

## Quarries National Joint Advisory Committee (QNJAC)

Minutes of the 37<sup>th</sup> meeting of the Quarries National Joint Advisory Committee  
held on Wednesday 23 March 2011 – HSE Office, 1 Hagley Road,  
Birmingham, B16 8HS

**Present:**

Mr G Cox  
Dr P Smith  
Mr R Bush  
Mr C Mew  
Mr S Vale  
Mr B Rostron  
Mr S Cole  
Mr J Baxter  
Mr M Alston  
Mr L Russell  
Mr V Russell  
Mr M Phillips  
Dr J Bennett  
Mr I Ivanovic  
Mr R Shore  
Mr R Graham  
Mr B Duthie  
Ms R Hayward  
Mr D Morgan  
Mr C Bell  
Mr D Pascoe  
Ms R Bricis  
Ms C Flannigan

**Representing:**

HSE (Chair)  
HSE  
HSE  
HSE  
KABCA  
Coalpro  
British Aggregates Association (BAA)  
British Aggregates Association (BAA)  
British Aggregates Association (BAA) – Observer  
Mineral Products Association (MPA)  
Mineral Products Association (MPA)  
Institute of Quarrying (IoQ)  
Camborne School of Mines (CSM)  
British Slate Quarries Association  
Aggregate Industries  
Atlantic Alliance  
Geological Society  
Mineral Products Qualifications Council (MPQC)  
Unite  
HSE  
HSE  
HSE  
HSE (Minutes)

**Apologies:**

Mr A Price  
Mr R Engley  
Mr J Lewis  
Mr T Faithfull  
Mr P Fothergill  
Mr M Isles  
Mr J Myers  
Mr M Mellow  
Mr N Reynolds

**Representing:**

KABCA  
Road Haulage Association (RHA)  
Geological Society  
Construction Equipment Association (CEA)  
British Aggregates Association (BAA)  
Mineral Products Association (MPA)  
Stone Federation  
Unite  
GMB

## 1. Welcome, Apologies & Previous Minutes.

- 1.1 Chair welcomed everyone to the meeting. Apologies as listed.
- 1.2 The minutes of the previous meeting were agreed as an accurate record.

## 2. Matters Arising from the Previous Minutes.

- (6.4) TUC Safety Rep course. Ian Gibson was to check if publicity had been provided via *safequarry.com*.

**Action: To be carried forward**

- (3.2) Target Zero progress report. Item will be addressed in a presentation during the meeting.

- (8.1) Dust Initiative. Agenda item.

- (4.1) Occupational Health Guidance Sheets – Noise. Consultation had taken place with noise specialists.

Two further Occupational Health Info Sheets - Pre & Post Medicals & Health Surveillance had been circulated with the meeting papers. Members were invited to submit comments to Dr Smith by end of April.

**Action: Dr Smith/Members**

A suggestion was made that it would be helpful if version numbers and dates were included on guidance being produced.

- (5.1) Drill Rig Guarding Standards. The presentation had been placed on the Community site. No comments were received on the new BSEN 16288 standard.

**Discharged**

- (6.1) Contractors Roadmap for Safety. Some minor amendments had been suggested. These had now been incorporated. All were content for the guidance to progress through to publication.

**Discharged**

- (8.1) Geotechnical Working Group – Information Sheets. Agenda item.

- (9.1) Atlantic Alliance conference. The presentation had been placed on the Community site.

**Discharged**

Chair informed members that the Reg 8 information sheet *“Guidance on the Appointment and Nomination of Competent Individuals in Quarries”* and the *“Drilling and Blasting”* toolbox talk had been agreed by HSE for publication. Occupational Health information sheets on Noise and Dermatitis had not been agreed due to technical queries. These would be raised at the next meeting of the Publications Governance Group in April and revision tabled for consideration by members at the next QNJAC meeting. Chair apologised to members for the delay and frustration at the length of time HSE were taking regarding clearing guidance for publication.

