



# NOTES OF MEETING

Date: 16 November 2011	Location: HSE Leeds Office	Taken by: Jackie Jones
Subject: AGRICULTURE INDUSTRY ADVISORY COMMITTEE (AIAC) MEETING		
<b>Present:</b>		
<b>HSE</b>	<b>AIAC Members</b>	
Graeme Walker (Chair)	Marcus Themans (NFU)	
Andrew Turner	James Brown (AFAG)	
David Coackley	Madge Moore (Lantra)	
Rachel Corbridge	Cath Speight (Unite)	
Jackie Jones (Committee Secretary)	Charlie Clutterbuck (Unite)	
	Ian Beeby (Unite)	
	David Knowles (IOSH)	
	Jill Hewitt (NAAC)	
	Tim Englefield (Landex)	
	Andrew Clark (NFU)	
	David Leavesley (NFU Mutual)	

Item No	Description
1	<b>Welcome and Opening Remarks</b>
	<p>(1.1) Graeme Walker, AIAC Chair, welcomed everyone to the meeting, especially Andrew Turner (HSE) who has joined the Sector as Alan Plom's replacement.</p> <p>(1.2) Apologies had been received from Sandy Blair (HSE) and James Eckley (NFYC),</p>
2	<b>Matters arising and actions outstanding from previous meeting</b>
	<p>(2.1) Actions from the previous meeting were either discharged, ongoing, or listed as an agenda item.</p> <p>(2.2) <b>Raising competence and skill levels</b> – the Committee Secretary had received some summaries of activities undertaken by members' organisations. The Chair asked that all outstanding reports be sent to the Committee Secretary as soon as possible.</p> <p>(2.3) <b>Forestry Skills Action plan</b> - a finalised version of the plan has been published and can be found at <a href="http://www.forestry.gov.uk/pdf/ForestryActionPlan_web.pdf/\$FILE/ForestryActionPlan_web.pdf">http://www.forestry.gov.uk/pdf/ForestryActionPlan_web.pdf/\$FILE/ForestryActionPlan_web.pdf</a></p> <p>(2.4) The update on branding and partnership marketing to be carried over to the next meeting to allow time for discussion on HSE's planned introduction of Fee for intervention.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>➤ <b>Members to forward a summary of any activities undertaken to raise competence and skill levels to the Committee Secretary as soon as possible.</b></li> <li>➤ <b>Committee Secretary to forward link to the Forestry Skills Action Plan to members.</b></li> </ul>

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	<ul style="list-style-type: none"> <li>➤ <b>Future funding of health and safety training. Lantra to submit any Committee proposals to Defra. Madge Moore and Rachel Corbridge to discuss and agree a way to take this forward.</b></li> <li>➤ <b>Jackie Jones/Rachel Corbridge to provide an update on branding and partnership marketing at the next meeting.</b></li> </ul>
3.	<p><b>Updates</b></p> <p>(3.1) <b>The latest statistics</b> – HSE recently published the final statistics for work related injuries (including fatalities) and ill health for 2010/11 at the beginning of November. For more detailed information see: <a href="http://www.hse.gov.uk/statistics/overall/hssh1011.pdf">http://www.hse.gov.uk/statistics/overall/hssh1011.pdf</a></p> <p>When considering the statistics, it should be noted that:</p> <ul style="list-style-type: none"> <li>• The figures are subject to gross under reporting; estimated to be around 25%. This figure is drawn from various pieces of HSE research and means HSE cannot rely on the non-fatal injury data for developing our strategy and plans. As a result, HSE uses the statistics relating to fatal injuries as they are the most robust and reliable.</li> <li>• Whilst there have been sustained and substantial reductions in the figures for the construction and manufacturing sectors, there has been no corresponding reduction in agriculture.</li> <li>• The change in the Government-wide industry classification scheme from SIC 2003 to SIC 2007 means that landscape and amenity figures will no longer appear under the classification for agriculture. The risk to agricultural workers is higher than that to those working in landscaping. On the other hand the level of reporting of non-fatal injuries is higher in landscaping than in agriculture. This results in an apparent increase in the fatal injury rate and corresponding decrease in the non-fatal injury rate for agriculture.</li> <li>• There is a problem with the figures on work-related ill health due again to under reporting</li> <li>• The level of injuries to members of the public fluctuates from year to year.</li> <li>• The proportion of people killed who are self employed is higher than that of employees</li> </ul> <p>(3.2) Committee members asked if they could receive early sight and notice of the publication of the figures as they had been caught out by requests for comment from the media. The current system does not allow industry partners to prepare responses or to build in any proactive publicity. Members asked that at the very least that they be notified of the release date.</p> <p>(3.3) It was explained that the figures and press releases are embargoed until the statistics have been published and that neither HSE staff nor stake holders are given access to the information prior to publication. The Chair reminded the Committee that the provisional figures, which are published in June each year, give an indication of the relative order of magnitude.</p> <p>(3.4) The Chair agreed to approach HSE Statistics Unit to try to determine the reason for such strict controls and to pass on feed back from Committee members. Committee members would write to HSE to express their views on the current system.</p> <p>(3.5) <b>Industry Safety Partnership</b> – Andrew Clark provided an update on progress. The minutes from the May and September meetings had been circulated by the Committee Secretary prior to the meeting.</p> <p>(3.6) The Partnership who launched their Charter in May 2011, consists of 19 organisations (in England). The NFU are encouraged by the continuing level of commitment being shown to furthering the cause of improved farm safety. There is now widespread ownership amongst the industry resulting in lots of activities. Farmers Weekly has been especially proactive and supportive. The Partnership has an established brand and several ideas for the future. There are</p>

