

## Small Business Trade Association Forum Minutes

<b>Meeting Date:</b>	21 July 2010	<b>Open Gov. Status:</b>	Fully Open
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### Small Business Trade Association Forum

**Minutes of the Meeting of the Small Business Trade Association Forum,  
Held on 21 July 2010 in the Brighton Suite, Premier Inn, Kings Cross, London.**

**Present:**

Judith Donovan CBE	Chairman
Wayne Smith	British Coatings Federation Ltd
Peter Walker	British Constructional Steelwork Association Ltd
Philip Marsh	British Glass Manufacturers Association
Matt Mahoney	British Woodworking Federation
Peter Newport	Chemical Business Association
Robert Cummings	Confederation of British Industry (CBI)
Kevin Minton	Construction Plant Hire Association
Matthew Johnson	Federation of Window Cleaners
Declan Moore	Glass & Glazing Federation
Wendy Nixon	Hair & Beauty Industry Authority
Paul Bogle	National Federation of Builders
Howard Button	National Federation of Demolition Contractors
Eileen Lawson	National Hairdressers Federation
Bettine Pellant	Printing Industry Confederation (PICON)
Kim Olivier	Property Care Association
David Ursell	Registered Nursing Home Association
Malcolm Tagg	The Vehicle Builders & Repairers Association Ltd
Jeff Watson	UKLPG

**Apologies were received from other members.**

**HSE Officials Present:**

Judith Hackitt	Chair – HSE
Marcia Davies	Head – Operational Strategy Division
Kate Haire	Head – Business Involvement Unit
Jill Hawthorne	Secretariat – Small Business Trade Association Forum
Kristine Nourish	Secretariat – Small Business Trade Association Forum

**Presenters:**

Alan Spence	Chief Economist, HSE
Rhys Davies	Wales Institute of Social and Economic Research
Julian Delic	Policy Adviser, Work Environment Radiation & Gas Division, HSE
Steve Bridge	Policy Adviser, Work Environment, Radiation & Gas Division, HSE
Alan Morley	Policy Adviser, International Chemicals Unit, HSE
Jan Harris	Policy Adviser, International Chemicals Unit, HSE

1.	<b>Introductions and apologies</b>
1.1	<p>Judith Donovan welcomed members and Kate Haire, Senior Policy Adviser and Head of Business Involvement Unit, Marcia Davies, Head of Operational Strategy Division and Jeff Watson representing Rob Shuttleworth for UKLPG.</p> <p>Also welcomed and attending her first main meeting this year was Judith Hackitt, HSE Chair. Judith was asked to brief forum members on working with the new government and the future of SBTAF:</p> <p>1.1.1. Although Judith Donovan is retiring in September from her position as Board member to HSE and Chair to SBTAF, Judith was keen to reassure members that the Forum was seen by the Board of HSE as a very important vehicle to uniquely interact with the very broad community of SMEs through their trade associations; to test policy, discuss concerns and exchange information on matters of relevance to HSE. Judith also explained that the process of recruiting two new Board members meant that a review of Board members' championing roles would take place before the announcement of which Board member would take an interest in Forum beyond end of September.</p> <p>1.1.2. Judith briefed the Forum on working with the new Government and the key messages. Members were informed that there will be a very different level of Ministerial engagement than we had previously held with Lord McKenzie. Minister Chris Grayling's level of engagement with stakeholders is likely to differ considerably from that of Lord McKenzie. Judith was keen to point out that this was not due to any lack of interest or priority, his portfolio is huge, covering employment and negotiations in Brussels on all EU legislation for the Department of Work and Pensions. Members were asked to be selective when inviting the Minister to events and engagements.</p> <p>1.1.3. The spending review across government departments was well underway and heavy cuts were expected across Government. HSE is not immune and already has in place, a recruitment and pay freeze. Cuts of 25-40% across Government are expected. Nuclear work undertaken by HSE is an example of a high priority area where agreement has been reached with the new Minister that there will be no recruitment freeze in this area.</p> <p>1.1.4. Running in parallel with the spending review is the Lord Young Review, which is moving at a fast pace. Judith Hackitt and Geoffrey Podger, HSE's Chief Executive, have attended several meetings with Lord Young, recognising that the Review is more wide ranging than just HSE territory. The Review is looking more broadly at the Elf 'n' Safety Myths and compensation culture.</p> <p>What does this Review mean for HSE? Lord Young is very keen on accreditation of consultants, this is likely to feature in his report and along with simplifying compliance with health and safety law for SMEs.</p> <p>Lord Young will brief David Cameron this summer and the Review will be published in Autumn 2010. Lord Young has been asked to stay for a further 12 months once the Review is complete to ensure that recommendations are implemented. The Review also aims to tackle lots of things outside HSEs remit which has devalued the brand.</p>
2.	<p><b>Minutes of the last meeting</b></p> <p>The Forum agreed that the minutes reflected an accurate and true account of the meeting held on 10 May 2010 meeting.</p>
3	<p><b>Hot Topics</b></p> <p>Kate Haire provided members with an update on current health and safety initiatives.</p>

