

**MINUTES OF FIFTEENTH MEETING OF THE MOTOR VEHICLE  
REPAIR HEALTH & SAFETY FORUM  
WEDNESDAY 4<sup>TH</sup> OCTOBER 2006**

**HEALTH & SAFETY EXECUTIVE, 1 HAGLEY ROAD,  
BIRMINGHAM B16 8HS**

**Present:**

|                   |  |
|-------------------|--|
| Bob Riley         | Motor Vehicle Repairers Association            |
| David Garratt     | Garage Equipment Association Ltd               |
| Ian Holmes        | Sigerson Associates                            |
| Alison Higginson  | Profit From Training (representing NTDA)       |
| Mark Hooker       | Solihull MBC Environmental Services Department |
| John Graham       | Zurich Risk Services (representing SAFed)      |
| Terry Crampton    | The Institute of Vehicle Recovery              |
| John Morecroft    | VBRA Ltd                                       |
| Mike Battrick     | Akzo Nobel Coatings (representing BCF)         |
| Peter Barlow      | Retail Motor Industry Federation               |
| Paul Cooper       | Hartwell PLC                                   |
| David Littleford  | Signum Publications Ltd                        |
| Peter Concannon   | Communication Workers Union                    |
| Paul Whitehead    | Freight Transport Association                  |
| Colin Copelin     | Confederation of Passenger Transport           |
| Graham Whitelocks | Stagecoach Group                               |
| Gerry Begley      | Association of Colleges                        |
| Tom Gallier       | Birmingham City Council (representing UNISON)  |
| Gail Lewis        | Peterborough City Council                      |
| Irene Morrison    | North Lanarkshire Council                      |
| David Innes       | Scottish Motor Trade Association               |
| Eric McDonald     | Transport & General Workers Union              |
| <br>              |  |
| Peter Woolgar     | HSE Manufacturing Sector (Chairman)            |
| Andy Manns        | HSE Manufacturing Sector (Minute Secretary)    |
| Mark Piney        | HSE Midlands Specialist Group                  |
| Andrew Lake       | HSE Manufacturing Sector                       |
| Peter Griffin     | HSE Bootle Occupational Health                 |
| David Head        | HSE Luton                                      |

## 1. Welcome and Apologies

Peter Woolgar welcomed all attendees to the fifteenth meeting of the Motor Vehicle Repair Health and Safety Forum.

Apologies were received from the following: -

|                 |   |
|-----------------|---|
| Steve Schofield | The Institute of the Motor Industry               |
| Paul Bayly      | Society of Operations Engineers                   |
| Rob Miguel      | AMICUS – AEEU                                     |
| Philip Preece   | Environmental Services Birmingham City Council    |
| Robert Walker   | Society of Motor Manufacturers and Traders        |
| Mick Whitley    | Transport & General Workers Union                 |
| Ian Lewis       | Motor Insurance Repair Research Centre            |
| Steve Biddle    | The Road Haulage Association                      |
| Richard Burgess | Motor Importers Health & Safety                   |
| Brian Spratt    | Automotive Distribution Federation                |
| Cyril Anderson  | HSE Northern Ireland                              |
| Mr P Harvey     | Chief & Assistant Chief Fire Officers Association |
| Adrian Lawson   | Automotive Skills Ltd                             |

## 2. Minutes of last meeting & matters arising

The minutes of the last meeting held on 1<sup>st</sup> February 2006 had been sent to Forum members who had attended that meeting. No comments had been received and Peter Woolgar advised in the absence of any comments that he believed the minutes were accurate. A further copy of the minutes were included in the delegate packs issued to all attendees.

Para 3 - Andrew Lake had received comments from some Forum members, and had since revised the draft and issued a Sector Information Minute "Reducing Ill Health in the Motor Vehicle Repair (MVR) Industry. Developing Issues." A copy of this was included in the delegate packs.

Para 4 - The SMART Repair Sub Group had been re-energised under the Chairmanship of Andrew Lake and had held a first meeting and produced draft guidance. This was to be discussed later in the meeting.