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	<p>more members now than when the Partnership first started.</p> <p>(3.7) Graeme Walker provided a brief update on the Welsh partnership. This group is slightly behind its English counterpart and faces a different and additional set of challenges. The member organisations tend to be smaller, more fragmented, have other pressing priorities (CAP for example) and generally have fewer resources at their disposal. There is more work to be done to develop the group.</p> <p>(3.8) Currently, there is no group/partnership in Scotland. Judith Hackitt is keen to meet with stakeholders and potential partners in Scotland. Graeme Walker hopes to meet with representatives from the NFUS shortly. Meeting subsequently arranged for 13 December 2011.</p> <p>(3.9) Unite (who have previously been invited to join the Partnership) confirmed that they would like to participate.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>➤ Graeme Walker to speak to Statistics Unit to query the process for the release and publication of statistics.</li> <li>➤ Committee Secretary to forward the name of the HSE lead to members so that they may in turn write to challenge the process.</li> <li>➤ NFU to encourage NFUS to meet with Graeme Walker</li> <li>➤ NFU to add Unite to the list of members</li> </ul>
4	<p><b>Making the case for inspection – Graeme Walker</b></p> <p>(4.1) The recent Ministerial statement (Good Health and Safety, Good for Everyone) has set a new framework for the management of health and safety in GB. Within it, there are three categories of industrial activity:</p> <ul style="list-style-type: none"> <li>• Sectors which present comparatively high risk areas and where proactive intervention remains necessary as part of the regulatory approach. These include construction, waste and recycling and areas of manufacturing which are high risk e.g. molten and base metal manufacture;</li> <li>• Sectors where there remains comparatively high risk but for which proactive inspection is not considered a useful component of future interventions e.g. agriculture, quarries, and health and social care; and</li> <li>• Those areas/sectors where proactive inspection is not justified in terms of outcomes e.g. textiles, clothing, footwear, light engineering, electrical engineering, the transport sector (e.g. air, road haulage and docks), local authority administered education provision, electricity generation, the postal and courier services.</li> </ul> <p>(4.2) HSE research has clearly identified that proactive inspections in agriculture are neither cost effective, nor effective. However it is acknowledged that proactive inspection does make a positive impact and so it is important to maintain some level of inspection; albeit comparatively low. David Knowles reminded members of the ADAS research which states that farmers value inspection.</p> <p>(4.3) HSE also has anecdotal evidence via links with the GLA and large retailers that there are poor</p>