<p>3.1</p>	<p><b>Weather Conditions and Building Regulations</b></p> <p>This issue was raised at the January 2010 meeting during the Information Exchange and related to damage caused to farm buildings due to heavy snow falls. Some 4000-5000 buildings in the North of Scotland had collapsed under snow loads and the buildings involved were mainly agricultural and industrial. There were a number of cases of failures but the main cause was snow loading which was 4 to 5 times the design load. This situation is being investigated by the Scottish Government, The Standing Committee on Structural Safety (SCOSS) and the chair of the BSI committee responsible for agricultural buildings. Based on these investigations the snow load parameters may be increased.</p> <p>The issue of combined snow and wind loads was raised at the BSI loading committee B/525/1 chaired by John Lane. The preferred way forward for Britain would be to have a 'reduced wind/snow load combination' but the Euro codes do not recognise this</p> <p>Peter Walker, British Constructional Steelwork Association Ltd, advised that the latest information on this is that the British Standards are now replaced with the new Euro codes for designing buildings but the British Standards may still be used. The Euro codes include that both the combined snow and wind loads should be in the design of the building, whereas the British Standards always asked for one or the other to be considered in the design.</p> <p>HSE's involvement has been limited to date, we are not, nor expect to be, involved in structural safety of unoccupied buildings. Is this an area where members feel more guidance is needed? Would members please send any comments to <a href="mailto:kris.bright@hse.gsi.gov.uk">kris.bright@hse.gsi.gov.uk</a>.</p>
<p>3.2</p>	<p><b>Musculoskeletal Disorders – MSDs</b></p> <p>There has been a considerable delay in replacing and extending the scope of the Manual Handling Operations and Display Screen Equipment (DSE) Directives with a new Directive proposed by EC. Negotiations on a draft text continued during 2009 and the Advisory Committee on Safety and Health at Work (ACSH) adopted an opinion on a text in December 2009. However, the Commission has decided more research is needed into the costs and benefits of available options.</p> <p>The initial aim had been to make the legislation easier to apply in terms of effectiveness and enforceability and provide a clear and streamlined framework for risk assessment and prevention.</p> <p>The delay will result in the draft Directive not expected until Autumn 2011 and there is no information on what a new draft would contain. HSE will seek to influence positively the Commission as opportunities arise.</p>
<p>3.3</p>	<p><b>Lord Young Review</b></p> <p>Judith Hackitt had already briefed the forum on HSE's meetings with Lord Young and went on to reiterate that HSE welcomed the Review and is offering its full support. Judith Donovan also thanked John Morecroft, Paul Bogle and Linda Gowling for their helpful contributions at the meeting she led with Lord Young on 30 June 2010.</p> <p>Key points arising from the meeting with Lord Young on 30 June 2010:</p> <ul style="list-style-type: none"> <li>• Lord Young said main objective of the Review was to reduce bureaucracy and deal with the compensation culture.</li> <li>• He would like risk assessments to be simplified and relevant and wishes to see the burden of health and safety requirements significantly reduced in low risk premises.</li> </ul>