Para 6 – Geoff Frackelton had received some minor comments on the draft guidance on "Safe Recovery of Buses and Coaches" and made some minor modifications. He has agreed with the Institute of Vehicle Recovery that they would publish the guidance with a joint IVR/HSE badge. IVR have modified their training course for recovery of buses as a result. The guidance should be available by about the end of October and will be included on HSE's MVR website.

**ACTION: - MVR Forum secretariat to advise Forum members when the guidance is available.**

Para 7 - Health & Safety Laboratory (HSL) research on workers perception of Hand Arm Vibration (HAV) in Motor Vehicle Repair had been extended, as insufficient information had been received. Peter Woolgar asked members to contact Kerry Poole at HSL if they could assist with distribution of the questionnaire to workers. Delegate packs contained information on a prosecution of a MVR organisation with regards a HAV issue.

Para 8 - Peter Woolgar had heard nothing from Steve Oates since the last meeting regarding the Health & Safety Competency Scheme. Members agreed with a proposal that no further action would be taken unless or until Steve Oates made further contact.

Para 10 - Sarah Haynes had heard no more from anyone regarding "HAV's and Noise Regs – Application to MVR" from the previous meeting.

Para 11 - Peter Woolgar advised that a sub-group meeting had been held on 4<sup>th</sup> September attended by John Morecroft and Peter Concannon. A copy of the notes of the meeting were included in the delegate pack. Peter Woolgar advised members of the main outcomes from the meeting, and that a proposed industry media article to promote "Better Backs" was awaited from HSE's section driving the campaign. Peter also advised of an approach from a supplier of a new device intended to aid mechanics leaning into the engine compartment of vehicles and reduce back strain. Copies of info from the suppliers website were included in the delegate pack. He asked members whether they wished him to invite the supplier to the next meeting to demonstrate the device. Members thought this would be useful.

**ACTION: - Peter Woolgar to pursue and distribute the promised article on better backs in MVR, and invite the supplier of the "Bak Jak" to address the next MVR Forum meeting.**

Paras 12 and 13 – Were included on the agenda for this meeting.

### **3. Update on Isocyanates controls in MVR Bodyshops**

Mark Piney and Andrew Lake delivered a joint presentation about their work to reduce exposure during spraying of paint containing Isocyanates in MVR Bodyshops.

Mark gave an update about the SHAD programme, explaining that originally twelve events were scheduled for the 12 month period to March 2007, but we now expect to do, at most, ten.

During the presentation, he showed excerpts from the revised SHAD material. He advised that a DVD had been produced of the Cardiff event on 23<sup>rd</sup> February 2006 and was available on request from Andy Manns at HSE Birmingham office ([Andy.Manns@hse.gsi.gov.uk](mailto:Andy.Manns@hse.gsi.gov.uk)) together with a CD of all the SHAD material. Further information on the MVR SHADs is available on the HSE website.

Andrew described the Sector Information Minutes (SIM's) included in the delegate packs, (SIM 03/2006/04 & SIM 03/2006/12). He commented that consultation on draft SIM's with MVR Forum members was very helpful and asked Forum members to continue to highlight anything on future draft SIM's that may be likely to cause problems within the industry.

Mark advised that a meeting had been held on 5<sup>th</sup> April with manufacturers and suppliers of paint spray booths – and a working group (WG) had been set up which met on 31<sup>st</sup> May. In the interim, while the WG deliberates, HSE had produced draft guidance on how to measure the clearance times of a spray booth or room. Members asked to be provided with a copy of the document.

John Morecroft asked if enforcement guidance was publicly available, Andrew explained it could be found in the SIM, which is available on the HSE website. Mark also advised that the “Topic Pack” which is intended for Inspectors visiting MVR Bodyshops contains further detail on enforcement and that it is intended to put the Topic Pack on to the HSE MVR website.

Peter Barlow mentioned that badly designed Spray Rooms in Bodyshops could be a problem. He asked if HSE had taken any action about this issue. Mark explained that HSE had not previously realised how high exposures in Spray Rooms could be. HSL have carried out research on exposure levels and details regarding levels of mist are included in the SHADs. The Spray Booths and Spray Rooms Working Group are to look further at the issue of spray rooms.

