

Annex A

**Post Implementation Review (PIR)
of
The Offshore Installations (Offshore
Safety Directive) (Safety Case etc.)
Regulations 2015
(SI 2015/0398)**

Evidence Review

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SUMMARY

- Regulation 41 of The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (SI2015/0398) ('SCR15') requires a review of SCR15 to take place before 19th July 2020.
- The review – known as a post-implementation review (PIR) – requires that the objectives of the safety case regulations be set out, assessed to see whether they have been achieved and whether they can be achieved with less regulation.
- A mixed method approach (including qualitative and quantitative research) was used to gather evidence about whether the safety case regime was still 'fit for purpose', and if so, whether SCR15 had subsequently met its objectives.
- In order to ensure the evidence was representative, the leading trade associations / membership bodies for the UK offshore oil and gas industry were approached and assisted in the research. These included: Oil & Gas UK (OGUK), which is the leading body for the UK offshore oil and gas industry representing operators in the North Sea; International Association of Drilling Contractors (IADC), which represents the worldwide oil and gas drilling industry with a specific North Sea Chapter; and British Rig Owners' Association (BROA) (part of UK Chamber of Shipping), which is the trade association for companies operating mobile offshore units. In addition, safety representatives were approached via Step Change in Safety (Step Change) which is a tripartite organisation representing the workforce, regulators and employers.
- The evidence was collected via:
 - online surveys with duty-holders, safety representatives and regulators;
 - workshops with the BROA and IADC, OGUK and HSE inspectors; and
 - one-to-one interviews with HSE inspectors and one-to-one interviews with duty-holder companies.
- Overall, most respondents agreed that a safety case is the most effective way to manage and control major accident hazards on offshore installations. As such, the safety case regime was deemed still 'fit for purpose'.
- In terms of the objectives relating specifically to SCR15, there was broad agreement that:
 - HSE's implementation approach minimized the adverse impact of any changes on industry;
 - HSE's implementation approach maintained the consistency of SCR05; and
 - SCR15 has maintained the high levels of protection for workers' safety.
- There was, however, a mixed response to whether 'SCR15 has further enhanced the offshore safety and environmental regimes in GB waters' with survey respondents, as well as duty-holders and HSE inspectors from the qualitative work (i.e. workshops and one-to-one interviews), indicating that SCR15 had made "*minimal improvements*" from the 2005 regulations.

- As for the main changes in SCR15, the primary benefit which was identified within the online surveys was the integration of environmental aspects into the safety system, while the prime disadvantage was having to complete a Corporate Major Accident Prevention Policy (or CMAPP). A significant proportion of duty-holders, safety reps and regulators felt that there had not been any significant unintended consequences due to the main SCR15 changes.
- Of the other SCR15 requirements – those which were estimated to have little or no economic impact – respondents indicated that the changes had not led to any noticeable benefits or unintended consequences. Whilst, in terms of disadvantages, issues around reporting were mentioned; yet these sit outside the purview of the SCR15 and therefore the PIR.
- A number of specific issues around SCR15 were discussed in the workshops and one-to-one interviews. In terms of the transitional safety case, there was a general feeling that there were improvements under SCR15, but that safety cases were continuing to grow in size making them less useable. Several general transitional issues – the majority of which sit outside the scope of the PIR - were also detailed. These included the timings to submit the transitional safety cases, and the handling and assessment of said safety cases. The CMAPP was again mentioned, with many duty-holders feeling that it had little value within the UK system. Finally, there was general support for making confidential reporting of safety concerns a legal requirement within SCR15.
- As for the original assumptions around the costs and benefits of the SCR15 changes, and the difference between the estimates in the original impact assessment (IA) and the actual figures, the original IA estimated that 386 installations would transition from SCR05 to SCR15 in the three years from July 2015 to July 2018 at a one-off transitional cost of around £66m. In fact, 320 installations transitioned with a one-off transitional cost of around £43m. This suggests that the original IA overestimated the one-off transition costs of compliance by about £23m.
- In addition to the compliance costs, the original IA also estimated that each installation would be charged by OSDR for assessments relating to submissions for SCR15 transition; this was estimated to be about £3.6m for the predicted 386 transitions. The figure was eventually closer to about £2.6m for the 320 actual transitions which took place – a difference of approximately £1.0m between the IA estimate and actuals.
- The majority of duty-holders, safety reps and regulators – via the online surveys, workshops and one-to-one interviews – generally felt that there hadn't been any significant unintended consequences due to SCR15. While a number of issues were highlighted, in reality these are not strictly unintended consequences in the spirit of the original PIR question; they are more areas where there was a greater *impact* than expected (e.g. CMAPP). In addition,

some of the responses reflected issues outside the purview of the PIR, such as the complexity of the EU reporting system and difficulties with reporting formats.

- The PIR did not identify any opportunities for reducing burdens on business at the current time. Due to the fact that the EU Directive which necessitated SCR15 is based on previous UK safety case legislation means that the industry is broadly happy with it. Indeed, it is a system which the UK oil and gas industry helped design and implement. Furthermore, as SCR15 implemented requirements of a European Directive, those areas that were highlighted in this PIR will be revisited at the next review in 5 years' time.
- Finally, in terms of how the UK's implementation of the offshore safety Directive compares with that in other EU member states, the European Commission has recently reviewed member states' efforts and experiences of implementing the aforementioned Directive. The data collection for this work has already taken place, with the original report due to be published in July 2019. Rather than undertaking additional potentially costly and time-consuming primary research to gather the same EU-wide information, the current PIR will rely on the evidence from the resulting European Commission report.

Introduction

1. This Evidence Review has been undertaken by the Health and Safety Executive (HSE) to accompany and support the Post-Implementation Review (PIR) of The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (SI2015/0398) ('SCR15').
2. The primary aim of SCR15 is to reduce the risks from major accident hazards to the health and safety of the workforce employed on offshore installations or in connected activities. The Regulations also aim to increase the protection of the marine environment and coastal economies against pollution and ensure improved response mechanisms in the event of such an incident¹.
3. The PIR, and the corresponding report, must meet the legislative requirements set out in regulation 41 of SCR15 to "*carry out a review of these Regulations*" within five years of the regulations coming into force (so 19th July 2020). Regulation 41(3) specifies that the PIR report must:
 - (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;
 - (b) assess the extent to which those objectives are achieved (*e.g. to what extent are the offshore safety case regulations and SCR15 working?*); and
 - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation (*e.g. is government intervention in offshore safety still required? Are the offshore safety case regulations and SCR15 still the most appropriate approach?*).
4. As part of the PIR planning process, HSE's Regulation Committee (Reg Com) assessed the SCR15 PIR in terms of scope and scale. 'Scope' refers to whether the PIR needs to look at the impact of the specific legislative changes or, alternatively, whether it should consider the appropriateness of the overarching legislative framework in which the changes sit. Alongside this, 'scale' considers the wider importance of the PIR in terms of its political visibility, predicted economic impact, number of duty-holders it affects, etc. and therefore the level of resource which is required (high, medium or low). In the case of SCR15, the necessary scope was considered wide (so the PIR needed to establish whether the overarching safety case regime was still 'fit for purpose') and the scale was medium. The reason for SCR15 being considered 'medium' scale was due to the following reasons:

¹ <http://www.hse.gov.uk/pubns/priced/l154.pdf>

- The Equivalent Annual Net Direct Costs to Business (EANDCB) from the original impact assessment (IA) relating to the implementation of Directive 2013/30/EU on the safety of oil and gas operations and on updating UK oil and gas legislation was £17.09 million in 2009 prices². Of this, £14 million is related to HSE legislation³. This is well above the £5 million *de minimis* threshold required by the Regulatory Policy Committee (RPC)⁴. As such, the PIR would need to go to the RPC for review and external scrutiny.
 - The regulatory changes in SCR15 did not impact lots of businesses (and not small or micro businesses). Furthermore, the offshore oil and gas industry is a relatively homogenous group represented by a few key industry bodies who are actively engaged with the regulator.
 - SCR15 implemented the requirements of a European Directive, so there is limited scope for the Government to change regulations as long as the UK remains a member of the European Union (as is bound by its requirements – e.g. during an agreed implementation period for EU exit).
5. While Reg Com determined scope and scale, HSE’s Evaluation Governance Group (EGG) considered whether the proposed research approach was proportionate and sensible; essentially, were the suggested data collection methods appropriate to get the required evidence but not so onerous as to place an undue burden on duty-holders? EGG felt that the proposed research approach lent itself to a medium-level PIR and signed the research plan off on that basis.
 6. To answer the specific questions within Regulation 41(3), and to ensure a suitably proportionate approach was used, a mixed-method approach was employed in the PIR. Such an approach was felt to be both rigorous and proportionate, and included qualitative (stakeholder and inspector workshops; one-to-one interviews) and quantitative (online surveys; regulatory datasets; quantitative interviewing) approaches.
 7. The first step in the review is to consider “*the objectives intended to be achieved by the regulatory system established by these Regulations*” – namely the lifecycle safety case regime – and “*assess the extent to which those objectives*” have been achieved; essentially, is the safety case regime still ‘fit for purpose’? Does it meet its over-arching objective(s)? Only once this initial ‘hurdle’ has been cleared is it appropriate to consider the more specific objectives and changes within SCR 2015. As such, the Evidence Review reflects this approach – detailed in Diagram 1 (Structure of SCR2105 PIR evidence review (Part 1) (below) – with the numbered sections directly mapping onto headings within the