	<ul style="list-style-type: none"> <li>• Concerns were raised for continued protection, particularly of the volunteer base that is largely female at the older end of the age spectrum.</li> <li>• Lord Young said employers still have a Duty of Care to protect everyone and that the Review is not about removing protection but reducing the bureaucracy.</li> <li>• Lord Young recognised the part played by consultants in creating the bureaucracy and encouraging a compensation culture. He feels that an accreditation scheme should help address this.</li> </ul>
3.4	<p><b>Better Regulation Update</b> Simplification Targets were met indeed exceeded – a saving of £559.3 million (27%).</p> <p>Early indications and key elements of new approach are:</p> <p>The 'One-in, One-Out' (OIOO) rule relating to costs, not regulation. The introduction of a OIOO rule will be based on the Equivalent Annual Costs identified in Impact Assessments rather than the number of regulations introduced and removed. This includes all cost (policy and administrative burdens). For example, for extra cost incurred, i.e. £1 spent, there will need to be a £1 reduction.</p> <p>Establishment of the Reducing Regulation Cabinet Sub-Committee (RRC) to enforce the OIOO rule; to check whether or not there is 'gold plating' present in regulations and to deal with wider approaches to better regulation in the coalition agreement. All new regulations will be submitted to the RRC for evaluation to see if still relevant and adhere to its principles.</p> <p>Putting an end to the gold plating approach so that British businesses are not disadvantaged, relative to their European competitors. Possibility of imposing <b>sunset clauses</b> in new regulations to ensure that the need for each regulation is reviewed regularly. It is not clear yet whether this will apply to existing regulations (further details will be provided as they become available).</p> <p>Giving the public the opportunity to challenge the worst regulations - the Deputy Prime Minister has asked the public to nominate laws and regulations they would like to see abolished and has launched the 'Your Freedom' website <a href="http://yourfreedom.hmg.gov.uk/">http://yourfreedom.hmg.gov.uk/</a>. There will be a Freedom Bill in the autumn which may take forward selected reforms.</p>
3.5	<p><b>LEV industry Update</b> Research undertaken by HSE and feedback from stakeholders suggests that businesses, particularly SMEs, can find it difficult to buy extraction systems (often called local exhaust ventilation systems or LEV for short) that will protect their workers from exposure to harmful substances.</p> <p>HSE is exploring a number of ways to help SME's buy extraction systems that are both effective and provide value for money. One of the ways that we are looking to provide this support is by developing a simple tool that guides employers through the process of buying LEV.</p> <p>HSE would greatly appreciate the views of SBTAf on:</p> <ul style="list-style-type: none"> <li>• Whether a tool (perhaps a checklist or something similar) is something that SME's would use to help them buy LEV.</li> <li>• Even if the SME's do not necessarily use extraction systems we would be very interested</li> </ul>

	<p>to hear about how they go about buying other pieces of relatively complex machinery or kit - what tools do they use to help them choose something appropriate and where would they look for help?</p> <ul style="list-style-type: none"> <li>• Views on what a potential tool could be for example; checklist, flow charts, cartoon strip etc, how it could be accessed, and what level of detail it would need would also be appreciated.</li> <li>• Would the tool assist SMEs to buy LEV ie detail required, format, what would it look like?</li> </ul> <p>Comments via the e-community site or direct to Louise Rice at Louise.Rice@hse.gsi.gov.uk would be much appreciated.</p>
3.6	<p><b>Core Messages Update</b></p> <p>The consultation period has finished and the latest version of the core messages reflects contributions received. Progress on this area of work has been affected by budget constraints and our in-house Creative Design team has been working up some graphic design ideas as to what the product might look like. Initial ideas have been posted to the e-communities site for members to comment upon. These are very early drafts and views from members would be helpful. Please forward to <a href="mailto:kris.bright@hse.gsi.gov.uk">kris.bright@hse.gsi.gov.uk</a> or via the e-community site</p>
3.7	<p><b>Community Site</b></p> <p>SBTAF Secretariat are looking at ways to use the e-community site more effectively and recently canvassed views from members on what works and what can be improved. Most concerns were around 'Reply to All' function. It was agreed following discussions with HSE's On-line Team to trial a period whereby messages can be moderated to prevent 'Reply to All' where this is not appropriate. A note has been added to the home page on how to by-pass the 'reply to all'.</p> <p>Members are also asked for their views/comments on the 'new look' e-community home page. A draft link will be posted to the site to facilitate this.</p> <p>Members were asked to ensure that all their contact details are up to date on the site. Some members had been asked to rejoin the community as they had not been able to retrieve papers or contribute to discussions as contact details were out of date.</p>
4.	<p><b>Publicly Available Specification PAS91 – Core criteria for pre-qualification in construction tendering – Selection, presentation and application</b></p> <p><b>Paul Bogle – National Federation of Builders</b></p> <p>The aim of the PAS91 is to reduce the cost and resource, both for clients and those bidding for work, during stage one of the tendering process when assessing evidence of competence.</p> <p>PAS91 uses the core competences outlined in the Construction (Design and Management) Regulations 2007 as a basis for assessing competence. By reducing the cost required to compete, the PAS91 goes some way to levelling the playing field. While SMEs have been able to build safely, they could not always afford to compete.</p> <p>The PAS91 comprises modules of questions. Clients adopting the PAS91 will not be able to deviate from the questions by removing questions or altering the wording</p> <p>The steering committee comprises representation from Government, trade associations, clients and accreditation bodies and has buy-in from across the industry. This represents the best chance</p>