He went on to explain that under the Coalition Government, there was now pressure on HSE to limit the amount of guidance it produced.

HSE-produced guidance was required to interpret the law only, and not go beyond compliance. This did not affect industry-produced guidance, which often went beyond compliance, ie good/best practice. With regard to any foreword to QNJAC documents produced collaboratively, HSE could only formally endorse the parts that related to compliance.

There was a proposal that in view of the restrictions now placed on HSE, might it be better for QNJAC meetings to be chaired by an industry person as opposed to an HSE person. Chair replied it could be possible and was already the practice of some other industry advisory committees. However, consideration would need to be given to issues surrounding the committee secretariat, resources, maintenance of the QNJAC Community site etc. This would be carried forward to a future meeting.

#### **Action: To be carried forward**

The Chair drew members' attention to the document Ministerial Announcement "Good Health and Safety, Good for Everyone" – the next steps in the Government's plans for reform of the health and safety system in Great Britain. The document comprised four key areas:-

#### Register of Occupational Safety and Health Consultants:-

- ◆ to clamp down on unqualified, rogue health and safety consultants who gave poor advice. Only those who were properly accredited to one of the professional bodies in industry would be eligible to register.

#### The New Health and Safety Framework:-

- ◆ avoiding placing unnecessary burdens on businesses who effectively manage health & safety;
- ◆ maintaining a strong deterrent on businesses who fail to meet their health & safety obligations thereby putting employees at risk;
- ◆ new Office for Nuclear Regulation (ONR) for the nuclear industry;
- ◆ targeting inspections – reducing the number of proactive inspections by approx 11,000 in non-major hazard industries;
- ◆ cost recovery for breaches of the law – fees for fault.

#### Making Health & Safety Simpler:-

- ◆ newly launched piece of guidance "Health and Safety Made Simple" – aimed at small/medium sized, low risk businesses which guides them through their basic health and safety duties. Located at <http://www.hse.gov.uk/simple-health-safety>

#### Review of Health & Safety Regulation:-

- ◆ Government to set up an independent review of health and safety regulation;
- ◆ independent advisory panel will be made up of leading politicians with appropriate experience, business people and employee representatives;
- ◆ to be chaired by Professor Ragnar Löfstedt, Director of the King's Centre for Risk Management, King's College, London;

- ◆ Professor Löfstedt to make recommendations by autumn 2011;
- ◆ Government to decide what actions to take in view of the recommendations made.

Concern was expressed at the proposed reduction of proactive inspection visits in the non-major hazard industries, which included quarries. HSE input had played an important part in helping the industry to produce guidance. It was felt that discontinuing the Field Operations Interventions with Large Employers (FOILE) would be disadvantageous, especially as considerable resource had been devoted by operators involved in such interventions which were considered to be beneficial by all involved.

### **3. HSE Quarry Accident Statistics & Injury Benchmark of 2010-2015.**

3.1 The provisional accident statistics and progress against Target Zero were presented to members. They would be finalised in June 2011 when all the data had been received. Both new and old SIC codes had been used.

- ◆ total RIDDORs reduced by more than 80%
- ◆ over three-day accidents reduced by almost 85%
- ◆ major accidents reduced by almost 60%
- ◆ two fatalities for 2009-10
- ◆ one fatality for 2010-11

Percentages of different kinds of accidents (slips/trips, fall from height, struck by etc) were also presented.

For the 2009-10 year there had been ninety-three reportable incidents. All agreed this would be the new baseline figure for the next five-year period. The target for 2015 based on a 15% year-on-year reduction is forty-one.

Copy of presentation available in QNJAC Community at <http://webcommunities.hse.gov.uk/connect.ti/qnjac.members/view?objectId=165104>

3.2 Members were informed there would be a new on-line system for reporting incidents due to the closure of the Incident Contact Centre (ICC). It's likely that the new reporting form may contain less information than the present F2508. HSE advised that a manual check of RIDDORs had been undertaken in the past and it would continue under the new system.