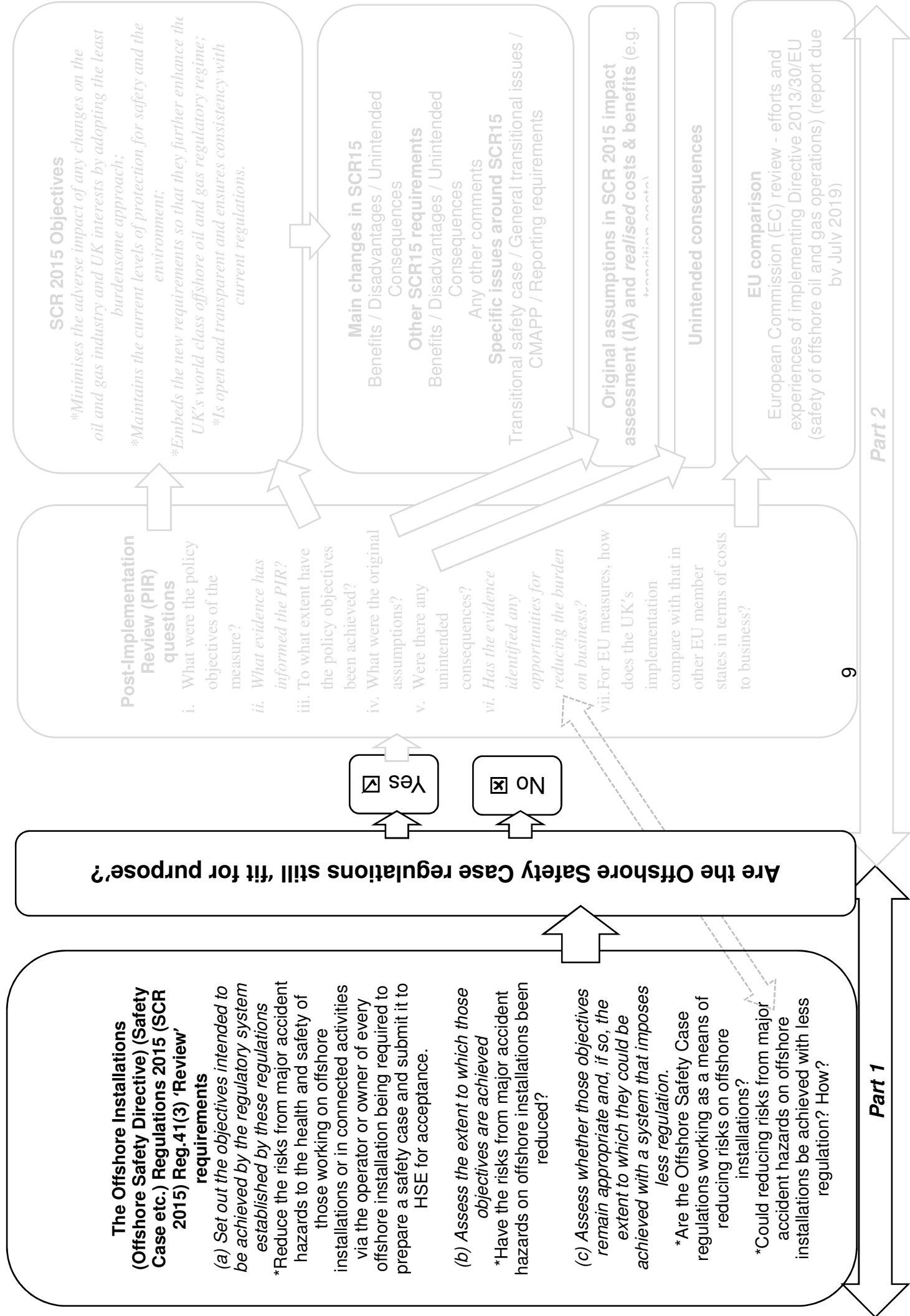
² The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 Impact Assessment (IA No. 0088) (http://www.legislation.gov.uk/ukia/2015/170/pdfs/ukia_20150170_en.pdf)

³ *Ibid* 2 - Table 18, page 112

⁴ <https://www.gov.uk/government/organisations/regulatory-policy-committee>

main document (e.g. *'i. What were the policy objectives ...'* in the diagram equates to the *'i. What were the policy objectives ...'* headed section in the main document).

Diagram 1: Structure of SCR2105 PIR evidence review



Part 1

The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (SCR 2015) Reg.41(3) ‘Review’ requirements

8. The current use of lifecycle safety cases to regulate the UK’s offshore oil and gas industry follows Lord Cullen’s 1990 report into the Piper Alpha disaster. Lord Cullen recommended that the operator or owner of every offshore installation should be required to prepare a safety case and submit it to the regulator for acceptance. The European Commission subsequently used the UK regime as a template for many of its offshore safety directive proposals. In summary, the regime consists of the following elements:

Summary of the safety case regulations

- The current health and safety regulatory approach for the UK’s offshore oil and gas industry centres on the development and provision of a safety case. A safety case details what arrangements the duty-holder has in place to manage and control major accident hazards effectively.
- Safety cases provide an extra level of control appropriate for the major accident potential arising from activities associated with offshore oil and gas operations. SCR15 is underpinned by other offshore-specific regulations: Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995 (PFEER); Offshore Installations and Wells (Design and Construction, etc) Regulations 1996 (DCR); Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 (MAR). SCR15 also interfaces with the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 (OPRC) and the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015 (OPLR).
- Safety cases are intended to be ‘living’ documents, kept up to date and revised as necessary during the operational life of the installation.
- The safety case regulations apply to oil and gas operations in the territorial sea adjacent to Great Britain and any designated area within the United Kingdom continental shelf (UKCS) (‘external waters’).
- Safety cases under SCR15 are required for all installations operating, or to be operated, in external waters. Safety cases must be accepted by the Offshore Safety Directive Regulator (OSDR) as the competent authority (CA). OSDR is a partnership between the Department for Business, Energy & Industrial

Summary of the safety case regulations

Strategy's (BEIS) Offshore Petroleum Regulator for Environment & Decommissioning unit (OPRED) and the Health and Safety Executive's (HSE) Energy Division (ED).

(a) Set out the objectives intended to be achieved by the lifecycle safety case regulatory system

9. In order to consider whether the lifecycle safety case regime is working, and is still 'fit for purpose', the over-arching objective(s) of said regulatory system must first be considered. A useful summary of what the safety case regime objective entails is detailed in HSE's *'The Offshore Installations (Offshore Safety Directive) (Safety Case etc) Regulations 2015: Guidance on Regulations'* document⁵ and can be paraphrased as follows:

Reduce the risks from major accident hazards to the health and safety of the workforce employed on offshore installations or in connected activities via the operator or owner of every offshore installation being required to prepare a safety case and submit it to the regulator for acceptance.

(b) Assess the extent to which those objectives are achieved

(c) Assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

10. As stated above, the overarching objective of the regulations is to reduce the risks from major accidents for those working on offshore installations. The method for achieving this is via the development and provision of a safety case. The safety case is intended to be a 'living' document which is used and updated during the lifetime of the installation. To this end, duty-holders⁶, safety reps⁷ and regulators⁸ were surveyed about whether they agreed or disagreed that a safety case is the most effective way to manage and control major accident hazards on offshore installations.
11. (Please note when reading through the summaries of the survey results that not all respondents to the surveys answered all the questions – i.e. one

⁵ <http://www.hse.gov.uk/pubns/priced/l154.pdf> , paragraph 2 and 3, page 5

⁶ Please note that the term 'duty-holder' is used by the Health and Safety Executive (HSE) to refer to any business, organisation or individual upon whom there is a statutory requirement, or duty, to do - or not do - something.

⁷ The safety representatives who were contacted as part of the research were connected with Step Change in Safety (<https://www.stepchangeinsafety.net/>) - a not-for-profit, member-led organisation which was founded in 1997 by oil and gas industry trade associations to reduce the UK offshore injury rate by 50%. After leaving Oil and Gas UK (OGUK) in 2014, Step Change has become an independent tripartite organisation which represents the workforce, regulators and employers.

⁸ While the competent authority for the offshore industry is the Offshore Safety Directive Regulator (OSDR), only inspectors from the HSE were spoken to as this PIR relates only to HSE legislation.

respondent may have completed the entire survey, while another may have answered only five questions. As such, where 'no. of respondents' is recorded this will refer to the number of people answering any question on the survey, while the number of respondents detailed in the 'Evidence' section will relate to those answering that specific question.)

