



RoSPA's National Occupational Safety & Health Committee (NOSHC)

**Minutes of the Meeting held on Wednesday 2nd October at 11.00 am.
at RoSPA, 28 Calthorpe Road, Edgbaston, Birmingham B15 1RP**

ATTENDANCE	
Organisation	Representative
NEBOSH	Teresa Budworth - CHAIR
APIL	Lorraine Gwinnutt
Co-opted	Sheila Pantry
Consultant	Howard Fidderman
ENA	Mike Leppard
HSE	Gill McElvogue
IOSH	Declan Gibney
RoSPA	Roger Bibbings
RoSPA	Charlotte Henderson
RoSPA	Errol Taylor
Safety Groups UK	Mike Nixon
Guests	
LASER Alliance	Diana Smith
RoSPA	Cassius Francis
RoSPA	Michael Corley
RoSPA	Dave Rawlins

APOLOGIES	
Organisation	Representative
BPIF	Simon Lunken
BOHS	Tracey Boyle
CBI	Neil Carberry
Co-opted	David Eves
ECA	Paul Reeve
EEF	Terry Woolmer
MPA	Martin Isles
SOM	Steven Sadhra
UNITE	Bud Hudspith
Waste Industry S&H Forum	Chris Jones

No	Work Activity	Background	Current Position	Action Required
1	Welcome		Teresa Budworth, Chair, NOSHC welcomed everyone to the meeting and asked members and guests to introduce themselves.	
2	Apologies		Listed	

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3	Minutes of the Meeting 18/06/13		<p>Declan Gibney noted that the sequence of the 'Plan, Do, Check, Act' cycle, included three times in the minutes was incorrect.</p> <p>Action: Minutes of the meeting 18/06/13 to be corrected.</p> <p>Item 4 Mike Leppard asked whether the refreshed IoD/HSE guidance 'Leading Health and Safety at Work' had been published. Roger Bibbings responded that he had not received any information.</p>	CH
4	Review of Actions and Matters Arising	Updates on other outstanding actions (not already circulated) are covered elsewhere under relevant items.		
4.1	RoSPA Support for H&S in Schools	Roger Bibbings agreed to keep the Committee informed of progress.	RoSPA's NSEC (National Safety in Education Committee) was being reorganised with a subgroup on teaching safety which Roger Bibbings would be servicing. He planned to do a stock take on current health and safety management in schools.	
		The Committee asked whether NEBOSH and IOSH should consider developing education sector specific courses.	<p>Managing Safety courses could be submitted to IOSH for licensing and Declan Gibney reported that IOSH had issued two such licences for Managing Safety in Schools courses (in Bolton and Dubai).</p> <p>Teresa Budworth commented that NEBOSH had no plans to do education courses at present.</p>	
5	Report from RoPSA			
5.1	RoSPA Awards	<p>Dave Rawlins, RoSPA's Awards Manager provided an overview.</p> <p>There were three Award Categories:</p> <ol style="list-style-type: none"> Achievement Awards <i>non-competitive awards</i> Industry Sector Awards <i>competitive awards</i> Specialist Awards <i>competitive awards</i> <p>The Sir George Earle Trophy (SGET) winner was selected from the</p>	<p>Teresa Budworth asked how companies shortlisted for the SGET shared best practice. She gave the example of the Robert Campbell Institute in America which was funded from endowments from its winners.</p> <p>Roger Bibbing responded that Morrison Utility Services (2013 SGET winners) had provided presentations and Finning (2012 winners) had launched a Learning Legacy, but other award winners were not so responsive and there was a lot more work to do.</p>	