HSE had moved from SIC 2003 to SIC 2007. The resultant changes in what is included under each of the SIC classifications could change the associated employment numbers and therefore have an effect on incidence rates. However, for Target Zero purposes data reported is actual numbers rather than incidence rates. This is due to difficulties in getting accurate employment data for those working in quarries compounded by the operator being responsible under RIDDOR for reporting all incidents not just those to employees.

### **4. Quarry Dust Partnership – update.**

4.1 Three meetings of the Quarries Dust Partnership Team had taken place. There had been liaison with some of the large quarry operators and talks and presentations given. The team were to consider what guidance could be developed and logos to use.

Mr Bell told members there would be no financial resource available for any large campaigns but there may be some funding available for leaflets/DVDs.

The next meeting would take place on 30 March at Lafarge Aggregates HQ, Syston, Leicestershire. Discussion was likely to include:-

- ◆ what to do to raise awareness;
- ◆ what HSE can provide;
- ◆ what industry can provide;
- ◆ what to develop – project plans;
- ◆ how to get information to the industry;
- ◆ badge under Target Zero.

As a means of getting information out to the industry, the partnership team were exploring the idea of using various industry websites to publicise guidance. Mr Bell advised that the welding trade association were keen to link up with others. Chair suggested using *safequarry.com* as it already acted as a host website for QNJAC guidance.

An update on progress would be provided at a future meeting.

## **5. Winter Working Toolbox Talk.**

- 5.1 This toolbox talk (TBT), aimed at operatives on the precautions to be taken when operating plant under adverse weather conditions was presented to members for QNJAC approval and badging. It was agreed by members. The TBT is available at *safequarry.com*.

## **6. Quarries Sector Strategy.**

- 6.1 This strategy was produced by Mr Bush with input from Mr Cox and Dr Smith. The executive summary had been produced by Bootle HQ. It was independent from other manufacturing strategies and reflected the aims and objectives of Target Zero. This strategy represented HSE's view on how the industry would deliver the HSE Strategy, and stakeholder engagement and partnership working featured heavily, drawing on the work being carried out under the Target Zero initiative. Some amendments were likely to be required in light of the recent DWP document "Good Health and Safety, Good for Everyone" with regard to fewer proactive inspections. Competency and worker involvement both featured in the Sector Strategy, and were emerging as priority themes for both industry and HSE in the current year. Reference was made to the results of the internal survey on the strategy and Dr Smith agreed to investigate the possibility of rolling out the survey tool to QNJAC members to obtain their views.

**Action: Dr Smith**

**Update:** The survey tool can be located at <http://www.surveymonkey.com/s/75KGHWS> Members comments are welcome by 20 May.

- 6.2 Members were invited to submit comments on the strategy to Dr Smith by the end of April.

**Action: Members/Dr Smith**

## 7. Amendment to QNJAC Constitution.

- 7.1 Members were asked to agree four proposed additions to the QNJAC constitution:-
- ◆ agree the arrangements for outputs (guidance, publications, press releases, TBTs, etc) produced by QNJAC;
  - ◆ no need for QNJAC outputs to be produced under HSE banner;
  - ◆ *safequarry.com* acts as host website for QNJAC agreed outputs;
  - ◆ outputs can be placed on member organisation's websites as long as they are freely available to non-members (requirement by HSE if HSE endorsed).

Change of name/successors of identified trade bodies/organisations was raised and other appropriate organisations for communicating QNJAC information to be included.

- 7.2 It was proposed to call an extraordinary meeting of QNJAC in either June or July to deal with the volume of work being produced. It was queried whether consultation on documents being produced could be carried out either electronically or authorised by a sub-committee. HSE replied that while electronic consultation may be satisfactory for one or two items, the volume of work currently being progressed justified a meeting. Additionally, proposed guidance needed to be properly debated and the views of all QNJAC members taken into account and given the amount of work being put in by working group members and their Chairs, it was entirely appropriate that these should be discussed at a full meeting of QNJAC members in recognition of the work being undertaken.
- 7.3 Ms Flannigan to check availability of a meeting room for June meeting.