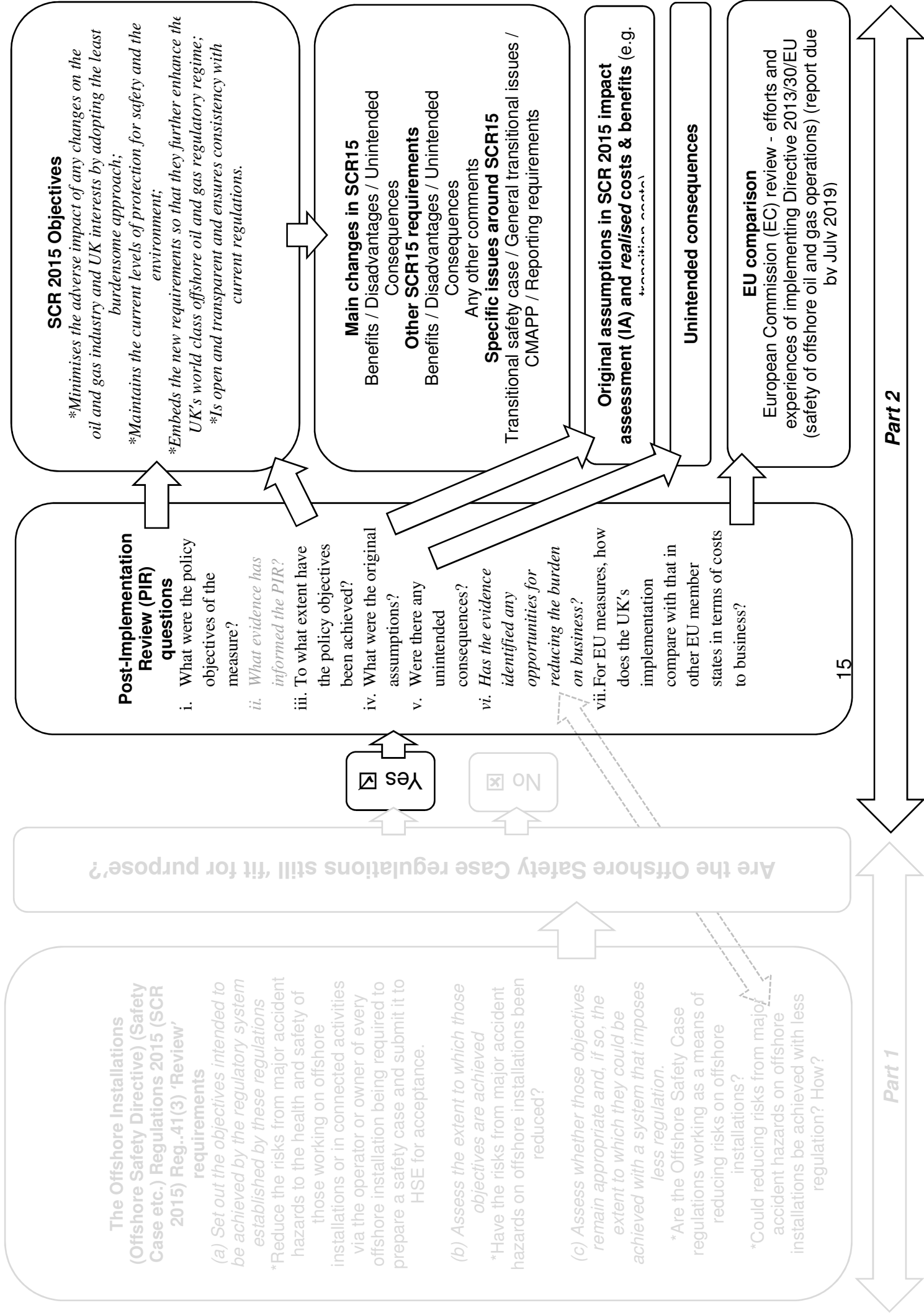
Research instrument	No. of respondents	Evidence
Duty-holders survey	$n = 27$ (full or partial responses to survey)	Of the 21 people who responded to this question, over nine in ten (95%, 20) agreed or strongly agreed that a safety case is the most effective way to manage and control major accident hazards on offshore installations. The one person who strongly disagreed (5%, 1) indicated that “[i]t is the entire SMS [safety management system] which manages and controls MAH [major accident hazards] and not just one safety case that few people read.”
Safety reps survey	$n = 17$ (full or partial responses to survey)	A similar response was provided by 14 respondents from the Step Change groups, with over eight in ten (86%, 12) agreeing that the lifecycle safety case regime was the most effective way of managing major accident hazards on offshore installations. The remaining two responses (14%, 2) were non-committal and indicated that they neither agreed nor disagreed with the statement.
Regulators survey	$n = 14$ (full or partial responses to survey)	Over nine in ten (93%, 13) of the 14 HSE inspectors who responded to the survey either agreed or strongly agreed with the statement that the lifecycle safety case was the most effective way of managing and controlling for major accident hazards on offshore installations. Only one

Research instrument	No. of respondents	Evidence
		inspector (7%, 1) neither agreed nor disagreed with the statement.

12. Please note – full details of the above listed surveys with duty-holders, safety reps and regulators are provided in the following section entitled ‘*ii. What evidence has informed the PIR?*’.
13. Overall the vast majority of respondents were positive about the lifecycle safety case regime, with approximately nine in ten indicating that they agreed that it was the most effective way of managing and controlling major accident hazards on offshore installations. The one dissenting voice from the duty-holder survey suggested that “*[i]t is the entire SMS [safety management system] which manages and controls MAH [major accident hazards] and not just one safety case that few people read*” (duty-holder; 250+ employees; production installation operator). The lack of other similar responses means that it is difficult to give such a view too much weight, especially when the other responses are so positive.
14. In summary, having made an assessment based on the evidence, it appears that the lifecycle safety case objective remains appropriate and the regime has achieved its objective of being the most effective way to manage and control major accident hazards on offshore installations. So in response to the question of whether the Offshore Safety Case regulations are still ‘fit for purpose’ the answer is yes.
15. Finally, the question of whether the safety case objective could be achieved with less regulation is addressed later in the report (see section entitled ‘*vi. Has the evidence identified any opportunities for reducing the burden on business?*’).

16. By clearing the 'fit for purpose hurdle' the PIR now moves from Part 1 to Part 2, which involves looking at specific issues about SCR15.

Diagram 2: Structure of SCR2105 PIR evidence review



Part 2

Post-Implementation Review (PIR) questions

17. As detailed in Diagram 2 'Structure of SCR2105 PIR evidence review (Part 2)' (above), the first part of the PIR considered whether the underlying aspects of the safety case regime were still considered the most effective way to manage and control major accident hazards on offshore installations. If the overarching legislative structure is still seen as 'fit for purpose', only then should the PIR move onto considering the specific aspects of the changes detailed within SCR15. To this end, the above evidence suggests that the safety case regime is still working and is still effective. Part 2 of the PIR therefore considers the following questions in relation to the legislative changes made by SCR15, namely:

- i. **What were the policy objectives of the measure?**
- ii. **What evidence has informed the PIR?**
- iii. **To what extent have the policy objectives been achieved?**
- iv. **What were the original assumptions?**
- v. **Were there any unintended consequences?**
- vi. **Has the evidence identified any opportunities for reducing the burden on business?**
- vii. **For EU measures, how does the UK's implementation compare with that in other EU member states in terms of costs to business?**

- i. **What were the policy objectives of the measure?**

SCR 2015 Objectives

18. While SCR15 and the overarching safety case regime ultimately have the same 'end-goal', the changes implemented by SCR15 had specific objectives. These objectives were defined in the original SCR15 impact assessment and stated that the *"UK policy objectives are to fully transpose the Directive requirements into Domestic Legislation by July 2015 in a way that:*

- *Minimises the adverse impact of any changes on the oil and gas industry and UK interests by adopting the least burdensome approach;*
- *Maintains the current levels of protection for safety and the environment;*
- *Embeds the new requirements so that they further enhance the UK's world class offshore oil and gas regulatory regime; and*
- *Is open and transparent and ensures consistency with current regulations.*⁹

19. As to whether these stated policy objectives of SCR15 have been achieved, this will be covered below in section *'iii. To what extent have the policy objectives been achieved?'*

⁹ *Ibid 2* - Paragraph 26, page 11 (Section 4)

ii. **What evidence has informed the PIR?**

20. The evidence which has informed the SCR15 PIR is detailed in this document, the ‘Evidence Review’.
21. The most effective and proportionate way to reach all relevant stakeholders working in the North Sea was to engage directly with the leading trade associations and membership bodies within the UK offshore oil and gas sector, asking them to both provide comment and assist with the research. Such an approach meant that the need to contact individual companies – which would have been onerous and disproportionate – was avoided. As these bodies represent the majority of businesses working in the sector, their involvement ensures that the evidence collected is from as representative group as possible (and indeed practical). HSE directly engaged with the following groups:

Regulators	Trade Associations / Membership Bodies
<p>Offshore Petroleum Regulator for Environment & Decommissioning (OPRED) (part of The Department for Business, Energy and Industrial Strategy [BEIS]) (https://www.gov.uk/government/organizations/offshore-petroleum-regulator-for-environment-and-decommissioning)</p>	<p>British Rig Owners’ Association (BROA) (part of UK Chamber of Shipping) (https://www.ukchamberofshipping.com/broa/) BROA is the trade association for companies operating mobile offshore units.</p> <p>International Association of Drilling Contractors (IADC) (https://www.iadc.org/) IADC represents the worldwide oil and gas drilling industry with a specific North Sea Chapter.</p>
<p>Health and Safety Executive (HSE) (http://www.hse.gov.uk/offshore/index.htm)</p>	<p>Oil & Gas UK (OGUK) (https://oilandgasuk.co.uk/) OGUK is the leading body for the UK offshore oil and gas industry representing operators in the North Sea.</p>
<p>Oil and Gas Authority (OGA) (https://www.ogauthority.co.uk/)</p>	<p>Step Change in Safety (SCIS) (https://www.stepchangeinsafety.net/)</p>

	Step Change in Safety is a tripartite organisation representing the workforce, regulators and employers.
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22. The SCR15 PIR project team worked closely with specialist offshore HSE inspectors and managers based at the Aberdeen office (some of whom had first-hand experience of the safety case regulations in its various incarnations - e.g. 1992, 2005 and now 2015). This group – an expert ‘panel’ – helped develop the research instruments and interpret the data which was generated. In addition, a number of these HSE offshore inspectors directly fed into the PIR evidence by responding to surveys and being involved in workshops and one-to-one interviews.
23. OSDR as the partnership competent authority (CA) – which comprises OPRED and HSE - developed a joint industry survey and a topic guide for subsequent workshops. The survey covered PIRs for the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (SCR15) and the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) (Amendment) (Regulations 2015 (OPRC 2015)). This allowed OPRED and HSE to share information where there were regulatory overlaps as well as reduce burden on business. Once the research was complete, analysis and reporting was undertaken separately by OPRED and HSE with the resulting reviews being published with the relevant legislation.
24. In order to capture views on the safety case regulations as a whole, as well as on the new requirements added in 2015, a number of surveys were developed using the online survey tool SurveyMonkey¹⁰. In total three separate online surveys were developed in order to target duty-holders, safety reps and regulators (please note, only HSE inspectors were targeted in relation to the ‘regulators’ category). In order to triangulate responses amongst the three different response groups certain questions were asked of all three while other questions were only asked of particular groups. For example, it was considered unlikely that either safety reps or regulators would have detailed knowledge of the costs associated with making the changes required to comply with SCR15. As such, only the duty-holders survey included costs questions. (Blank copies of the surveys can found at Annex A).
25. Please note that ‘duty-holders’ in the context of the online surveys were members of the above identified trade associations and industry groups, namely BROA, IADC and OGUUK. The safety reps were contacted via Step Change in Safety (SCIS). Finally, while SCR15 is regulated by the OSDR

¹⁰ <https://www.surveymonkey.co.uk/>

(which is a partnership between HSE and BEIS) only HSE inspectors were targeted for the regulator questions relating to SCR15.