	<p>the industry has had at implementing a standard method of assessing competence.</p> <p>The initiative is being sponsored by the Department for Business, Innovation and Skills (BIS) which will licence the PAS91 from BSI once completed and be responsible for distributing it.</p> <p>The PAS91 will remain in effect for two years, after which it can be renewed or can be worked into a full British Standard. PAS91 has been in process since May 2010 following consultation during April/May. It is expected to be published September 2010.</p>
5.	<p><b>Presentation 1: Rhys Davies</b>  <b>Wales Institute of Social and Economic Research, Data and Methods (WISERD)</b></p> <p>Rhys began by talking about research projects undertaken on ill-health and safety.</p> <p>The presentation will be posted to the e-community site for members to view . In brief, the research was carried out by the University of Cardiff on the pro-cyclical relationship of behaviours and influences through the business cycle in respect of workplace injuries and work-related ill health. This research also looks at counter cyclical influences and the overall effect of both these cycles in respect of strength and domination.</p> <p>The conclusions are that there is no typical business cycle and understanding cyclical effects requires data over a long period of time.</p> <p><b>Presentation 1: Alan Spence</b>  <b>HSE Chief Economist, Economic Analysis Unit</b>  <b>Economic Recovery and the implications for Health and Safety</b></p> <p>The emerging evidence is very valid research to HSE and shows an expectation of injury rates to fall, although opinions differ currently and there is a wide range of uncertainty in the current climate of recession. Research also shows that recessions differ in their effect on industry.</p> <p>The presentation will be posted to e-community site for members to see in particular the latest growth projection and compare recessions and their effect on sectors, sub-sectors in respect of injury statistics.</p> <p>In conclusion, the importance of economic factors shows that injuries have declined as predicted, although it is expected that recovery will bring upward pressure.</p> <p>Forum members are asked to cascade to their members.</p>
6.	<p><b>Presentation 2: Steve Bridge – Policy Advisor</b>  <b>Load Safety</b></p> <p>Following concerns raised at SBTAF meeting in January 2010 in respect of instability of loads and strapping posted on HSE’s Website, members were reassured that HSE has been working constructively with VOSA and the Metropolitan Police (MPS) on issues of Work Related Road Safety (WRRS) for several years.</p> <p>The HSE Board has recently agreed to extended limited delegated powers to the Metropolitan Police (MPS) to deal with health and safety issues relating to Work Related Road Safety, such as load safety. VOSA will include load safety as part of their business as usual inspection activities in 2011.</p> <p>The presentation has been posted to the e-community site</p>

