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HEALTH AND SAFETY COMMISSION

Review of Fairground Safety: Update Report

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on
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Issue

1. Commission Paper HSC/01/06 requires SPD B (now Hazards and Technical Policy Division (HTPD)) to provide a progress report on the Review of Fairground Safety. A copy of the action taken is at Annex 1.

Timing

2. Routine.

Recommendation

3. That the Commission note the actions taken by HSE.

Background

4. A review of fairground safety was commissioned by the Board on 9 August 2000 and presented to the Commission on 3 July 2001. Following meetings with the Minister, a further presentation was made to the Commission and the report of the review made public in September 2001. The review was carried out in response to the increased number of fatalities at fairgrounds and amusement parks in the 2000 season.
5. The main concerns were malpractice by one independent registered inspection body implicated in three deaths, whether the 'self regulatory' nature of the industry might permit low standards, and whether the sudden cluster of deaths demonstrated deterioration in control (given that the previous fatal accident to a member of the public occurred in 1995).

6. The review concluded there was already a fit for purpose legal framework but there were small pockets of non-compliance that should be targeted to strengthen the existing regime. A total of 21 recommendations for action were made
7. FOD Food and Entertainment Sector (now Commercial and Consumer Services Transportation and Utilities Sector (CACTUS)) leads on work from the review, with Policy support from HTPD4.

Argument

8. Both FOD CACTUS and HTPD have actioned the recommendations of the review. Progress is summarised at Annex 1.
9. Investigation of the 5 fatal accidents (6 deaths) leading to the review has now been completed, and legal proceedings were taken for 5 of the deaths. Convictions were secured in all cases, including the imprisonment for eighteen months of a single person registered inspection body for two manslaughter charges. One investigated death led to an Inquest, and no criminal proceedings.
10. In April 2002 the National Fairgrounds Inspection Team (NFIT) team was established. This specialised team for fairground inspection has been crucial in dealing with non-compliance. Operational resource has remained at the same level as previous years (approx 1200 days) but activities have been targeted to poor performers with a greater degree of integration and co-ordination. The positive outcome to date is particularly reflected in the increased level of enforcement action (57 notices issued in 2002/3 compared to 36 in 2001/2 and 39 in 2000/01.)
11. The current provisional RIDDOR statistics for 2001/2002 show a decrease in all fields concerning fatalities and injuries to members of the public in Fairgrounds/Amusement Parks. It is too early to determine whether this a trend and it is not yet known whether the figures have been affected by the new reporting arrangements.
12. The number of media enquiries was at a high level throughout the summer of 2000. After the review it remained high and this trend has continued. Media interest has proved to be disproportionately high when compared with the number of incidents that have occurred within the sector. A key factor for this is that the Review has increased awareness of the role HSE plays within the fairground industry.
13. Progress has been maintained on the review's recommendations despite changes in the joined up HSE team (Operations, Sector, Policy and Press Office).
14. The Fairgrounds and Amusement Parks Joint Advisory Committee (FJAC) has remained the focus for partnership working with the industry. HSE have continued to work closely together.

Consultation

15. CACTUS and Press Office have provided input into this report. Key Stakeholders have been involved in many of the actions, primarily through FJAC.

Presentation

16. The review has created press interest and we expect this to continue.

Costs and Benefits

17. None arise from the submission of this report.

Financial/Resource Implications for HSE

18. There are no additional resource implications for HSE; all costs are already included in existing budgets.

Environmental Implications

19. None from this paper.

Other Implications

20. None.

Action

21. The Commission is invited to note the actions that have been taken regarding the Fairground Review.