26. Further details of the three online surveys are provided below including number of responses, length of time the online survey were live and demographics of respondents:

Title of survey	Date undertaken	No. of respondents
Duty-holders survey	7 th June to 10 th July 2019	<i>n</i> = 27 (full or partial responses to survey)
<i>Details of Respondents</i>		
Size of organization:		
*15% (4)	<50 employees	
*4% (1)	50 – 99 employees	
*11% (3)	100-249 employees	
*63% (17)	250+ employees	
*7% (2)	No response	
Organisation type (in what capacity are you responding):		
*59% (16)	Production installation operator	
*18% (5)	Non-production installation owner (other than Flotel ¹¹)	
*7% (2)	Other (please specify below)	
	<ul style="list-style-type: none"> • 'Trade Association for Rigs (drilling, accommodation)' • 'Trade Association' 	
*4% (1)	ICP ¹² (verification scheme or well examination scheme)	
*4% (1)	Well operator only	
*0% (0)	Flotel	
*0% (0)	Union or worker representative	
*7% (2)	No response	
How many of the following does your organisation either own and/or operate:		
	<u>Production installation</u>	<u>Non-production installation</u>
1	2	3
2-4	8	4
5-10	7	2

¹¹ Flotel, a portmanteau of the terms floating hotel, refers to the installation of living quarters on top of rafts or semi-submersible platforms. They tend to be used as accommodation at the sea for crews working in the high seas' drilling industry (<https://www.marineinsight.com/types-of-ships/what-is-a-flotel/>).

¹² Independent competent person (ICP) (see <http://www.hse.gov.uk/offshore/ed-sce-management-and-verification.pdf>).

Title of survey	Date undertaken	No. of respondents									
10-15	0	1									
16-20	0	0									
21-30	0	1									
More than 30	1	0									
Not applicable (N/A)	1	3									
<p>Comments: The survey was hosted on SurveyMonkey with the link sent to contacts at BROA, IADC and OGUK for them to circulate amongst their members.</p>											
Title of survey	Date undertaken	No. of respondents									
Safety reps survey	19 th June to 9 th July 2019	<i>n</i> = 17 (full or partial responses to survey)									
<p><i>Details of Respondents</i></p> <p>Size of organization:</p> <p>*6% (1) <50 employees *0% (0) 50 – 99 employees *6% (1) 100-249 employees *76% (13) 250+ employees *12% (2) No response</p> <p>Organisation type (in what capacity are you responding):</p> <p>*47% (8) Production installation operator *23% (4) Union or worker representative *12% (2) Other (please specify below) <ul style="list-style-type: none"> • ‘Safety rep • ‘Esr’ [Elected Safety Rep] *6% (1) ICP (verification scheme or well examination scheme) *0% (0) Well operator only *0% (0) Flotel *0% (0) Non-production installation owner (other than Flotel) *12% (2) No response</p> <p>How many of the following does your organisation either own and/or operate:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>Production installation</u></th> <th style="text-align: center;"><u>Non-production installation</u></th> </tr> </thead> <tbody> <tr> <td>1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td>2-4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">0</td> </tr> </tbody> </table>				<u>Production installation</u>	<u>Non-production installation</u>	1	1	1	2-4	3	0
	<u>Production installation</u>	<u>Non-production installation</u>									
1	1	1									
2-4	3	0									

Title of survey	Date undertaken	No. of respondents
5-10	10	0
10-15	2	0
16-20	1	0
21-30	0	1
More than 30	1	0
Not applicable (N/A)	2	1

Comments:
The survey was hosted on SurveyMonkey with the link sent to safety reps belonging to Step Change in Safety (SCIS).

Title of survey	Date undertaken	No. of respondents
Regulators* survey (*As indicated above, only HSE inspectors were targeted as part of the 'regulators' survey).	16 th June to 11 th July 2019	<i>n</i> = 14 (full or partial responses to survey)

Comments:
The survey was hosted on SurveyMonkey with the link sent to those HSE Inspectors who work with the offshore industry.

27. Using data provided by the competent authority (CA) on transitional safety cases, and the duty-holders who submitted them, it appears there are 72 duty-holders who transitioned to SCR15. In total HSE's on-line duty-holder survey received 27 full or partial responses. Of these responses, 19 were from self-identified duty-holders (with one organisation responding twice) and two from a leading trade association¹³. A number of these respondents were followed-up through workshops and interviews; these follow-ups also involved other leading trade associations. As such, we believe that we have captured the views from a substantial proportion of the industry.

28. Alongside the online surveys, a number of workshops were held with BROA and IADC, and OGUK to clarify and expand on the findings of the aforementioned surveys. Details of these workshops are as follows:

¹³ In terms of the remaining six responses, three respondents did not identify themselves and there were single responses from a well-operator, an independent competent person (ICP) for a verification or examination scheme and one business whose safety-case transitional status was unclear.

Stakeholder group(s) in attendance	Date workshop held	No. of attendees
Members of BROA / IADC	Thursday 12 th September 2019 – 10am to 4pm	11
Comments: Attendees were asked to comment on areas which were unclear within the survey findings or where we wanted to explore emerging themes; this included costs estimates.		

Stakeholder group(s) in attendance	Date workshop held	No. of attendees
Members of OGUK	Monday 16 th September 2019 – 10am to 4pm	5
Comments: Attendees were asked to comment on areas which were unclear within the survey findings or where we wanted to explore emerging themes; this included costs estimates.		

Stakeholder group(s) in attendance	Dates workshops held	No. of attendees
HSE inspectors	Wednesday 11 th September 2019 Tuesday 17 th September 2019	7
Comments: Attendees were asked to comment on areas which were unclear within the survey findings or where we wanted to explore emerging themes.		

29. Alongside the workshops, there were eight one-to-one interviews with HSE inspectors and six one-to-one interviews with specific companies. These were undertaken in order to clarify aspects of their survey responses and, in terms of the companies contacted, to ask about the costs and benefits figures which were provided.

iii. To what extent have the policy objectives been achieved?

30. In order to capture whether the policy objectives for SCR15 had been achieved, each objective detailed in section *i*. *What were the policy objectives of the*

measure?' (above) will be considered alongside any evidence either supporting or challenging it.

SCR15 '[m]inimises the adverse impact of any changes on the oil and gas industry and UK interests by adopting the least burdensome approach'

31. Respondents to the online survey were asked whether they agreed or disagreed with the statement '*HSE's implementation approach minimised the adverse impact of any changes on industry*'.

Research instrument	No. of respondents	Evidence
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey)	Of the 22 people who responded to this question, over a third (68%, 15) agreed or strongly agreed that the HSE's approach to implementing SCR15 minimised the adverse impact of the changes on industry. A further one in five (18%, 4) neither agreed nor disagreed. Nearly one in six (14%, 3), however, disagreed, providing a number of different reasons. One respondent indicated that the roll-out of SCR15 was " <i>not well coordinated</i> ", with a further respondent suggesting that " <i>HSE did not provide sufficient guidance</i> " with feedback on " <i>good practice and NAIs [non-acceptance issues]</i> " being " <i>very slow</i> ". The final comment related to the fact that the changes to " <i>verification scheme and performance standards</i> " placed a " <i>huge burden</i> " on their business.
Safety reps survey	<i>n</i> = 17 (full or partial responses to survey)	Nearly six in ten (57%, 8) of the 14 safety reps who responded indicated that they agreed, or strongly agreed, that the implementation of SCR15 by HSE had minimized the adverse impacts on industry. Another third (36%, 5) did not have a strong opinion and chose 'neither agree nor disagree', while a final 7 per cent (which is only one person) simply 'did not know or was unsure'.

Research instrument	No. of respondents	Evidence
Regulators survey	<i>n</i> = 14 (full or partial responses to survey)	Of the 14 HSE inspectors who responded, over eight in ten of them (86%, 12) agreed that HSE's implementation of SCR15 had minimized the adverse impacts of the changes with only a couple of them (14%, 2) neither agreeing nor disagreeing.

32. The consensus from the online survey was largely positive. Of the three negative responses provided, only one directly related to whether SCR15 had had an adverse impact. The other comments were predominantly focused on the operational handling of the transition to SCR15, which is out of scope of this PIR. A similar pattern emerged during the duty-holder workshops with most negative comments again being focused on purely operational implementation issues.
33. For instance, some duty-holders highlighted the fact that HSE's engagement during the development of the regulations had been excellent but struggled during the operational implementation. The timeframes involved in the implementation – especially for non-production installations (NPIs) – were also seen as being unrealistic, which caused significant problems (one duty-holder had to submit a revised SCR15 safety case prior to the new regulations even coming into force due to the tight timeframe). (It should be noted that implementation timeframes were not within the gift of HSE to alter as they were set by the originating EU Directive). Finally, other practical issues mentioned included the need for better guidance and templates during the early stages of SCR15's 'roll-out'.
34. HSE's published guidance on SCR15 – Guidance on Regulations L154¹⁴ - was explored further in the online surveys, with respondents asked "[h]ow helpful do you find the guidance?".

¹⁴ <http://www.hse.gov.uk/pubns/priced/l154.pdf>

Research instrument	No. of respondents	Evidence
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey)	Of the 19 duty-holders who responded, nearly six in ten (58%, 11) felt that it was 'somewhat helpful', with a further third (32%, 6) indicating that they found it very or extremely helpful. The remaining one in ten (11%, 2) said that it was 'not so helpful'. The one person who provided subsequent feedback about how HSE could improve the guidance talked primarily about its implementation rather than the contents of the guidance itself; they said it would have been helpful if the guidance had been issued " <i>...prior to the activities commencing and limiting the number of revisions during the Safety Case update process</i> " (duty-holder; 250+ employees; production installation operator).
Safety reps survey	<i>n</i> = 17 (full or partial responses to survey)	Over four in ten (42%, 5) of the 12 safety reps who responded indicated that the guidance was 'somewhat helpful'. Another four in ten (42%, 5) answered that they didn't know or were unsure. The final respondent (8%, 3) said that the question was not applicable (N/A) to them.
Regulators survey	<i>n</i> = 14 (full or partial responses to survey)	HSE inspectors were positive with nearly eight in ten (79%, 11) of the 14 who responded found the guidance very helpful or extremely helpful. The remaining one in five (21%, 3) indicated that they found the guidance 'somewhat helpful'.

35. There was mix of responses coming through the online survey about the guidance published to support the regulations (L154). Regulators were very supportive, duty-holders had a middling to positive view of the guidance, while safety reps indicated either that they did not know or thought it was 'somewhat helpful'. (The 'lukewarm' support for the guidance by duty-holders reflecting the comments made in the later workshops). In terms of possible improvements to the guidance, only one duty-holder provided further information, and this information was about operational implementation rather than directly about the

guidance itself. The duty-holder suggested that the guidance should have been released earlier in the SCR15 change process and have fewer revisions.