**Action: C Flannigan**

**Update:** Extraordinary meeting scheduled for Wednesday 1 June.

## 8. 1. Geotech Working Group – Information Sheet 2 – Excavation & Tip Rules. 2. Communications re Publicising QNJAC Products.

- 8.1 Members were content for the information sheet "Excavation & Tip Rules" to proceed to publication.
- 8.2 Mr Phillips gave a presentation which explored the various mechanisms for getting information out to the industry, in particular, via presentations at IoQ technical evenings. Presentations could be delivered by the key personnel involved in processes with an opportunity for individuals to ask questions and seek clarification. Such evenings could also provide opportunities for wider exposure of the work that QNJAC produces, networking/engagement with other relevant institutions as well as continuing professional development.
- 8.3 A proposal was put forward to form a new Target Zero Working Group to deal with Communications if there were sufficient people to populate it.

- 8.4 Mr Bush would follow up on the proposal to form a new Target Zero Working Group.

**Action: Mr Bush**

**Update:** Potential WG members identified and introductory email sent to them. First meeting of the new WG scheduled to follow on from the EQNJAC, chaired by Mike Phillips of the IoQ.

- 8.5 Presentations were given on Standards & Qualifications and Continual Professional Development.

Standards & Qualifications. The background of the National Occupational Standards and what they were used for was explained. An explanation was also given of how the Qualifications & Credit Framework (QCF) was made up

NVQs would become QCFs. The new framework has more qualification levels, more unit level and credit values and transfer. Greater flexibility had been built in under the new system in order to mix and match to suit different sectors. Credits were built up through learning time; ie ten notional hours of learning time equaled one credit. The number of credits achieved determined the type of award:-

- ◆ Award            1-12 credits
- ◆ Certificate      13-36 credits
- ◆ Diploma        +37 credits

The qualification structure was made up of mandatory units, optional units and additional units (Rules of Combination).

Continual Professional Development (CPD). This was defined as *A Record of a "True" Learning Experience that a person has that can be used or progressed in their area of work.* The presentation illustrated where to obtain CPD, reasons for performing it and an outline of the CPD audit process in order to gain a certificate of achievement.

Although it was felt CPDs were the way forward, it remained a challenge to encourage people to participate.

- 8.6 Members were invited to submit any comments to Roy Bush by the end of May. Item to be carried forward.

**Action: Members/to be carried forward**

**9. Consultation on Changes to RIDDOR – CD233.**

- 9.1 Members were made aware of CD233 – consultation document on proposed changes to RIDDOR. The proposal is to extend the present three-day reporting criteria to seven days. It would also align RIDDOR accident reporting to the requirement for employees to obtain a fit note from their GP if absent for more than seven days. In addition, it would meet the Government commitment to apply the "Common Sense, Common Safety" report by removing unnecessary burdens on businesses.

The consultation document can be accessed at the following link:-  
<http://www.hse.gov.uk/consult/condocs/cd233.htm> The deadline for comments is 9 May.

## 10. Information Sheets – R16 & R22.

10.1 Reg 16: A sub-committee WG meeting had taken place in January. The above draft information sheets were discussed and amendments proposed:-

- ◆ page 2 – paragraph in red text after the bullet points had been deleted;
- ◆ page 3 – additional paragraph in blue text had been added. Some further text modifications made to the third paragraph.

10.2 QNJAC members were invited to submit any further comments by end of April.

**Action: Members**

10.3 Reg 22: No further comments had been received from the sub-committee WG. QNJAC members were invited to comment/approve this information sheet.

A question was raised concerning dangers and whether noise and dust should be included in the bullet point examples on page two. HSE felt these two issues were adequately dealt with as part of the Quarries Regulations. It was suggested that the first bullet point on page two be removed. The information sheet was otherwise agreed.

10.4 Members agreed it would be beneficial to include photos that illustrated good practice. They were invited to submit any suitable photos they had.