<p>7.</p>	<p><b>Presentation 3: Alan Morley – International Chemicals Unit European Law on Classifying, Labelling and Packaging (CLP) Chemicals</b></p> <p>In relation to the law on chemicals, members need to be aware of the international agreement (Earth Summit Rio de Janeiro 1992) and the need for a globally harmonised hazard classification and labelling system which will include safety data sheets and easily understandable symbols. As a consequence, the European Regulation on the classification, labelling and packaging of substances and mixtures came about, benefiting trade.</p> <p>Requirements in CLP Regulation will begin to take effect in December 2010 and by June 2015 it will apply in full. At that stage, requirements of the Chemicals (Hazard Information and Packaging for Supply Regulations 2009 (CHIP 4) will cease to apply.</p> <p>CLP is of significant importance to those who manufacture and/or import chemicals. However, anyone who uses chemicals should be aware that this legislation will lead to product labelling changes, including the pictograms that appear on them.</p> <p>The following links, principally aimed at manufacturers and importers provide guidance and advice:</p> <p><b>UK Helpdesk at:</b> <a href="mailto:ukreachca@hse.gsi.gov.uk">ukreachca@hse.gsi.gov.uk</a></p> <p><b>EC CLP website at:</b> <a href="http://ec.europa.eu/enterprise/sectors/chemicals/classification/index_en.htm">http://ec.europa.eu/enterprise/sectors/chemicals/classification/index_en.htm</a></p> <p><b>ECHA guidance:</b> <a href="http://echa.europa.eu/clp/clp_help_en.asp">http://echa.europa.eu/clp/clp_help_en.asp</a></p> <p>Guidance on the CLP Regulation is produced at the European level and no formal HSE guidance has been published</p> <p>Trade Associations were asked to consider drawing members' attention to this, including circulating the slides that will be posted to e-community site.</p> <p>Kate Haire provided a brief update on the issue of unrestricted sales of pesticides and chemicals sold on websites. Due to limited time available Kate agreed to post the more detailed information on the e-community site.</p>
<p>8.</p>	<p><b>Presentation 4: Julian Delic – Work, Environment Radiation and Division Securing Safety of Bulk Liquid Petroleum Gas (LPG) Installations</b></p> <p>Following the public inquiry led by Lord Gill, a report was published on 16 July 2009 recommending a four phase action plan to replace all buried metallic LPG service pipe-work with polyethylene (PE) pipe; create a new safety regime; continue to develop this regime by researching durability of PE pipe and establish effective communications with suppliers, users and regulators.</p> <p>The official response was published 18 March 2010 following consultation with stakeholders on proposals during September/November 2009. The results from the Consultation were considered by the HSE Board in providing advice to Ministers. This advice reflected in the official response.</p>

	<p>There was stakeholder support for specific aspects of the proposed regime but not the verification system. The view being that the legal framework in place already provides that which is sought by the proposed regime – what is required is greater awareness and compliance.</p> <p>Specific aspects being considered further are; an installation record, asset register, clarity of demarcation point and register of suppliers. In order to address these a working group was established on 12 July comprising representatives from Federation of Small Business, British Beer and Pubs Association, British Hospitality Association, British Holiday Homes and Parks Association, UKLPG and HSE.</p> <p>The aim of the working group is to capture the key elements from Lord Gill's report ensuring that the concept of an installation/asset register is simple to develop and maintain; that it can be used as a tool to help users understand they have responsibilities and to help demonstrate their compliance; and provide a means for suppliers and users to work co-operatively. Work is just beginning and input from members would be very welcome. Please send comments to <a href="mailto:kris.bright@hse.gsi.gov.uk">kris.bright@hse.gsi.gov.uk</a> or <a href="mailto:jill.hawthorne@hse.gsi.gov.uk">jill.hawthorne@hse.gsi.gov.uk</a> or via the e-community site.</p>
9.	<p><b>Information Exchange</b></p> <p>A forum discussion took place on the importance of ensuring that fire extinguishers were sited correctly and regularly maintained following a number of incidents where extinguishers had been positioned incorrectly in respect of location and room temperature.</p> <p>Matthew Johnson from the Federation of Window Cleaners raised concerns about mobile phone masts on roof-tops. This is particularly relevant to this industry as workers are regularly exposed in close proximity to masts on commercial and industrial roofs. Of concern are the transmissions from these masts and the potential health affects this could have on operatives exposed to frequencies daily and for prolonged periods.</p> <p>Judith Donovan agreed that this was an important issue and little was known about this area. Kate Haire agreed to take this forward.</p>
10.	<p><b>AOB</b></p> <p>No other issues were raised.</p>
11.	<p><b>Meeting round up and close</b></p> <p>Judith thanked the members for attending and advised them of the time and date of the next meeting. Judith also reminded the Forum that the next meeting on 30 September would be her final meeting as SBTAF Chair and she invited members to join her for refreshments after the meeting closed.</p>
12.	<p>Date of next meeting – 30 September 2010 at 09.30-12.00, Brighton Suite, Premier Inn, Kings Cross, London.</p>

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