36. Overall, while a number of issues were mentioned in terms of the operational approach adopted in implementing the changes, few directly related to SCR15 as a piece of legislation. It therefore seems that SCR15's implementation has not been overly burdensome and has minimised any adverse impacts.

SCR15 '[m]aintains the current levels of protection for safety and the environment'

37. Respondents to the online survey were asked whether they agreed or disagreed with the statement '*SCR15 has maintained the high levels of protection for workers' safety*'.

Research instrument	No. of respondents	Evidence
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey)	In total 21 respondents answered this question. Of those duty-holders who responded two-thirds (67%, 14) agreed, or strongly agreed, that SCR15 had maintained the high levels of protection for workers' safety. A further third (29%, 6) were relatively agnostic on the issue, with only one person (5%) disagreeing with the statement. The duty-holder who disagreed indicated that they felt that the majority of the safety case " <i>is superfluous detail that is demanded by OSDR</i> " and that the " <i>300+ page written document</i> " does not " <i>add value</i> ".
Safety reps survey	<i>n</i> = 17 (full or partial responses to survey)	Nearly three-quarters (73%, 11) of the 15 safety reps who responded indicated that they felt that SCR15 had the high levels of protection for workers' safety, with a further sixth (13%, 2) of responding safety reps not expressing an opinion (i.e. they neither agreed nor disagreed). The final sixth (13%, 2) of respondents simply did not know or were unsure.
Regulators survey	<i>n</i> = 14 (full or partial responses to survey)	Finally, of the 14 HSE inspectors who responded, over eight in ten (86%, 12) either agreed, or strongly agreed, with the statement.

Research instrument	No. of respondents	Evidence
		The remaining two (14%) inspectors neither agreed nor disagreed.

38. Across all three online surveys there was only one individual who disagreed with the idea that SCR15 had maintained the high levels of protection for workers' safety. This positive view was broadly echoed by both duty-holders and HSE inspectors involved in the workshops and one-to-one interviews. Interestingly, however, the point they made was that there was little desire or need within the industry to replace SCR05 as it was seen as working very well. Indeed it was argued that the EU Directive which led to SCR15 was an attempt by Europe to catch-up with the UK system, rather than vice versa. As such, while SCR15 has *maintained* what was established under SCR05 it has not necessarily *improved* it.

39. Please note that the objective which this question is addressing concerns the current levels of protection of *both* worker's safety and the environment. As environmental factors were not originally part of SCR05, this question was consequently focused solely on safety aspects (which had been in SCR05 and continued into SCR15) and whether they had been maintained.

SCR15 '[e]mbeds the new requirements so that they further enhance the UK's world class offshore oil and gas regulatory regime

40. Respondents to the online survey were asked whether they agreed or disagreed with the statement '*SCR15 has further enhanced the offshore safety and environmental regimes in GB waters*'.

Research instrument	No. of respondents	Evidence
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey)	Responses to this question from the 21 duty-holders who completed it were relatively evenly distributed. So nearly four in ten (38%, 8) disagreed or strongly disagreed with the statement compared to only a quarter (29%, 6) who agreed or strongly agreed. Of the remaining third of responses (33%, 7), all indicated that they neither agreed nor disagreed. In terms of the comments provided they broadly cover the following issues:

Research instrument	No. of respondents	Evidence
		<p>*SCR15 has not made much of a difference in terms of safety (no. of mentions – 7)</p> <p>*SCR15 has added additional paperwork (no. of mentions – 2)</p> <p>*SCR15 has led to minimal improvement (no. of mentions – 1)</p> <p>*SCR15 is too open to interpretation (no. of mentions – 1)</p> <p>*HSE’s website has not been kept up to date (no. of mentions – 1)</p>
Safety reps survey	$n = 17$ (full or partial responses to survey)	Nearly half (47%, 7) of the 15 safety reps who answered this questions agreed that SCR15 had further enhanced the offshore safety and environmental regimes in GB waters. A further third (33%, 5) didn’t have an opinion and indicated that they neither agreed nor disagreed, along with two people (13%) who said that they did not know or were unsure. Finally, the one (7%) person who did disagree, indicated that there has been <i>“no significant change in operator performance or attitude towards safety”</i> .
Regulators survey	$n = 14$ (full or partial responses to survey)	In total 14 HSE inspectors answered this question. Of these, seven in ten (71%, 10) agreed or strongly agreed with the statement in the question. Of those not agreeing, the remaining quarter (29%, 4) said that they neither agreed nor disagreed.

41. There was a mixed response to this question from duty-holders, with responses from ‘across the board’. The main thrust of the comments of those who disagreed with the proposition that SCR15 had further enhanced offshore safety was that the *“UK already had a mature and well understood goal-setting regime that was effective in controlling the risks of major accident on offshore installations”* (duty-holder; 250+ employees; non-production installation owner [other than Flotel]) and that the changes had made *“minimal improvements”* (duty-holder; 250+ employees; production installation operator); essentially SCR15 *“has not made any difference”* (duty-holder; 250+ employees; production installation operator). If anything a couple of duty-holders felt that it

had added paperwork, with one indicating that “*SCR15 has placed additional administration burden on duty holders with no improvements in safety performance*” (duty-holder; 100 - 249 employees; production installation operator).

42. These views were echoed by both duty-holders and HSE inspectors within the qualitative work (i.e. workshops and one-to-one interviews). For instance, duty holders felt that the new regulations refreshed the focus on the safety case regime (and got rid of some of the complacency). Furthermore a drilling company indicated that SCR15 is now seen as the desired standard globally, with some companies working to SCR15 as the standard for all their rigs. It was generally agreed that the inclusion of environmental aspects was seen as further enhancing the safety case regime. These positives are, however, tempered by the fact that safety cases are getting bigger, with some being over 1,000 pages. Duty-holders feel that the level of detail required in descriptions has increased and there is more duplication. The sheer size of the document then puts off workers from accessing and reading it.

SCR15 ‘[i]s open and transparent and ensures consistency with current regulations’

43. Respondents to the online survey were asked whether they agreed or disagreed with the statement ‘*HSE’s implementation approach maintained the consistency of the regime established under SCR05*’.

Research instrument	No. of respondents	Evidence
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey)	Of the 21 duty-holders who responded to this question, over eight in ten (86%, 18) agreed or strongly agreed that the HSE’s approach to implementing SCR15 maintained the consistency of the regime established under SCR05. One duty-holder (5%) neither agreed nor disagreed. This leaves two duty-holders (10%), both of whom disagreed with the statement. The subsequent comments on the reason for disagreeing highlighted the fact that there “ <i>were many inconsistencies between inspectors and operators with differing interpretations</i> ”, while the other duty-holder provided a similar comment saying that there were inconsistencies “ <i>between topic specialists assessing safety case</i> ”.

Research instrument	No. of respondents	Evidence
Safety reps survey	$n = 17$ (full or partial responses to survey)	In total 15 people responded to this question, with over half (53%, 8) agreeing or strongly agreeing with the statement. Of the remaining seven respondents, four (27%) said that they neither agreed nor disagreed and three (20%) said that did not know or were unsure.
Regulators survey	$n = 14$ (full or partial responses to survey)	About eight in ten (79%, 11) of the 14 HSE inspectors who responded said that they agreed that consistency between SCR05 and SCR15 had been maintained. One person (7%) did not know or was unsure, leaving two respondents (14%) who disagreed with the statement. One of the reasons for disagreement was that an HSE inspector thought that SCR15 had actually <i>“improved the consistency of the regime established under SCR05”</i> , which would seem to fit with the positive majority of responses. In contrast, the other person who disagreed felt that the focus had shifted <i>“to more administrative details, rather than MAHs [major accident hazards]”</i>

44. Overall the responses from the online surveys were positive, with general agreement that SCR15 had retained consistency with the previous SCR05. As already highlighted, though, there was also general agreement that SCR15 was not necessary and SCR05 was working perfectly well.

Main changes in SCR15

45. In addition to considering whether the objectives of SCR15 have been met, it is also necessary to evaluate the impact of the specific changes made under the regulations. This involves considering the main changes (those which are likely to have a sizable impact) as well as those changes which are likely to be less noticeable.
46. As such, SCR15 came into force on 19th July 2015 and implemented the following changes to the previous system (this is a selected summary of the main changes between SCR05 and SCR 2015 from HSE’s SCR15 Guidance

on Regulations¹⁵; a more detailed summary can be found in the attached SCR15 PIR report).

Main changes between SCR05 and SCR15

- Corporate major accident prevention policy (CMAPP): A new document providing a high-level overview of how the management and control of major accident hazards will be implemented throughout an organisation (*regulation 7*).
- Safety and environmental management system (SEMS): Every duty-holder and well operator must have a documented SEMS in operation within its organisation which is integrated with its overall management system (*regulation 8*).
- Internal emergency response arrangements (IERA): Certain duties under PFEER are now designated 'internal emergency response duties' (*regulations 2(10) and 30*).
- Independent verification: SCR15 verification scheme requirements have been extended to cover environmental, as well as safety-critical elements, and includes new duties (e.g. competence of verifiers and the sharing of information between verifiers and duty-holders) (*regulations 9, 10 and 13*).
- Well notification: New statement required relating to well design and barriers to loss of control for all anticipated conditions (*regulation 21*).

Other SCR15 requirements

- Reporting of safety incidents (regulation 29 and regulation 33)
- Confidential reporting of safety concerns (regulation 31)
- Development of standards and guidance (regulation 32)
- Information of operations conducted outside the EU (regulation 34)

47. Please note that SCR15 only applies to oil and gas operations in external waters, with SCR05 still applicable in internal waters (essentially tidal waters

¹⁵ *Ibid 1* – paragraph 48 to 60, pages 13 to 15.

within Great Britain). As such SCR05 is being reviewed and evaluated separately to SCR15, with the findings being reported under a separate cover.

