

AGRICULTURE INDUSTRY ADVISORY COMMITTEE (AIAC).
Minutes of the 6th meeting held on Thursday 19 October 2006

Chair	Representing
Elizabeth Gibby	HSE
Members	
James Brown	AFAG
Rick Sunderland	NAPEO
Andrew Clark	NFU
David Leavesley	NFU Mutual
Hayley Campbell Gibbons	Lantra Sector Skills Council
Chris Kaufman	TGWU
Caroline Bedell	CLA
Teresa MacKay	TGWU
Pat Stanley	NFU
Marcus Themans	NFU
Jake Vowles	AEA
Zad Padda	Ethical First
Advisors	
Roger Nourish	HSE
Graeme Walker	HSE
Alan Plom	HSE
Chris Molde	HSE (Secretariat)
Observers	
Michael Britten	NFU
Douglas Dale	AXA Insurance
Jason Hold	AXA Insurance
Alan Douglas	CMi
Nick Sangha	HSE
Apologies	
Helen Shipsey	CLA
Madge Moore	Lantra Sector Skills Council
Jill Hewitt	NAAC
James Eckley	NFYFC
Ivan Monckton	TGWU
Chris McCann	Asda

Item 1. Welcome AND Opening Remarks

- 1.1 The Chair welcomed members to the sixth meeting of the AIAC. She particularly welcomed Caroline Bedell from the CLA and Hayley Campbell Gibbons from LANTRA who were deputising for absent colleagues.
- 1.2 Apologies were received from Madge Moore, Helen Shipsey (maternity leave), Jill Hewitt (maternity leave), James Eckley and Ivan Monckton. Members asked for their congratulations to be passed to Helen Shipsey on the birth of her child and to Claire Lyons from HSE on her recent promotion.
- 1.3 The Chair informed members that the HSC launch of the ‘Health and Safety Statistics 2005/06’ will take place on 2 November 2006. The document provides the latest statistics on work-related health and safety and will be available from the HSE website.
- 1.4 The Chair informed members that the next meeting planned on 7 February 2007 has been cancelled. A new meeting date has been arranged for 28 March 2007 and will be held at the NFU offices in Stoneleigh, Warwickshire.

Item 2. Matters arising from the last meeting

- 2.1 The minutes from the last meeting were agreed.
- 2.2 Below is a summary of actions from the last meeting, along with some outstanding actions from the meeting held on 21 March 2006.

OUTSTANDING ACTIONS FROM MEETING ON 21 MARCH 2006			
3.5	Discuss future joint SHADs looking at lessons learnt from previous events	R Nourish, C Kaufman, P Stanley	Cleared. Discussed at an AIAC pre-meeting on 19 October and during the agenda item on SHADs.
3.11	Identify any ‘victims’ (i.e. injured or bereaved) people willing to be interviewed or contribute their experiences to articles/publicity or films on accidents	Members	No ‘victims’ have been identified but members agreed to keep HSE informed if they become aware of any who would be willing to be interviewed. Item closed.
5.1	AIAC members to suggest how we can effectively measure the effectiveness/success of our various communications	AIAC members	Cleared. Members provided feedback on the effectiveness of a range of recent HSE articles/editorials.
8.1	Suggest how we can mark the 50 th anniversary of the Agriculture Inspectorate	AIAC members	Celebration event will be held on 15 December 2006, from 12.30pm at HSE’s Office, Stoneleigh.

SUMMARY OF ACTIONS FROM MEETING HELD ON 29 JUNE 2006			
1.10	To produce a paper and provide an update to members at the next AIAC on the current position in terms of delivery of SHADs for 2006/07.	Alan Plom	Agenda item for October meeting.
1.14	To produce and publicise an article celebrating the anniversaries of both ‘Her Majesty’s Agricultural Inspectorate’ and the ‘Machinery Safety Inspectors’.	Alan Plom and AIAC members	Cleared. Copy sent to members with papers for October meeting.

7.3	To discuss copyright and pricing of child safety video with Communications Directorate and to explore whether there is scope for making the video available free to schools and other key intermediaries.	Bernardine Cooney	A priced child safety compilation DVD is currently being produced. HSE are trying to ensure the DVD cost will be kept to a minimum.
7.5	To establish and convene the 'Child Safety' Project Group and report at the next AIAC meeting on the progress made in developing objectives for the group and taking forward the current child safety initiatives.	Andrew Clark and Chris Kaufman	Meeting held. See report on project groups below.
9.5	Alan Plom to inform members of the Transport Project Group; all AIAC Members to review the 'Route Map' on HSE's website and encourage their members to respond.	Alan Plom and AIAC members	Cleared. Teresa MacKay reported that TGWU had responded to the 'route map' consultation.
10.4	To consider how they can publicise and contribute to the 2006 Better Backs campaign.	AIAC members	Members provided details of support to campaign.
11.5	To provide an update on the work of the casual, temporary and migrant workers project group at the next AIAC.	Graeme Walker	Agenda item for October meeting.
11.7	Copy of TGWU roving safety representative's paper to be sent to all members.	Secretariat	Cleared