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		<p>entries to the Industry Sector Awards.</p> <p>The biggest development in 2013 had been the introduction of the online entry system, which had been welcomed by users, judges and assessors.</p> <p>With 2000 entries in 2013 the awards presentations in Birmingham and Glasgow had attracted over 3000 guests.</p> <p>Entry for the 2014 awards was now open: www.rospace.com/awards</p> <p>An additional awards ceremony would be held in 2014 co-located with the Safety & Health expo in London.</p>	<p>Sheila Pantry asked if companies shared their entries and posted information about their health and safety achievements.</p> <p>Roger Bibbings responded that RoSPA encouraged them to do both, but many businesses were reluctant to put their submissions in the public domain because of the competitive element.</p> <p>Howard Fidderman added that the British Safety Council had pulled information together from their top award winners to produce best practice on Worker Involvement and Leadership.</p>	
5.2	Public Health	<p>Michael Corley, Head of Campaigns & Fundraising at RoSPA outlined RoSPA's public health campaign.</p> <p>RoSPA had produced The Big Book of Accident Prevention to deliver a cohesive, coherent message on accident prevention as a public health issue.</p> <p>RoSPA was looking to businesses for funding and support.</p> <p>Businesses had already invested in health and safety and RoSPA was asking them to look at how their knowledge and skills could be used in the wider community.</p>	<p>Michael Corley welcomed any feedback on the campaign from the Committee.</p> <p>Roger Bibbings reminded the committee of the 2013 Allan Holt memorial lecture taking place on 22nd October at the Crowne Plaza Birmingham NEC. The lecture entitled "Building safe communities: enhancing the business contribution" would be delivered by Professor Richard Parish, member of the Public Health England's Advisory Board.</p> <p>Teresa Budworth suggested linking the SGET with the campaign, highlighting the examples of outreach into the community from RoSPA's top award winners.</p> <p>Sheila Pantry added that there were a lot of local initiatives that could be used as examples. (e.g. the safe neighbourhood scheme in Ireland). She also suggested contacting DIY organisations for their involvement.</p>	
5.3	LASER Alliance	<p>Cassius Francis, RoSPA's Youth Liaison Officer provided an overview of the LASER Alliance, hosted by RoSPA. www.lasersafety.org.uk</p>	<p>ACTION: Cassius Francis asked Committee members to promote the centres and events and to visit their local LASER centres. Many of the events</p>	All Committee

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		<p>LASER centres operated scenarios (home, water, leisure) to promote learning about safety by experiencing risk. LASER was aimed at the year 6 age group when children were starting to take more responsibility for their own safety. The current estimate was that 40% of children had access to a LASER event or experience and RoSPA's aim was to increase this to 100%.</p>	<p>relied on volunteers input and he asked if organisations could provide help and support.</p> <p>Mike Nixon reported that the Manchester OHS Group (MOHSG) had provided financial support to LASER centres in the past and would be very interested in re-establishing relationships with local LASER schemes. He emphasised the importance of getting the health and safety message across in the early stages and the benefits of LASER in developing childrens's risk competence.</p> <p>ACTION: He suggested sending out information about LASER via SGUK to local Safety Groups to help raise awareness.</p> <p>ACTION: Cassius Francis agreed to produce an information leaflet on LASER, including contact details for the local centres.</p> <p>Roger Bibbings had asked the Editor of RoSPA's OSH journal to include a review of LASER and he asked if SHP could do something similar.</p> <p>ACTION: Declan Gibney agreed to put the suggestion to SHP.</p>	<p>CH</p> <p>CF</p> <p>DG</p>
6	Managing for Health and Safety	<p>Members' views were being sought on the new suite of HSE guidance "Managing for Health and Safety" How useful was the guidance and was it meeting the need.</p>	<p>Roger Bibbings asked if organisations were seeking views from their members and if they were giving feedback to the HSE.</p> <p>Declan Gibney suggested that not enough time had yet elapsed to properly evaluate the guidance, he was not aware of any feedback given by IOSH.</p> <p>Teresa Budworth wondered if SME's were able to find the information they needed. Roger Bibbings suggested asking the BCC (British Chamber of Commerce) to ask some of their members to solve a Health and Safety problem using the HSE website.</p> <p>Sheila Pantry commented that a simple entry point was needed, for example</p>	

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			<p>HSE's Do's and don'ts guidance. The structure of the website would benefit from being relooked at as it was hard to navigate back once you started following the links to guidance and information.</p> <p>ACTION: Gill McElvogue agreed to find out the HSE's plans for evaluating the effectiveness and impact of the guidance. Feedback from SMEs was high on the agenda. The fact the HSE had retained its own website and that it had not been incorporated into gov.uk was very positive, illustrating how highly the website was regarded.</p> <p>Howard Fidderman pointed out that the guidance was not aimed at SMEs, they had the toolbox. The question to be asked was whether the guidance was suitable for larger organisations and if it provided all the detailed information that they needed.</p> <p>Lorraine Gwinnutt stated APIL's concern, that businesses only looked at Executive Summaries for their guidance which meant they weren't compliant with the law.</p>	GM
7.	Accident Investigation (AI)	<p>Discussion note circulated with the agenda. Roger Bibbings was asking for the Committees views on the way forward following the withdrawal of the MHSW Regs ACoP and HSG245.</p> <p>Accident Investigation was one of RoSPA's Occupational Safety key issues - Learning from Safety Failure</p> <p>As part of HSE's review of guidance a shortened version of HSG245 was being produced. It dealt with the subject in outline, signposting to additional technical guidance but there was no middle range text.</p> <p>Other sources of information</p>	<p>Teresa Budworth commented that although the principles of how to do Accident Investigation were part of the NEBOSH diploma many safety practitioners did not have any practical experience. Competence analysis was a useful skill that could be used in other areas.</p> <p>The shortened guidance wasn't going to give any information on the disciplines of Accident investigation and Roger Bibbings asked if it was for others to fill the gap and produce guidance to cover the middle ground. He highlighted the importance of team based investigation bringing in different points of view. Employees learnt about Accident</p>	