Item No	Description
	<p>standards in the fresh produce supply chain. Members were informed of the recent joint operation in Lincolnshire involving the HSE, Fire Service, GLA, Housing and local Police. The initiative (Operation Safe Haven) resulted in a number of Improvement and Prohibition Notices (INs and PNs) being served. The team also identified some exemplary practices.</p> <p>(4.4) Andrew Clark mentioned that the NFU were unaware of this activity as they had received no calls from their members (previous HSE activity had led to them being inundated with calls). It was explained that HSE chose not to publicise this activity on this occasion but may do so if the exercise were to be repeated. Members were reminded that information on enforcement i.e. prosecution and Prohibition and Improvement Notices is already in the public domain.</p> <p>(4.5) There is no difficulty in presenting the argument for targeting resources in this sub-sector but the question for the Committee is what else might similarly be prioritised i.e. what other sectors or sub-sectors should HSE seek to target through proactive inspection. Graeme Walker asked that members forward their suggestions the Committee Secretary by the end of the month in order to fit in with HSE's very tight planning schedule. Subsequently extended to 23 December 2011.</p> <p>(4.6) Andrew Clark suggested that the causes are so disparate that the multi agency approach may not prove to be the best approach. It may be better to identify a particular sector or sub-sector. Livestock handling and/or self-builds could be possible areas for consideration.</p> <p>(4.7) IOSH research provides a ready reckoner on the cost to business – the true burden is the amount of time taken up with the various audits.</p> <p>(4.8) Livestock handling and self-builds were two areas that might be worthy of consideration. Also, might there be a correlation between non Farm Assured farms and being of higher risk? It may be helpful to use this data to help target those higher risk farms, although this would not work as well for beef and sheep farms. Farm Assured farms are better at animal welfare, however there is no explicit health and safety element in the scheme.</p> <p><b>Action:</b></p> <ul style="list-style-type: none"> <li>➤ <b>David Coackley to forward Gas Safe figures to Cath Speight</b></li> <li>➤ <b>Committee members to forward suggestions for priorities to Committee Secretary by 23 December 2011.</b></li> <li>➤ <b>David Coackley to provide brief report on notices issued during Operation Safe Haven.</b></li> </ul>
5	<p><b>Tackling occupational health and rehabilitation – David Coackley</b></p> <p>(5.1) David Coackley briefly explained the background to and key points in AIAC paper 11/11/01. In recent years HSE has concentrated its limited resource on tackling the main causes of injury and death (i.e. safety issues). However, it is widely accepted that there is also significant under reporting of work related ill health within the industry and it is for this reason that HSE is turning its attention to occupational ill health.</p> <p>(5.2) Members agreed that this is an area that should be addressed and that the Committee should set some priorities (with concrete ideas and suggestions) which can then be developed into practical solutions. There was also agreement that the industry should address this issue. Although members were unclear of their/HSE role in relation to rehabilitation.</p> <p>(5.3) The Committee requested that a proposal outlining a specific area of work be developed and circulated to members for consideration and agreement (via email) on how best to progress e.g. commissioning work from a task and finish working group.</p> <p><b>Action:</b></p> <ul style="list-style-type: none"> <li>➤ <b>David Coackley to develop and submit a project proposal (via Committee Secretary) for consideration by the Committee</b></li> </ul>

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6	<p><b>Feedback on Agriculture Strategy - Graeme Walker</b></p> <p>(6.1) Graeme Walker reminded the Committee of the background to the development of the strategy (including the process) and summarised members' main comments and feedback.</p> <p>(6.2) The HSE Board's previous strategic approach (the Agriculture Revisited initiative) did not extend to the wider land based sectors e.g. Amenity, Forestry, Arboriculture etc. This Strategy does seek to incorporate the wider land based sectors within a broader strategic framework.</p> <p>(6.3) It is important to note the Board is still committed to tackling the key issues, and accepts that it may take ten or more years to bring about the necessary changes in behaviour and culture within the industry.</p> <p>(6.4) It was agreed that we must all work together to deliver the strategy. It is based upon our best intelligence, which is incomplete and so we must identify other reliable sources of data. This would be a valid role for AIAC, as members have the contacts and a better understanding of the issues and topics.</p> <p><b>Action:</b></p> <ul style="list-style-type: none"> <li>➤ <b>Committee members to identify reliable sources of intelligence which may be shared with HSE</b></li> </ul>
7	<p><b>Review and restructure of AIAC – proposal for change – Graeme Walker</b></p> <p>(7.1) (7.1) It is important to review and agree the future role of AIAC, particularly in the light of the formation of the Industry safety Partnerships. We must ensure that its structure and role meet current needs and that membership is representative of the make up of the industry, and reflects and supports the delivery of strategic priorities. It is for this reason that HSE is trying to widen membership of the Committee.</p> <p>(7.2) It is therefore proposed that AIAC should play a key role in feeding in advice, information (including horizon scanning), knowledge and expertise. The Committee should also help to improve and develop the strategy.</p> <p>(7.3) Where permissible, HSE will ensure that members are the first recipients of any relevant important information.</p> <p>(7.4) There are no plans to increase the size of the Committee as it is probably at its optimum size. There are currently three vacancies. HSE will seek to fill these as quickly as possible although no organisations have been approached as yet.</p> <p>(7.5) Members agreed the proposal as outlined in paper AIAC 11/11/02.</p> <p>(7.6) David Coackley asked members to support the setting up a 'Large Employers' task and finish working group. Members were unclear about the role, task and objectives for such a group and asked that a specific proposal be developed to lay out the case.</p> <p>(7.7) A review will be carried out of the existing groups to determine what work is ongoing, what has been completed etc. Findings to be circulated (electronically) for information.</p> <p>(7.8) Members agreed that any task and finish groups should directly support delivery of the strategy and have a clear specification and set of measurable outcomes.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>➤ <b>David Coackley to develop and circulate (via the Committee Secretary) a project proposal to tackle issues involving large employers.</b></li> <li>➤ <b>Rachel Corbridge/Jackie Jones to review the status of the existing working groups and circulate a brief report to members.</b></li> </ul>