Ian Holmes asked how long it would take after exposure to isocyanate for levels present in a urine sample to fall significantly. Mark explained that levels in the urine showed only the exposure during the preceding shift and that it was therefore important to sample during a representative working day and within an hour or so of spraying. Details were available in the Topic Pack.

**ACTION: - MVR Forum Secretariat to send to members:**

- a) **A copy of the HSE guidance on how to measure the clearance time**
- b) **Location of MVR Bodyshop inspection “Topic Pack” on HSE’s website**

Post meeting note: the Topic Pack is available at:

<http://www.hse.gov.uk/foi/internalops/fod/inspect/mvrtopicpack.pdf>

#### **4. Report from SMART Working Group**

Andrew Lake gave some background information leading to the formation of the Working Group and the action taken since he had taken over the chairmanship. The group had met on 9<sup>th</sup> May and was well attended. During the meeting, it was agreed that guidelines were needed for Dealers, Bodyshops, Peripatetic Users, etc, including how to define “SMART repair”.

Work had commenced on preparing these guidelines and a copy of the latest draft would be sent to members. The full guidance, when completed, will be freely available on the HSE website.

Andrew reported that research carried out by HSL showed significant quantities of isocyanates were present in the air during SMART repair. He advised that SMART repair is being integrated into traditional Bodyshops in the UK.

Peter Barlow expressed the opinion that the issue of SMART repairs had been around for a long time and that he was glad things were now moving forward.

**ACTION: - MVR Forum Secretariat to send electronic version of the draft with the MVR Forum minutes.**

## **5. Isocyanates in other vehicle spraying**

A presentation was made by Peter Griffin from HSE Bootle Occupational Health. During his presentation, Peter highlighted that the number of cases of Occupational Asthma from isocyanates are approximately the same in Motor Vehicle Manufacture and Motor Vehicle Repair. HSE is planning to carry out interventions during the 2007/2008 operational year. John Morecroft thought that it would be difficult to do this until guidance was available for Booths and Ovens. John also identified a potential problem with companies carrying out spraying of Trailers, Horseboxes, etc. Some Vehicle Bodybuilders are also doing small "one-off" type jobs using non-compliant paints.

Mike Battrick advised that he did not think there would be a move to water based paints; commercial vehicles will still, on the whole, have to use isocyanates.

Colin Copelin added that manufacturers have proper booths, but they may carry out repairs on a SMART basis for panels, etc. He thought repairs are more likely to pose a problem than manufacture.

Mike Battrick explained that a "Hospital Line" was used in vehicle manufacture, where damage occurring to the vehicle (eg scratches to paintwork) while being built was rectified. The majority of work of this nature would be done in a booth.

Graham Whitelocks said the majority of work done in Passenger Transport is carried out in booths.

## **6. Update to HSG 62**

Irene Morrison from North Lanarkshire Council gave details regarding a request made to HSL for research into Tyre Inflation and Fitting. This follows enquiries into practices commonly used in the industry following a fatal

accident. She had found some significant differences from the advice in HSG 62.

The main concerns identified were:

- Inflation of multi piece (split rim) wheels to 15psi to check for correct seating without use of a cage or other restraint.
- The use of uncontrolled airlines (i.e. no pressure gauge present) for sealing tyres.
- The length of airline used for the inflation of car and van tyres is consistently less than 6 feet.
- HSG 62 does not cover Mobile Tyre Fitters.

Peter Woolgar asked for views from the Forum on the issues raised.

Alison Higginson agreed that HSG 62 is out of date. She agreed with what was said, and stated that the National Tyre and Distributors Association suggest the hose should be 6 feet for cars and 9 feet for trucks. Mobile fitters are to receive special training.

Peter Concannon advised that 2-3 metres was the length being used in his industry, and that manufacturers are not always supplying the correct equipment.

Peter Barlow asked why HSG 62 has not been revised.