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		<p>included the RSSB Accident Investigation Guidance</p> <p>However this referenced HSG245,</p>	<p>Investigation and were champions for the changes that needed to be made.</p> <p>Mike Nixon suggested that the shortened guidance might suit SMEs and be a good starting point although he agreed HSG245 was important for larger organisations.</p> <p>RoSPA needed to continue to promote good practice in Accident investigation and Roger Bibbings suggested gathering together a summit of key players to help find practical solutions. The Committee agreed that it would be constructive to engage and find solutions.</p> <p>There was only an implied duty to investigate and Declan Gibney asked if this might change to become a legal obligation. Roger Bibbings responded this was unlikely in the current climate of deregulation, although he would like to see the HSE giving out notices to investigate.</p>	
8	HSE Myth Buster Panel	<p>Roger Bibbings asked what was behind the overzealousness. The ABI, represented on the myth buster panel, insisted it wasn't the insurers.</p>	<p>There were misconceptions of what was required in terms of health and safety and maybe this was also true in terms of insurance requirements. It was commented that SMEs didn't see insurance as a separate issue.</p> <p>The issue was with insurers settling claims even though reasonable measures had been taken as it was more cost effective.</p> <p>Lorraine Gwinnutt asked if NOSHC could persuade HSE to send out the message that insurers should not settle dubious claims and that companies should not fear litigation if they have taken reasonable measures.</p> <p>ACTON: Roger Bibbings had tried to engage Judith Hackitt on the subject and would write to her to say it had been discussed in the committee.</p> <p>Roger Bibbings commented that it</p>	RB

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			should also be highlighted by the myth buster panel that some of the health and safety measures people thought were over the top were actually reasonably practicable.	
9	Corporate Safety	Extension of Safety Skills beyond the workplace – Discussion note circulated with the agenda. Roger Bibbings was asking for comments on the concept and its practicality.	Roger Bibbings had recently met with the ENA to discuss Corporate safety outreach. He was urging companies to look at accidents outside work and how they could adapt their in house training (e.g. Driving, Manual Handling).	
10	Triennial review of HSE	There had been no indication of how the review was going or what the response had been.	Roger Bibbings suspected that, whatever the conclusions of the review, there would be a strong ministerial component. Gill McElvogue reported that the review seemed to be going well, however she agreed that the political agenda could be different. Roger Bibbings asked the committee to use their lobbying connections to ensure the issue received some political airing.	
11	Recent / Current HSE consultations	Please see annex 1 : Report for RoSPA NOSHC Meeting, Gill McElvogue HSE		
12	Safety Groups UK	Mike Nixon provided an update. Groups had been invited to enter the SGUK Awards 2013, comprising of the Alan Butler Awards and Maurice Adamson Award. The presentation of the awards would take place at the House of Lords luncheon hosted by SGUK President Lord Brougham & Vaux in January. SGUK continued to promote the 'Health Risks at Work' campaign. Copies of the campaign DVD, Champions packs and the refreshed 'It's in your hands' leaflet were available. The SGUK Vice-Chairman was speaking on the campaign at the upcoming Health+Safety	Any feedback on the 'Health Risks at Work' campaign would be welcomed.	