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8	<p><b>Any other business</b></p> <p>(8.1) <b>Cost recovery</b> – Andrew Clark advised members that the NFU had responded to the recent consultation exercise. The NFU expressed their concern about the possible adverse effect that this may have on the progress that is being seen in terms of improving health and safety within the industry. The SBTF have also raised their concerns.</p> <p>(8.2) Graeme Walker explained the background to the proposal. There are three elements to the Govt's proposition:</p> <ul style="list-style-type: none"> <li>• That the taxpayer should not pay the costs for non-compliance and that it is important to establish a level playing field for businesses. Current proposals for 'Fee for Intervention' will only apply to material breaches of the law that require a formal intervention from the inspector through the issue of a letter, e-mail, instant visit report or enforcement notice.</li> <li>• HSE input into land use planning relating to the major hazards industry, together with local authority planning places a significant drain on HSE resources. [This is not being developed at present].</li> <li>• The provision of elective advice – HSE does not currently charge for the advice that we provide to other professionals who very often then go on to charge others for that advice. [This is not being developed at present].</li> </ul> <p>(8.3) From ~12k hits on the HSE consultation website, only 295 responses were submitted. The responses fall into two categories i.e. supporters and non-supporters. However, both groups raised the same issues.</p> <p>(8.4) HSE is awaiting a decision on the legal hurdles. It is not clear whether Fee for Intervention will be treated as a fee or a tax. If it is the latter then the revenue would go to the Treasury. If it is the former, then HSE will be able to use this to off-set the 35% reduction in funding.</p> <p>(8.5) <b>Pesticides Sprayers – Charlie Clutterbuck</b> expressed concern at the recent decision relating to the requirement for the certification of sprayers which would now be seen as 'gold plating'. It was agreed that Charlie would lobby on this and feedback on what has been done. Andrew Clark reported that the Industry Safety Partnership has already lobbied the Minister to ask him to retain certification. They are awaiting a decision.</p> <p>(8.6) <b>Review of health and safety legislation</b> - Graeme Walker advised the Committee that Professor Löfstedt's report will be published on 29 November. Subsequently published on Monday 28 November.</p> <p>(8.7) <b>Rural Hubs</b> - Marcus Themans advised the Committee of a programme of SHAD type events organised and delivered by the Rural Hubs in Hereford, Staffs and funded through the RDPE. He urged others to bid for funds and try out similar events.</p> <p>(8.8) <b>Bereavement</b> - Ian Beeby asked whether there is any published guidance on bereavement support. HSE provides families with a family pack but there is no HSE guidance on the subject. However, the Farm Crisis Network may be able to provide some help. HSE have contact details which they will forward to Ian.</p> <p>(8.9) <b>Events</b> – Graeme Walker informed members that the BBC Countryfile programme (20 November) would feature a SHAD hosted by Adam Henson at the Cotswold Farm Park. He also advised members that there would be a Forestry Summit on 5 &amp; 6 March 2012 to be held at the headquarters of the Forestry Commission (Scotland).</p> <p><b>Action:</b></p> <ul style="list-style-type: none"> <li>➤ <b>Charlie Clutterbuck to lobby the appropriate parties on the subject of the retention of the certification of Sprayers.</b></li> <li>➤ <b>David Coackley to forward contact details for the Farm Crisis Network to Ian Beeby</b></li> </ul>
9	<p><b>Time and date of next meeting:</b> The next meeting will be on 20th June 2012, Unite HQ, 128 Theobalds Road, London.</p>