48. In order to capture the impact of these SCR15 changes it was felt that a qualitative approach would be most appropriate. This is due to the precise nature of the issue not being readily known, so difficult to drop into a finite list of responses as required by a quantitative survey. To this end, as part of the online surveys, respondents were asked to detail what they thought were the benefits, disadvantages and unintended consequences of both the main changes and the other SCR15 requirements. Responses were then grouped by general theme in order to reflect where the same issue was mentioned multiple times. Subsequently the findings of these questions were used to populate the topic guides for the workshops and one-to-one interviews (i.e. any prominent emerging themes were identified for further discussion and exploration). A summary of the online survey responses, and which themes emerged, is detailed below.
49. Please note that the number of responses which mention a particular theme will not exactly map onto the number of people providing an answer – this is due to the fact that an individual may mention a number of different themes within a single response.
50. Respondents to the online survey were asked ‘*What do you think are the benefits of the main changes introduced by SCR15?*’ and provided with a ‘free-text’ box in which to provide their thoughts.

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey) Of which 18 provided a response to this question	<ul style="list-style-type: none"> • Integration of environmental aspects into the safety system (e.g. safety and environmentally critical elements [SECEs]; major environmental incidents [MEIs]) (7) • No significant benefits in SCR15 (4) • Reinforced good practice (2) • All included within a single document and a common approach (2) • Improved independent verification and well examination schemes (2) • Levelled out any inconsistencies and expectations (1) • Safety Case (SC) assessment templates (1) • Greater oversight of certain areas (1)

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
Safety reps survey	<i>n</i> = 17 (full or partial responses to survey) Of which 7 provided a response to this question	<ul style="list-style-type: none"> • More focus (2) • Recognition of environmental hazards (2) • Extra descriptions required in the safety case for emergency response arrangements and SEMS (1) • More rigour (1) • Captures a wider scope of information (1) • Keeping people updated (1)
Regulators survey	<i>n</i> = 14 (full or partial responses to survey) Of which 14 provided a response to this question	<ul style="list-style-type: none"> • Independent verification (6) • CMAPP / involvement of senior leadership (4) • Incorporation of environmental aspects (4) • Well notifications / well examiner (3) • Formation of a Competent Authority (CA) (HSE / BEIS) (2) • SEMS (2) • Increased clarity (general) (2) • Clarity around what constitutes a material change(2) • Consistency of assessment (1) • Emergency response requirements (1)

51. In terms of the main changes under SCR15, duty-holders, safety reps and regulators all indicated that they thought the inclusion and integration of environmental aspects into the safety case regime was a positive and beneficial change. For example:

“A potential benefit is greater visibility of the environmental protection afforded by SECEs amongst decision makers and the workforce” (duty-holder; 250+ employees; production installation operator)

“Recognition of enviro hazards, these had always been a footnote” (safety rep; 250+ employees; union or worker representative)

“Integrates all major accident issues into the SC i.e. environmental ones” (regulator)

52. For duty-holders and regulators the SCR15 changes around verification and well examination schemes were also seen as positive:

“Independent Verification (new requirements including expanding verification schemes to include Safety and Environmental Critical Elements, verifiers establishing new criteria and description of scheme in safety case) results is a far more robust and meaningful process.” (duty-holder; 250+ employees; non-production installation owner [other than Flotel])

“Brought clarity to a number of areas in particular Verification, as previously requirements were 'hidden' in Interpretations” (regulator)

53. Interestingly some regulators mentioned that the involvement of senior leadership in health and safety matters due to the new CMAPP requirement was a benefit; it “[s]trengthens the commitment from Senior Leaders within a Duty Holder to control and monitor MAH systems”. Considering the number of more negative comments about CMAPP, especially from duty-holders, it is interesting to note that some stakeholders see some value in it. The pros and cons of CMAPP are dealt with in more detail in the following section.

54. Finally, as reflected in responses to earlier questions about SCR15’s objectives, some duty-holders questioned whether SCR15 had led to a significant improvement in safety when compared to SCR05. One duty-holder said:

“No real benefits noted from 2005 requirements” (duty-holder; 250+ employees; non-production installation owner [other than Flotel])

55. Respondents to the online survey were asked *‘What do you think are the disadvantages of the main changes introduced by SCR15?’*.

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey) Of which 17 provided a response to this question	<ul style="list-style-type: none"> • CMAPP – of limited value (6) • Created additional bureaucracy for business (6) • What is a Major Accident Hazard (MAH) / Major Environmental Incident (MEI) Transitional Safety Case review? (1) • Weakened the focus on major accident hazards (1) • Emergency response arrangements (1) • Increased complexity of well notifications (1) • Minimal improvements following SCR15 (1) • 3 month material change prevents quick decisions and changes (1)

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
		<ul style="list-style-type: none"> • What's needed for the specified Safety and Environmental Management Systems (SEMS) under SCR15 is different from what's needed for ISO14001 and OSPAR compliance (1) • Dealing with two different regulators (1) • No real disadvantages noted (1)
Safety reps survey	<p>$n = 17$ (full or partial responses to survey)</p> <p>Of which 7 provided a response to this question</p>	<ul style="list-style-type: none"> • Increased burden in terms of understanding the changes (2) • Cursory 'lip service' paid to some areas (1) • Has created more health and safety professionals, leading to less worker engagement (1) • People do not like change (1) • CMAPP should explicitly 'outlaw' companies discriminating against workers raising health and safety issues (1)
Regulators survey	<p>$n = 14$ (full or partial responses to survey)</p> <p>Of which 13 provided a response to this question</p>	<ul style="list-style-type: none"> • CMAPP (6) • Confusion over certain requirements (incl. CMAPP / tripartite consultation) (2) • Assessment can become checklist approach (1) • Meaning of tripartite consultation (1) • Did not create a single Competent Authority (CA) (1) • Failed to explicitly include discrimination against workers raising safety issues in safety case (1) • Huge amount of work to re-assess the safety cases (1) • Requirements for verification are split across multiple documents (1)

56. The main disadvantage of SCR15 - by some way - for both duty-holders and regulators was the CMAPP. For example:

"[T]he interpretation of the level of detail required in a CMAPP has caused slight bewilderment at times, as some of the information duplicates information

already available in the HSE case, and hence adds little value” (duty-holder; 250+ employees; non-production installation owner [other than Flotel])

“CMAPP felt box ticking at times and the value of the document itself is not necessarily obvious when labelled as a policy and requiring so much broad ranging information.” (duty-holder; 250+ employees; production installation operator)

“The CMAPP. It has caused significant discussion on what that looks like. Calling it a ‘Policy’ did not help” (regulator)

“The CMAPP does nothing - I don’t believe it adds anything to the safety of offshore workers and it has been seen as a beaucratic [sic] exercise by CA [competent authority] and DHs [duty-holders]” (regulator)

57. Further discussion about CMAPP, including feedback from the workshops and one-to-one interviews is included in the next section, and expands on the above comments.

58. Other than CMAPP the only other significant theme was from duty-holders indicating that the main SCR15 changes had created additional bureaucracy. One respondent indicated that there was *“more admin, to describe whatt [sic] was alredy [sic] done”* (duty-holder; 250+ employees; production installation operator).

59. Respondents to the online survey were asked *‘Have there been any unintended consequences due to the main changes introduced by SCR15?’*.

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey) Of which 14 provided a response to this question	<ul style="list-style-type: none"> • No (5) • Additional burden of the safety case, which is now harder and longer to produce (5) • Caused a lot of confusion between HSE and BEIS (1) • Impacted on Material Change submission for assets which were occurring at the same time as the Transition Safety Case submissions (1) • Well notifications take longer (1) • Minimal improvements following SCR15 (1) • General lack of understanding about responsibilities for duty-holders, well operators and licensees (1) • General confusion about the changes (1)

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
Safety reps survey	<i>n</i> = 17 (full or partial responses to survey) Of which 7 provided a response to this question	<ul style="list-style-type: none"> • Not Sure / Uncertain / unknown / No (5) • Reduction in workforce engagement (1) • More understanding of the safety case by safety reps and workers (1)
Regulators survey	<i>n</i> = 14 (full or partial responses to survey) Of which 12 provided a response to this question	<ul style="list-style-type: none"> • Not aware of any unintended consequences (4) • CMAPP (3) • Competent Authority; HSE / BEIS not always joined-up (1) • NAI (Non-Acceptance Issues) system diluted focus (1) • Incident reporting has become more complicated (1) • Changes have led to a review of the quality of safety cases (1) • More prescriptive requirements in safety cases, leading to additional work (1)

60. A significant proportion of duty-holders, safety reps and regulators felt that there had not been any significant unintended consequences due to the main SCR15 changes.

61. Duty-holders did, however, highlight that the safety case now took longer to produce:

“Each of the requirements has expanded the safety case, which makes it harder to produce, maintain and use, thereby reducing the utility of the SC and reducing resources available to tackle genuine safety improvements” (duty-holder; 100 - 249 employees; production installation operator).

62. In addition, regulators mentioned CMAPP again saying that there was “[t]o [sic] much concentration on a prescriptive CMAPP”. This indicates that this new requirement was more complex than originally expected;

63. While these issues are not strictly unintended consequences in the spirit of the original PIR question, they have had an unexpected impact and, as per good research practice, are noted here for completeness.

Other SCR15 requirements

64. Whereas the previous questions focused on the main change within SCR15, the following questions focused on benefits, disadvantages and unintended consequences due to the other SCR15 requirements – these were changes which the regulatory impact assessment (IA) estimated would have little or no economic impact. They are included with the PIR as they may have had other unexpected impacts.