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		<p>exhibition in Bolton.</p> <p>SGUK were undergoing a stock take exercise co-ordinated by Marcia Davies, Vice President, SGUK. The Management Committee were holding discussions with local groups, to ask what SGUK could do for them and to get a better picture of what was happening nationally.</p> <p>With Safety Groups' membership ranging from 10 to 800 members including many SMES, SGUK was in an ideal position to promote current health and safety information. SGUK were looking to help with the Estates Excellence (EE) programme. The Manchester OHS Group were picking up the legacy of EE at Trafford Park Estate by providing free annual membership to businesses taking part. The EE had received mixed feedback and the initial figures from Trafford park were not very encouraging.</p> <p>SGUK now had a dedicated HSE contact, John Rowe, Head of Operations for the Health and Safety Executive (HSE) in Yorkshire and the Humber.</p> <p>It was hoped that HSE would encourage its local inspectors to support groups and attend a group meeting at least once a year.</p>		
13	History of OS&H	<p>Progress with the 'History of Health and Safety at Work' (HHSW) website www.aitisol.co.uk/prototypes/history/index.html</p> <p>Sheila Pantry reported:</p> <ul style="list-style-type: none"> Both Richard Booth and Andrew Hale had agreed to contribute papers. Eric Darlow, an ex quarry inspector (who Martin Isles 	<p>ACTION: Sheila Pantry asked if organisations could give information and data and contribute their own histories.</p> <p>The importance of students appreciating the history and the evolution of health and safety was highlighted. Diana Smith commented that her degree course at Nottingham Trent university had touched on the history of health and safety which had inspired her interest.</p>	All Committee

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		<p>suggested contacting) was going to give information on quarrying.</p> <ul style="list-style-type: none"> • A new contact at BSI was going to help with standards. • BOHS had sent books and booklets. • Helen Leiser who was writing a history of HSE had given up after three chapters because she had received no support from HSE. Hopefully the first chapters could be used on the website. • HSE had agreed in principle that the website could use its logo. • David Eves had completed his paper 'Two steps forward, one step back' • John Rimington was also keen to contribute. 	<p>It was asked when the project would be officially launched. Sheila Pantry responded that a little bit more information was needed especially on industry sectors and on training. It was asked what events were coming up at which the launch could take place. The 40th anniversary of the Health & Safety at work act (1974) was suggested.</p> <p>ACTION: Gill McElvogue agreed to look at the HSE forward look.</p>	GM
14	Reports from Members			
14.a	Gill McElvogue, HSE	See Annex 1: Report for RoSPA NOSHC Meeting, Gill McElvogue, HSE	<p>The review of guidance was still ongoing.</p> <p>ACTION: Gill McElvogue agreed to check the timetable for completion.</p> <p>Sheila Pantry asked if it would be possible for HSE to list the guidance that had been discontinued and those that had been merged for clarity.</p> <p>Mike Leppard asked whether the Myth Busters Panel project would come to an end and what review and evaluation would take place.</p> <p>Gill McElvogue responded that to her knowledge the panel was a permanent fixture but that it would be reviewed and assessed. The Myth Buster e-bulletin was HSE's most subscribed newsletter.</p>	GM

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14.b	Declan Gibney, ISOH	See Annex 2 : NOSHC update on IOSH		
14.c	Lorraine Gwinnett		Lorraine Gwinnett pointed out that Section 69 of the Enterprise and Regulatory Reform Act went further than removing employers' strict liability. It made it harder to sue and would affect 10'000 s of cases. See APIL Press Release	
14.d	Mike Leppard, ENA		<p>Mike Leppard reported that the ENA were hosting a meeting with the HSE and other energy industry representatives about the changes to RIDDOR.</p> <p>He had attended a culture and prevention conference in Helsinki (International Symposium on Culture of Prevention – Future Approaches) and the message was very similar to 'Corporate Safety Outreach', the concept was very big in Korea and there was a lot happening that could be learnt from.</p>	
14.e	Teresa Budworth, NEBOSH		Teresa Budworth reported that she was the current temporary Chair of the OSHCR but that she hoped a permanent Chair would be recruited soon.	
	Date of next Meeting	7 th February 2014 –BDO, London		

RoSPA NOSHC meeting 2 October 2013 : HSE report

1 Managing for Health and Safety, HSG65

HSE's Board decided to publish the text in two stages, first on the website as this is much quicker and easier to access with the additional work required to produce a hard copy document to follow shortly afterwards. The refreshed HSG65 has been published as a series of webpages on 31 July 2013 and a hard copy publication is currently being produced by the end of the year.

2 HSE Myth Busters Challenge Panel

- There have been 212 cases that the panel has considered to date
- Most cases are where the term 'health and safety' has been used as an excuse, particularly where customer service is involved
- there has been a very positive response from the press to the panel - key newspapers such as the Telegraph, Daily Mail and The Sun are starting to separate out the 'real' health and safety stories and our own press monitoring shows a decline in negative stories
- We are also using the Myth Busters Challenge Panel to work with stakeholders such as the British Retail Consortium and other regulators to try and tackle the poor messaging at source
- The take up for e-bulletins for Myth Busters is one of the most popular and we know that as soon as a case is published, there is a significant increase of traffic to the website.