Peter Woolgar explained that HSG 62 was produced in 1991 but that current HSE policy was not to update or publish priced guidance. If updated guidance was needed HSE would be looking for an industry partner to publish the guidance, perhaps with a joint industry/HSE badge. Peter explained that the proposed HSL research did not provide the outcome he thought was needed and further discussions with HSL were proposed. It was agreed that Peter and Irene would also discuss this issue further with Alison Higginson outside the Forum meeting.

**ACTION: - Peter Woolgar to pursue options for researching and developing guidance on tyre inflation/fitting and report back to next meeting.**

## **7. Review of accidents and incidents in MVR**

Peter Woolgar provided some basic information on fatal accidents in MVR together with a rudimentary analysis. Gerry Begley thought more detailed analysis was needed and enquired if the causes of accidents could be a lack of training, supervision, etc. He stated that in Colleges, many accidents occur that, when investigated, it can be found that someone had been “messing around”, etc. He felt that the “root cause” needs to be found.

John Morecroft said that about 50% of fatals seem to be people who are self employed, and are not regulated. Peter pointed out they are still covered by the Health & Safety at Work Act.

Peter Barlow agreed with the root causes issue, and said that the Retail Motor Industry Federation have published details of accidents, and recorded events leading up to them.

Peter Woolgar pointed out that accidents rarely have a single cause, and a variety of issues can contribute to them.

Eric McDonald pointed out that there appeared to be no statistics for accidents to roadside repairers carrying out their work (struck by other vehicles, etc).

Terry Crampton mentioned PAS 43 as the standard for roadside repair and recovery. He also thought that accidents to roadside recovery/repairers were reportable under RIDDOR even if a road traffic accident (i.e. struck by a vehicle). Peter said he would check.

Ian Holmes said that we only seem to show fatalities, and not how many people have been injured in MVR accidents.

John Morecroft said 40% of accidents in MVR occur off-site due to the nature of the work.

Peter Woolgar referred members to SIM 03/2005/05 (in delegate packs) to point out risks at two post vehicle lifts. If not fitted with arm locking, these lifts will not be acceptable after January 2007.

John Graham asked if SAFed would be expected to report to HSE to these lifts without locks after January 2007.

Peter Woolgar said he would find out.

**ACTION: – Peter to:**

- 1. Provide further analysis of accident information for discussion at next meeting.**
- 2. Check on reportability of RTA under RIDDOR.**
- 3. Check on HSE policy on reporting of defects under LOLER and respond to John Graham.**

Post meeting note: Regulation 10(2) of RIDDOR restricts the requirement for reporting of accidents arising from the movement of a vehicle on a road – see Appendix 1.

## **8. MVR Website update – Development of MVR webpages**

Andrew Lake provided information on an example Risk Assessment for a mechanical repair workshop that is available on the HSE MVR website (<http://www.hse.gov.uk/risk/casestudies/mvrepair.htm>). He asked members whether they would like to see a similar page for Bodyshops? Gerry Begley thought that HSE should be advertising that this page is available.

Gail Lewis said that Peterborough City Council has issued hard copies of the Risk Assessment to people who do not have access to the Internet, and it has been well received.

Mark Hooker pointed out that COSHH Essentials is available on line.

Colin Copelin said that this was looked at some years ago, and the concern raised at the time was that a generic Risk Assessment shown on line may be adopted by some employers as their individual Risk Assessment instead.

Peter Woolgar agreed that this was a risk, and it was important that businesses were advised to consider their own particular circumstances. John Morecroft pointed out that the VBRA Risk Assessment guidance took their members through the process rather than providing an example. The overall opinion of the Forum was that this example Risk Assessment would help the industry and should be extended for Bodyshops.

**ACTION: - Andrew Lake to investigate development and publishing of an example Risk Assessment for a Bodyshop.**

## **9. Update on the Peterborough Pilot**

David Head (HSE Luton) has taken over this project from Mike Gibb. He gave an overview of the pilot, and said that interest has been expressed from other Local Authorities.

Gail Lewis (Peterborough City Council) gave a presentation showing how the pilot had run so far.

