those who create risks should be responsible for managing them. Thus HSE's intervention strategy seeks to use supply chain leverage to improve standards – as endorsed by the Committee's conclusions (v) and (vi) above.



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