3 Triennial review of HSE

The Triennial Review of HSE remains ongoing and expects to report before the end of the year. The Review is being led on behalf of DWP by Martin Temple, the Chair of the manufacturers' organisation, EEF, who has been collecting evidence from stakeholders as well as factual information from HSE to inform his conclusions and recommendations. The review is looking at HSE's functions and governance to ensure that the way it operates as a regulatory body continues to be fit for purpose and provides value for money. These three year reviews are standard for NDPBs such as HSE.

4 Recent/current HSE consultations

Live consultation:

CD262 – Consultation on Draft Regulations to implement Article 30 of Council Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances, amending Council

Directive 96/82/EC

This Consultative Document seeks views on HSE's proposals amending COMAH 1999 and hazardous substances consents for Heavy Fuel Oil (HFO). This change implements Article 30 of European Council Directive 2012/18/EU (Seveso III Directive). Consultation began on 05 September and will end on 18 October 2013.

Recently closed consultations on revised ACOPs:

CD252 – Consultation on Safe installation and use of gas systems and appliances (L56) and CD253 – Consultation on Workplace health, safety and welfare (L24). Both consultations closed on 30 July 2013. At its meeting on 25 September, the HSE Board considered and approved the findings of the consultations (www.hse.gov.uk/aboutus/meetings/hseboard/2013index.htm). HSE aims to publish the revised ACOPs in November 2013.

CD 259 - Consultation on Control of Substances Hazardous to Health Regulations 2002 (as amended) (L5); CD 258 - Consultation on Legionnaires' disease: The control of legionella bacteria in water systems (L8); and CD254 – Consultation on Dangerous Substances and Explosive Atmospheres Regulations 2002 (L138) all consultations closed on 23 August and the responses are being analysed. All revised ACOPs will be considered by the HSE Board shortly.

CD255 – Consultation on Managing and working with asbestos (L143)

Consultation ended on 30 September 2013 and the responses are being analysed. The revised ACOP will be considered by the HSE Board shortly.

Recently closed consultations on consolidation of regulations:

CD256 and CD257 - Two public consultations on (i) HSE's proposal to consolidate and modernise the Acetylene legislative framework in GB and (ii) HSE's proposals to consolidate and modernise the explosives legislative framework in GB, which includes a proposal to withdraw the Manufacture and Storage of Explosives Regulations ACOP (L139). Both consultations closed on 24 September 2013 and the responses are being analysed and will be considered by the HSE Board early 2014.

- **News:**

- IOSH attended all three main party conferences; Labour (Brighton, stand won 1st prize); Lib Dem (Glasgow); and Conservative (Manchester).
- Associate membership category launched (AIOSH) and 'Technician' category name changed to 'Technical', following member feedback (designation stays TechIOSH)

- **Activities:**

- Treasury – IOSH participated in 'tax exemptions' roundtable debate
- CSSE Montreal conference – IOSH CEO attended '*Developing world-class safety: education; innovation; integration*'
- OSH India – IOSH attended Mumbai conference
- NOSHCN South Africa – IOSH attended 52nd anniversary Drakensberg conference
- IOSH National Safety Symposium – successful 38th conference held in Nottingham

- **Coming events:**

- SHP-IOSH Awards dinner – Park Lane Hilton, London (October 2013)
- National Food and Drink Manufacturing Conference – an IOSH event supported by HSE and Food and Drink Manufacture Health and Safety Forum, Oxford (October 2013)
- IOSH AGM and Annual Dinner – Radisson Blu, East Midlands Airport (November 2013)
- Railway Industry Conference – Congress Centre, London (November 2013)
- '*Engineering a healthy future*' – IOSH-led parliamentary event to launch the joint IIG paper on the business case for engineering in health and safety (December 2013)

- **Consultations:**

- Implementation of tax exemptions for employer expenditure on health-related interventions – IOSH response called for removal of £500 cap and inclusion of associated costs
- Draft Skills Strategy for Agriculture and Horticulture – IOSH response highlighted the need for adequate health and safety within the strategy
- Draft Deregulation Bill – we submitted evidence opposing: exempting certain self-employed from health and safety law; applying the duty to have regard to growth to non-economic regulators; and new Ministerial power to scrap laws felt to be no longer of practical use
- Corporate Responsibility – a call for views – IOSH response supported this voluntary Government initiative to encourage improved performance and reporting for large, medium and small employers