65. Respondents to the online survey were asked '*What do you think are the benefits of these SCR15 requirements?*'.

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey) Of which 14 provided a response to this question	<ul style="list-style-type: none"> • No change / no benefits seen (5) • Single reporting tool (ROGI)¹⁶ and common reporting format (3) • Confidential reporting is good (2) • Greater consistency (2) • Continuous improvement (1) • Development of standards and guidance (1)
Safety reps survey	<i>n</i> = 17 (full or partial responses to survey) Of which 7 provided a response to this question	<ul style="list-style-type: none"> • Confidential reporting (4) • Consistency (1) • Unknown (1) • Learning tool (1)
Regulators survey	<i>n</i> = 14 (full or partial responses to survey) Of which 12 provided a	<ul style="list-style-type: none"> • Not aware of any particular benefits/no changes seen (4) • More urgent reporting of issues to regulator (2) • Strengthen regulatory regime (2) • Confidential reporting (1) • SCR15 requirements are more explicit (1)

¹⁶ Report of an Oil and Gas Incident (ROGI) Form - <http://www.hse.gov.uk/osdr/reporting/incidents-to-osdr.htm>

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
	response to this question	<ul style="list-style-type: none"> • Development of standards and guidance (1) • Helped standardize legislation across EU (1) • Reg 29 (Duty to Control Risk) not really understood (1)

66. For duty-holders and regulators the overarching feeling was that the other SCR15 requirements had not led to any particular changes and few, if any, benefits were seen. Comments to this effect included:

“None over the previous regime” (duty-holder; 250+ employees; production installation operator)

“No benefits seen. Additional considerations undertaken in reporting, but no benefits” (duty-holder; 100 - 249 employees; production installation operator)

“None of note at this time” (regulator)

67. The other change which was touched on by all groups – illustrated by the above duty-holder comment – was reporting. Yet for each group ‘reporting’ referred to different processes. Confidential reporting was mentioned, at least in passing, by everyone, but was the main focus of comments by safety-reps. This is naturally understandable as “[a]s a safety rep confidential reporting of safety concerns is a major benefit giving workers confidence to raise serious concerns” (safety-rep; 250+ employees; production installation operator). For regulators, a change in reporting also means that there is “[m]ore urgent reporting of major issues to the regulator” (regulator).

68. Some of the comments around reporting, however, relate to processes which sit outside the remit of the SCR15 PIR. So, for instance, duty-holders mentioned the benefit of *“a consistent reporting format ...”* (duty-holder; 250+ employees; non-production installation owner [other than Flotel]) and a *“[s]ingle reporting tool ROGI”* (duty-holder; 250+ employees; production installation operator), yet reporting under Commission Implementing Regulation (EU) No 1112/2014¹⁷ and the ROGI tool does not fall within the scope of the changes under SCR15.

69. Respondents to the online survey were asked *“What do you think are the disadvantages of these SCR15 requirements?”*.

¹⁷ <https://op.europa.eu/en/publication-detail/-/publication/412b9dbe-59a9-11e4-a0cb-01aa75ed71a1/language-en>

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey) Of which 15 provided a response to this question	<ul style="list-style-type: none"> • Reporting requirements are more confusing (RIDDOR, ROGI, EU reporting) (6) • No disadvantages (5) • Duplication of existing requirements from other legislation (1) • Different regulators (1) • Certain regulations do not seem to add much value (e.g. Regs 29, 33 and 34) (1) • Confidential reporting of safety concerns (Regulation 31) can result in unjustified issues being raised (1) • Reporting forms yet to transition to an online system (1)
Safety reps survey	<i>n</i> = 17 (full or partial responses to survey) Of which 7 provided a response to this question	<ul style="list-style-type: none"> • Confidential reporting (4) <ul style="list-style-type: none"> • <i>Not the same level of focus on contractors in terms of whistleblowing</i> • <i>Whistle-blower phone lines being used instead of proper engagement</i> • <i>Still a 'name and shame' culture</i> • <i>Even though confidential, workers still feel that they get found out when whistleblowing</i> • None / not sure (2) • More levels of management (1)
Regulators survey	<i>n</i> = 14 (full or partial responses to survey) Of which 12 provided a response to this question	<ul style="list-style-type: none"> • Overlap of reporting / Reg 29, 31 & 33 (4) • No disadvantages / not sure (3) • Duty holder not informing about incidents outside EU (2) • CMAPP (1) • No disadvantages on confidential reporting (1) • No real benefits (already achieved under SCR05) (1)

70. Confidential reporting was again highlighted by safety-reps but, in the context of this question, the 'disadvantage' was that it simply didn't go far enough and did not offer whistle-blowers enough protection (even though it was now a legal

requirement). One safety-rep commented that “[w]orkers feel they still get found out and NRB [not required back]” (safety-rep). In the workshops, regulators agreed that protection for workers had been strengthened by SRC15, but that more protection for workers would be a ‘good thing’. In particular, protection for workers could be extended to prevent discrimination against those workers raising concerns.

71. As previously mentioned, the reporting requirements and the ROGI tool are not within scope of the current SCR15 PIR. Duty-holders, however, still mentioned it when asked about the disadvantages of the other SCR15 requirements. Based on their answers to the previous question, while duty-holders saw the benefit of ROGI as a single consistent reporting tool, they are less supportive of the reporting requirements which lie behind it. The issue raised by duty-holders is that the reporting requirements are confusing, while regulators indicate that it is the overlapping nature of the reporting requirements which is problematic. Comments include:

“The requirement to report some things to the EU and others under Riddor [sic] has created confusion and additional work” (duty-holder; 250+ employees; production installation operator)

“[R]eporting requirements [sic] are more confusing, ROGI, Riddor [sic] and EU reporting. eg hydrocarbon releases” (duty-holder; 250+ employees; production installation operator)

“[T]he reporting Reg 29 and 31 appears to me duplicitous on other reporting regulations and the outline of the events is difficult to interpret what situation where a ROGI or RIDDOR isn't initiated anyway” (regulator)

72. Respondents to the online survey were asked ‘Have there been any unintended consequences relating to these SCR15 requirements?’.

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey) Of which 12 provided a response to this question	<ul style="list-style-type: none"> • None identified (5) • Different operators reporting different things, possibly due to confusion with ROGI form (2) • Too early to say at this point, with no accurate data (2) • Regulation 29 has led to a significant increase in the reporting of non-major accident hazards (MAH) hydrocarbon

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
		<ul style="list-style-type: none"> releases (HCRs), particularly from non-process sources (1) • More time spent deciding what is reportable (1) • Regulator has to spend more time checking ROGI submissions (1) • Requirement to report some things via one channel and other things by other channel – causing confusion (1)
Safety reps survey	<p>$n = 17$ (full or partial responses to survey)</p> <p>Of which 7 provided a response to this question</p>	<ul style="list-style-type: none"> • Not sure / not to my knowledge (2) • Workers disagreements with operators (1) • Can be detrimental to one set of staff (1) • Operators now use whistle-blower lines rather than proper engagement (1) • Even though confidential, workers still feel that they get found out when whistle-blowing (1)
Regulators survey	<p>$n = 14$ (full or partial responses to survey)</p> <p>Of which 12 provided a response to this question</p>	<ul style="list-style-type: none"> • Not that I am aware of (8) • Confusion over reporting (3) • Ambiguity in the regulations (1) • Lack of consistency in the assessment process (1) • NAIs remain problematic (1)

73. While the primary theme for each of the three groups is about there being no unintended consequences, reporting comes up once again as a strong secondary issue. As already mentioned previously, reporting using the ROGI tool does not fall within the scope of the changes under SCR15. It is obviously, however, an area of concern, with one duty-holder indicating that “[t]he requirement to report some things to the EU and others under Riddor [sic] has created confusion and additional work” (duty-holder; 250+ employees; production installation operator) whilst a regulator agreed that there is “confusion over reporting i.e. RIDDOR v EU reporting requirements”(regulator).

74. In order to ensure that all possible issues were captured, respondents to the online survey were asked ‘If you have any other comments on the changes

introduced by SCR15, please briefly detail these below. In summary their responses were:

Research instrument	No. of respondents	Theme (no. of responses which mention theme)
Duty-holders online survey	<i>n</i> = 27 (full or partial responses to survey) Of which 8 provided a response to this question	<ul style="list-style-type: none"> • None (2) • SCR15 not much different from SCR05 (1) • Are inspections being carried out jointly by Competent Authority (CA) or separately (HSE and BEIS)? (1) • Individual inspectors challenging part of the safety case (SC) (1) • Environmental matters have been brought to the fore (1) • HSE driving their own agenda (1) • Face-to-face meetings with regulators very costly and often unnecessary (1) • HSE should be focused on safety rather than generating revenue (1)
Safety reps survey	<i>n</i> = 17 (full or partial responses to survey) Of which 5 provided a response to this question	<ul style="list-style-type: none"> • More work needed with the operators (1) • It is still the illusion of safety, rather than making things safer (1) • The safety case has become almost impenetrable by size and complexity for the workers (1) • All round good regulations (1) • Need for regulations to ensure that employers do not discriminate whistle-blower workers (1)
Regulators survey	<i>n</i> = 14 (full or partial responses to survey) Of which 10 provided a response to this question	<ul style="list-style-type: none"> • No further comments (3) • Directive based on UK system, so enhances current offshore safety regime (3) • More emphasis on auditing and monitoring for regulation and SEMS purposes (1) • Is NAI process adequate? (1) • Workforce engagement needs to be better (1) • No need for description of well examination scheme (1)

75. This question was intended to ascertain whether there were any issues or problems which had not been picked-up by the previous questions; it is a 'catch-all' to ensure that respondents have every opportunity to provide their views and thoughts on SCR15. As such, the major themes across the three response groups indicate that there does not appear to be any major issues which haven't been captured elsewhere in the research.

76. The view that SCR15 was not a massive change from the previous regime was reiterated here:

"The OSDR directive was based on UK regulatory regime and it should not have been a surprise that there were minor adjustments required to existing regulatory approaches and it delivered no major changes to the standards of safety or environmental control" (regulator)

77. As previously mentioned, the data from the 'free-text' responses from the online surveys (analysed above) was used to generate topic guides for the qualitative workshops and one-to-one interviews. The following section summarises the evidence collected during these qualitative exercises and, while many of the topics already covered were discussed, a number of other issues were explored with greater depth in these forums.

Specific issues around SCR15

78. Workshops were held with BROA and IADC (mainly consisting of non-production installations [NPIs]), OGUK (production installations [PI]) and HSE inspectors. In addition, there were various one-to-one interviews with both duty-holders and regulators. The following comments and views were gathered from these workshops and one-to-one interviews. Where applicable and appropriate the context under which someone provided a comment will be noted (e.g. whether they are a NPI, PI or regulator).