Additional matters arising

- 2.3 Cattle and public access: Alan Plom provided details of two information sheets (AIS17ew and AIS17s) which had recently been revised and republished by HSE. The original guidance was withdrawn by HSE in 2005 as the content had been incorporated into Countryside Agency guidance dealing with guidance to landowners on countryside and rights of way (CROW) related issues. However, following representations to HSE by a number of stakeholders, the guidance was revised and two versions of the information sheet (one for England and Wales and the other for Scotland) reflecting the different legislative approaches to public access are now available on the HSE website. James Brown had been asked by NFU Scotland to complement the author (Tony Mitchell, Agriculture Sector) on the clarity of the guidance. Several other Members endorsed this.

Action: Members are asked to promote and publicise the new information sheets.

Item 3. Agricultural statistics and trends including major accidents (paper AIAC 060601 – Partially Closed)

- 3.1 Roger Nourish provided an analysis of HSE's official statistics for fatal and major accidents in Agriculture for 2005/06 and 2004/05 respectively including incidence rates, longer-term trends and patterns of accident causation. This was supplemented with additional provisional (members in confidence) data collected by the Sector for 2006/07 (up to approx. the end of September 2006) which, though as yet is unvalidated by HSE's statistics branch, provides up-to-date, in-year data about which AIAC had previously asked to be kept informed.
- 3.2 Dr Nourish concluded that the trend lines for fatal accidents appear to be going in the right direction, particularly for the self-employed sector and that the key causes of accidents and therefore the priorities for HSE in agriculture remain the same, namely; transport, falls from height, struck by and injured by an animal. Dr Nourish asked members to consider the potential lessons and communications messages to be drawn from them.

Item 4. Safety and Health Awareness Days (SHADs) (paper AIAC 060603)

- 4.1 Alan Plom provided details on the current programme of farming, forestry and arboriculture SHADs in the 2006/07 work-year. Alan reported that approx. 200 SHADs had been delivered in agriculture since they were introduced in the late 1990's, with an estimated 32,000 farmers having attended the events, i.e. approx 10% of the target population.
- 4.2 Alan summarised the aims and objectives of a SHAD and described the various scenarios and structure of an event. He also provided details of the number of SHADs delivered in 2005/06, the planned programme for 2006/07, the cost of SHADs, recent evaluation on the impact of SHADs, and the future programme and funding of SHADs for 2007/08.
- 4.3 Alan pointed out that the timetable and venues for some of the SHADs listed in the Annex had since been revised and the position regarding the recent event cancelled in Wales had been clarified. Sponsorship was being sought through working with other organisations, e.g. part-funding of some of the SHADs in Scotland had been obtained locally, through business development bodies from European training funds.
- 4.4 The Chair invited members to:
 - (i) attend a SHAD if possible during 2006/07 to gain a better understanding and gain experience of an event;
 - (ii) offer suggestions on how sponsorship might be achieved to support future events; and,
 - (iii) suggest how the uptake of invitations could be improved.
- 4.5 David Leavesley suggested that the NFU Mutual might be able to reinstate their sponsorship of the SHAD lunches which would help reduce the costs of the events. Members agreed that providing lunches was an effective incentive and created an opportunity for discussion. Alan Plom to discuss with David/NFU Mutual.
- 4.6 Members advised that the 'toned-down' HSE letter inviting farmers to a SHAD was not helping the uptake of attendees and that the 'carrot and stick' approach which was successfully used in previous years should be reintroduced. Alan confirmed that the model invitation letter had recently been 're-strengthened' and an increase in numbers achieved where this had been used. Alan intended to revise the letter further to highlight the benefits acknowledged by farmers in their feedback, and was also seeking to include local endorsement from leading farmers, e.g. NFU Branch Chairs.
- 4.7 Andrew Clark offered help from the NFU to increase the uptake of invitations by promoting the 2006/07 programme of farming SHADs via their regional network. Alan Plom agreed to amend the paper to include a list of contacts for each SHAD and to send this to the NFU and other members. Alan also agreed to produce a similar update paper on SHADs for 07/08 to present to the AIAC in Autumn 2007.
- 4.8 Chris Kaufmann welcomed the supporting statements made by HSE's Chief Executive at the AIAC meeting in June and HSE's continued commitment to running SHADs.
- 4.9 The Chair thanked Alan for the paper and asked that a similar update paper be prepared and presented to the AIAC at the same time next year.

Action: AIAC Members to contact HSE if they wish to attend a SHAD.