Info packs and questionnaires were sent out to employers. If the questionnaires were not returned, their premises were inspected. She pointed out that PCC Environmental Health has trained inspectors who had been shadowing HSE inspectors, and that LA already enforce Tyre/Exhaust premises. MVR was chosen for the purposes of the pilot as one of several industries seen as suitable.

Peter Barlow said he was initially against LA enforcement of MVR, but now feels he may have been wrong. He would be in favour, if it achieved a level playing field, and consistency of inspection.

Mark Hooker raised the issue of resource implications from the LA perspective, and enquired where the resource had come from.

Gail said they had had problems with the database and Regulation 5 transfers. They had fitted the work in by doing fewer inspections in other, lower risk, premises.

There were some doubts expressed as to whether 400 Local Authorities would be able to deliver this enforcement consistently.

Peter Barlow thought transfer of enforcement responsibility should be accompanied by transfer of resource.

Peter Woolgar said that evaluation of the pilot is being carried out. This should include both the costs of the training and the activity as well as the outcome from the visits. Details should be available for the next meeting.

**ACTION: - MVR Forum Secretariat to include feedback from evaluation of the pilot on agenda for next meeting.**

## **10. Workplace activities and priorities – WHC/Rehabilitation**

Peter Woolgar gave a presentation on Workplace Health Connect (WHC). It is a free confidential service, independent of HSE and is aimed at small to mid-size businesses. It was introduced because smaller businesses rarely use Trade Associations, etc for advice or support. Response to the service

has so far been good, although the Motor Vehicle Industry response has been rather slow. WHC advisers are trained in Health & Safety issues in MVR. David Littleford asked who pays for this service, Peter Woolgar replied that it is paid for by HSE, but stressed once again that it is independent of HSE. John Morecroft suggested that the businesses represented by people at the MVR Forum were the better looked after sections of the industry, and that problems arose with the small business and sole trader type operations. Terry Crampton, John Morecroft and Colin Copelin all offered to try and get details of WHC put into their trade journals.

## **11. Managing Sickness Absence and Return to Work**

Peter Woolgar gave a short presentation on Managing Sickness Absence and Return to Work. This is part of the wider cross-government department initiative "Health, Work and Wellbeing". While HSE has not been involved in this issue in the past, partly because this is not a legal enforcement issue, HSE is now actively engaged in promoting the principles. HSE has Public Service Agreement (PSA) targets to reduce days lost from workplace accidents and ill health. Peter referred to HSG 249, available as a download from the HSE website, which gives details. Peter Barlow thought that this should be addressed to Personnel Managers rather than Health & Safety professionals.

## **12. Open Forum/ Any Other Business**

Peter Barlow asked that the next Forum included a slot for upcoming legislation. No further issues were raised. Peter Woolgar declared the meeting closed.

**ACTION: - MVR Forum Secretariat to include Upcoming Legislation on agenda for next meeting.**

## **13. Date/Venue of next meeting**

The next meeting of the MVR Forum will be held on Wednesday 7<sup>th</sup> March 2007 at the HSE Birmingham Office.

## Appendix 1

### RIDDOR 1995

#### Regulation 10(2)

The requirements of regulations 3 and 4 relating to the death or injury of a person as a result of an accident, shall apply to an accident arising out of or in connection with the movement of a vehicle on a road only if that person –

- (a) was killed or suffered an injury as a result of exposure to a substance being conveyed by the vehicle; or
- (b) was either himself engaged in, or was killed or suffered an injury as a result of the activities of another person who was at the time of the accident engaged in, work connected with the loading or unloading of any article or substance onto or off the vehicle; or
- (c) was either himself engaged in, or was killed or suffered an injury as a result of the activities of another person who was at the time of the accident engaged in, work on or alongside a road, being work concerned with the construction, demolition, alteration, repair or maintenance of -
  - (i) the road or the markings or equipment thereon;
  - (ii) the verges, fences, hedges or other boundaries of the road;
  - (iii) pipes or cables on, under, over or adjacent to the road; or
  - (iv) buildings or structures adjacent to or over the road;or
- (d) was killed or suffered an injury as a result of an accident involving a train.