**Action: Members**

## 11. Meaning of “Fully Competence Assured Industry”, Competency and Contractors’ Passports.

11.1 Members had received a draft paper that outlined the meaning of “fully competence assured industry”. In circumstances where a worker was not yet competent but was progressing towards achieving competence, that worker would be supervised by someone who was competent so as to ensure that the task was undertaken in a competent manner. Competence involved:-

- ◆ applying knowledge;
- ◆ understanding;
- ◆ practical and thinking skills;
- ◆ problem solving;
- ◆ demonstrating continuing professional development.

Whilst there may be other methods of assessing competence apart from achieving NVQ/SVQ/QCFs, they must be able to meet the National Occupational Standards, which is the benchmark used.

This matter to be the subject of further discussion at a subsequent QNJAC meeting.

**Action: To be carried forward**

## 12. HSE Silica Health Surveillance Guidance – update.

- 12.1 Members were informed of the meeting that had taken place at HSL in November 2010 to follow up on the RR827 research report – “Health Surveillance in Silica Exposed Workers”. A further HSE internal meeting regarding Silica issues had taken place in January but there were still a number of unresolved issues.

Uncertainty still existed about what constituted appropriate health surveillance and whether chest x-rays should be included as part of health surveillance.

Recommendation was to follow the guidance in G404 – but it was for the occupational health specialist to decide if chest x-rays were appropriate on a case-by-case basis.

Other issues included:-

- ◆ when HS is required what it should consist of;
- ◆ medical history of employee;
- ◆ previous levels of exposure;
- ◆ the frequency of chest x-rays when required;
- ◆ peripatetic workers;
- ◆ user-acceptance of chest x-rays;
- ◆ certification of film readers/level of expertise;
- ◆ cost of implementation.

## 13. International Developments on Mobile Plant.

- 13.1 Postponed to a future meeting.

**Action: To be carried forward**

## 14. Update on L118, Quarries ACoP Revisions.

- 14.1 As part of reducing legislation/burden on industry, members were informed that further consultation regarding costs had taken place to enable a full impact assessment to be undertaken. Two responses received had said that proposed changes to the ACoP would result in additional costs to businesses. The ACoP counted as legislation and the revisions were unlikely to proceed to publication under the current “one in - one out” rules. Mr Pascoe told members that different approaches were being looked at, eg footnoting and QNJAC guidance notes, and that discussion was ongoing with legal advisers to find a way forward. He would submit a paper to the Publications Governance Group (PGG) outlining issues/how to take forward. When the outcome was known he would report back to Dr Smith.

**Action: Mr Pascoe**

## 15. AOB

- 15.1 Colin Mew reminded industry that it needs to take more account of the requirements of RIDDOR Schedule 5 particularly following a misfire. He suggested that others could follow the lead of one of the major quarrying companies in producing a flow chart to assist managers. The issue of storage of unfired explosives was raised from the floor and Colin confirmed that this was something the industry must also consider.

- 15.2 A loading shovel operator was fatally injured during operations to free off a discharge conveyor on a mobile screen that had stalled due to material blocking the feed chute. A clamp had been applied to the return side of the conveyor belting close to the head pulley, a rope had been attached to this clamp and run down the underside of the conveyor and around a pulley block that had been fixed to the cross member by a strop. This rope was then run to the bucket of a loading shovel which was reversed to apply tension to the rope with the apparent intention to free the jammed conveyor. In the event, the pulley block became detached from the cross member and projected under the tension of the rope such that it flew through the cab windscreen, hitting the operator in the face.
- 15.3 Dr Smith would send a message of good wishes from all to Mr Mellow who had been unable to attend the meeting due to a family illness.

**Action: Dr Smith**

Dr Smith thanked Geoff Cox for returning to chair the meeting and for supporting QNJAC. Mr Cox had transferred to the Public Services Sector at the beginning of this year.

**16. Dates of future Meetings.**

16.1 Wednesday 1 June, HSE office, Birmingham.

Wednesday 2 November, HSE office, Birmingham.