Transitional safety case

79. SCR15 included a three year transition period from July 2015 to July 2018 by which time all installations had to comply with the new regime. A staggered transition programme was designed to allow time for all duty-holders' safety cases to be submitted and assessed by OSDR within this timeframe.

80. The general feeling amongst non-production installations (NPI) was that there were definite improvements under SCR15, with better visibility of safety and environmentally critical equipment and better provision for personnel coming onto rigs. In addition, the onus of responsibility sitting with the duty-holder was widely praised. The group felt that the new regulations had refreshed the focus on the safety case regime and got rid of some aspects of complacency. SCR15 also offers world-renowned protection, with some companies looking to get all their non-UK operations to adopt SCR15 principles. These benefits were, however, tempered by the fact that safety cases had grown considerably in size

and complexity between the 2005 and 2015 regulations (for example, an attendee at the OGUK workshop illustrated the point by saying that safety cases had become 1,000 page documents). In addition, safety cases were more prescriptive and had multiple elements of duplication. The increasing size also means that it is less likely to be read and understood by the workforce outside of health and safety specialists at the company.

General transitional issues

81. Alongside discussions about transitional safety cases, a lot of time in the workshops and one-to-one interviews was given over to general transitional issues with SCR15. (It should be noted, however, that many of the items around transition are operational matters and fall outside the purview of the PIR - which is solely concerned with evaluating the provisions of the legislation). It was deemed important, however, to take a holistic approach towards SCR15 and reflect the totality of stakeholder's experiences with it, regardless of relevance to the PIR. To this end, non-production installations (NPI) in the BROA/IADC workshop highlighted that the previously mentioned timetable for submitting transitional safety cases (they were given only a year's grace) was unrealistic and further problems were created by lack of guidance in the early stages. HSE made the point in the workshops that the transition timetable was set by the EU Directive and the UK was obliged to transition to the new regime by the set deadline. One NPI illustrated what it felt like going through the pain of transition first by comparing it to the 'early introduction of the poll tax in Scotland'. The tight timeframe was further hindered by inconsistencies between inspectors assessments, with differing opinions being provided on content and level of detail required.

82. The handling and assessment of the transitional safety cases was discussed widely within all the groups. NPIs reported that some inspectors were reviewing sections of safety cases that were not strictly part of the transitional requirements. It was also noted by inspectors that where changes were not marked they had to read and assess the whole document. Some operators also chose to re-write the whole safety case which required complete reassessment. In addition, there were differences of opinion between regulators, inspectors and specialists and feedback was inconsistent. There were also concerns about the use of non-acceptance issues (NAIs) for addressing non-major hazard issues in the safety case.

Corporate Major Accident Prevention Policy (CMAPP)

83. There was a general perception amongst the workshop groups that the requirement for a CMAPP in SCR15 was pushed by EU officials in response to the Deepwater Horizon Incident in the Gulf of Mexico in April 2010. The resulting investigation found that cost cutting practices by BP, Halliburton and Transocean had partly led to the catastrophic failure, yet no senior

management figures were found culpable. The purpose of a CMAPP was therefore seen to be about having health and safety decisions discussed and agreed at the very top of the organisation. To this end, regulators indicated they saw the value in CMAPP – at least as a concept - as it required senior board-level commitment and created a 'direct line of sight' from health and safety failures to corporate leadership. The general consensus, however, was significantly less positive (including from regulators).

84. Duty-holders indicated that they saw little value in the CMAPP as it was simply a collation of already-held information, so ended-up being purely an administrative exercise. In addition, most safety and environmental management systems (SEMS) have to be signed off at the corporate level, so there is already board-level scrutiny of health and safety. Furthermore those HSE staff involved in the original EU level discussions prior to SCR15 suggested that the CMAPP was probably intended for those EU countries with significantly less developed health and safety regulatory regimes compared to the UK. It is therefore seen as being superfluous.
85. The biggest issue with the CMAPP - which was a totally new requirement under SCR15 (copied out from the Directive) - was the lack of clarity about what it should look like. There were different opinions from both industry and regulators on what it should include and the level of detail required. This led to some CMAPPs being 4 pages long and others being well over 20 pages long.
86. One aspect of the CMAPP which was discussed with the workshop participants as well as the interviewees was whether the provision for protecting whistle-blowers was useful. NPIs (represented by BROA and IADC) indicated that this hadn't really changed anything in Great Britain (GB), a view echoed by the production installations (represented by OGUK). Regulators, however, felt that if the clause had been stronger it would have been of more value.

Reporting requirements

87. Even though EU reporting requirements under ROGI were outside the PIR's remit, due to the number of comments received via the online surveys this was also discussed at the workshops. NPIs said that they did not think reporting was a significant issue with the combined ROGI form seen as beneficial. What could be improved, at least according to production installations, is the structure of the ROGI form so that it is more interactive and less onerous.
88. In terms of confidential reporting of safety concerns – which is covered under regulation 31 in SCR15 – regulators felt that moving it from a voluntary scheme to a legislative scheme helped strengthen the position of workers. For instance, voluntary schemes can sometimes be subject to organisational change and changes in priorities, whereas a legislative scheme is not so precarious. In fact, some regulators indicated that SCR15 could have gone further by including a

provision that held companies to account if they discriminated against whistle-blowers. On a more practical level, however, regulators have not noticed a particular increase in calls due to the shift of confidential reporting into SCR15.

iv. What were the original assumptions?

89. The key assumption for costs to industry of SCR15 over the appraisal period which was explicitly identified in the original impact assessment (IA)¹⁸ was the number of installations. The number of new installations coming into scope of the regulations each year and the number dropping out was not certain and was subject to a reduction in viable fields on the UK Continental Shelf (UKCS). To this end, the PIR attempts to reconcile the estimated number of installations, and the related costs and benefits figures, with the actual number.
90. (Please note that while the original IA assessed both the transitional *and* ongoing additional costs, this PIR will focus solely on the one-off costs of SCR15. This is due to the industry only finishing transitioning in the summer of 2018 and therefore has yet to experience a prolonged period of equilibrium in terms of average ongoing costs.)
91. The original IA estimated that 386 installations would transition from SCR05 to SCR15 in the three years from July 2015 to July 2018. Of these, 255 would be production installations (PIs) and 131 non-production installations (NPIs). This gave a total one-off transitional cost for SCR15 of around £66m. Up-to-date figures from OSDR, however, indicates that in fact 320 installations transitioned, of which 221 were PIs and 99 NPIs. If these figures are used alongside the revised per-installation cost figures, the *actual* total one-off transitional cost for SCR15 is around £43m. This suggests that the original IA overestimated the one-off transition costs of compliance by about £23m. The reason for this difference between 'estimate' and 'actual' is simply a function of the decrease in the estimation of the per-installation cost (PI-£140k/NPI-£120k vs. PI-£180k/NPI-£160k) and the lower number of installations transitioning (320 vs. 386). These reductions have, in turn, been driven by less complexity than expected, economies of scale and ease of staff engagement.
92. In addition to the compliance costs, the original IA also estimated that each installation would be charged by OSDR for assessments relating to submissions for SCR15 transition; this was estimated to be about £9.4k per installation, and about £3.6m for the predicted 386 transitions. Using current OSDR data it seems that the average amount recovered is about £8.1k per installation. If this figure is combined with the lower number of transitioning installations (320), then the amount recovered is about £2.6m – a difference of approximately £1.0m between the IA estimate and actuals.

¹⁸ *Ibid 2* – 'Policy Option 2: Key assumptions/sensitivities/risks' section, page 3

93. Full details of the cost benefit analysis (CBA) of the SCR15 Transition are included in the attached 'Estimated Costs of the SCR15 Transition' report.

v. Were there any unintended consequences?

94. Please note that unintended consequences were explored in respect of the main changes in SCR15 and the other SCR15 requirements in the online survey. This section therefore summarises and reflects on the comments made in these previous 'unintended consequences' sections.

95. The majority of duty-holders, safety reps and regulators – via the online surveys, workshops and one-to-one interviews – generally felt that there hadn't been any significant unintended consequences due to SCR15. While a number of issues were highlighted, in reality these are not strictly unintended consequences in the spirit of the original PIR question; they are more areas where there was a greater impact than expected (e.g. CMAPP). In addition, some of the responses reflected issues outside the purview of the PIR, such as the complexity of the EU reporting system and difficulties with reporting formats (i.e. ROGI).

vi. Has the evidence identified any opportunities for reducing the burden on business?

96. SCR15 is based on an EU Directive which is, in turn, largely based on the previous iteration of the UK safety case legislation (namely the 2005 safety case regulations). Both the 1992 and 2005 safety case regulations originate from the recommendations generated by Lord Cullen's Public Inquiry into 1988's Piper Alpha disaster. The subsequent report changed the offshore regulatory regime from one based on prescription to a goal setting one, alongside the need for the offshore sector to produce a safety case to be assessed and agreed with the HSE as regulator.

97. Due to the fact that the basis of the safety case regime has not been 'imposed' by the EU, but rather comes from the UK's own 'best practice' approach, it seems highly unlikely that the sector would move away from a system it helped design and implement. Indeed a number of stakeholders highlighted the fact that the UK's offshore safety regime is the envy of the world and a desired standard globally, with some companies looking to get all their non-UK based installations up to the UK levels.

98. Taking a suitably 'blue sky' approach, it could be argued that the CMAPP is overly prescriptive for the UK offshore industry and consequently is perceived as a bureaucratic exercise rather than something that adds further value to the current health and safety regime. The CMAPP, and any other areas that were

highlighted in this PIR, will be revisited at the next review in five years' time to consider if they remain appropriate. At this stage there may be an opportunity to make the requirements more relevant for the UK oil and gas industry and see if the regulatory intent can be achieved with a less bureaucratic approach.

vii. For EU measures, how does the UK's implementation compare with that in other EU member states in terms of costs to business?

99. For EU measures, part of the PIR process involves assessing how the UK's implementation of said measure compares with other members states. How this requirement is discharged is, however, still governed by the need for the research to be reasonable and proportionate. To this end, rather than undertaking potentially costly and time-consuming primary research to gather EU-wide information, the current PIR will rely on the European Commission's recent review of member states' efforts and experiences of implementing the offshore safety Directive. The data collection for this work has already taken place, with the original report due to be published in July 2019.