Action: Alan Plom (HSE) to discuss the sponsorship of lunches at SHADs by NFU Mutual with David Leavesley.

Action: Alan Plom (HSE) to update the paper to include a list of contacts for each SHAD and to produce a similar update paper on SHADs for 07/08 to present to the AIAC in Autumn 2007.

Action: Andrew Clark (NFU) to use the NFU regional network to promote the 2006/07 programme of SHADs.

Item 5. Report back from project groups

Arboriculture and Forestry Advisory Group (AFAG)

- 5.1 Roger Nourish reported that AFAG had met in August and provided a brief update and highlighted some of the work that is currently underway in AFAG's Project Groups. In particular:
- a) Training and certification – The review of options announced to the industry at a seminar at the APF Show in September received good press coverage. An 'AFAG' web-page is being set up to receive comments. This 'consultation' exercise will run for 3 months.
 - b) Examination of the underlying causes of accidents in forestry – The findings of Bomel's research was presented at the AFAG meeting and they are currently performing further analysis.
 - c) Work on steep slopes – Guidance produced by the group was launched at the APF Show.
 - d) Vibration – new HSE guidance to be published soon was announced at the APF Show. HSE has also published articles in relevant trade journals.
 - e) Communications – In addition to the above, nine key forestry leaflets have now been successfully reviewed and released. A further six leaflets are in the process of being reviewed. A new edition of "Arb News" has been also produced and is available on the HSE website. AFAG members have been invited to comment on the content and structure of the proposed AFAG webpages.
- 5.2 James Brown referred to the excellent response from the industry to the AFAG presentations and joint stand with HSE at the APF and wished to record his thanks to Jason Liggins (HSE, Ag Sector) whose efforts had been recognised in a recent article in the Forestry Machinery Journal. This had done much to generate the positive atmosphere and response to HSE. Alan Plom noted that Geoffrey Podger (HSE Chief Executive) had also spotted this article and had personally complemented Jason.

Transport

- 5.3 Alan Plom reported that the group has not met since the last AIAC, but members continued to liaise and discuss transport-related issues, also with HSE's Workplace Transport programme team and others. HSE has produced an article for Farmer's Weekly (FW) 'Academy' series.
- 5.4 Alan Plom reported that the national Energy Networks Association (representing the major electrical producers and suppliers) were interested in establishing an 'Agriculture Engagement Group' to discuss guidance and promote safe practices. They had offered to sponsor a meeting of the Transport project group, as they shared a common interest in overhead power lines. AIAC endorsed this approach. The meeting will be held in December and will cover a range of issues including research, VOSA and standards work.
- 5.5 The AEA had expressed concerns about recent discussions initiated by HSE's Safety Unit on standards for visibility of telehandlers, but this was being resolved. Mr Vowles was particularly concerned about the failure of the Department for Transport (DfT) to clarify and updated their guidance on vehicle braking, that they promised the AIAC Transport Group 15 months ago. He asked the Chair to write to DfT seeking their input.

Action: Alan Plom (HSE) to discuss with AEA and DfT and prepare letter for Dr Gibby as appropriate.

Casual, temporary and migrant workers

- 5.6 Graeme Walker reported that the group had met twice since the last AIAC – once opportunistically during the Royal Show to minimise costs – and had finalised the draft of the migrant workers' advisory leaflet. The leaflet reflected the need for basic advice and guidance on rights and responsibilities identified by government and independent agency

sponsored research. Enquiries had been made about sourcing translation services but subsequently HSE's Communications Directorate and design and support services had confirmed that funding was available for translation and publication of the leaflet in key languages. These were currently thought to include Polish, the Baltic States languages and Russian. From early 2007 onwards and following accession to the EU it might also be necessary to make the guidance available in Bulgarian and Romanian. A number of possible presentational formats had been considered but the group had opted for a small folding pocket card version (shown to the meeting). The group now proposed to focus on developing a supporting communications strategy before starting work on developing guidance for SMEs on managing the health and safety of temporary and migrant workers. Graeme also advised that Lantra had drawn the group's attention to a commercial proposal to deliver basic health and safety training for migrant workers prior to their starting work in the UK i.e. in their country of origin. The training would complement not replace the requirement for induction and other health and safety training once they start work in the UK but essentially would seek to provide a common basis/understanding of general health and safety practice in the UK. The group had agreed it should be drawn to the attention of the full AIAC to allow members to express their views. To that end he proposed to copy details to AIAC members inviting their views on the proposal.

Action: AIAC members are invited to comment on the proposed project by 15 December.

Roving Safety Representatives (RSRs)

5.7 Graeme Walker reported that the group met on 3rd October to discuss how the work might be taken forward in the light of the HSC paper (reference HSC/05/16) on worker involvement. Graeme reported that HSC had considered a paper on peripatetic (roving) safety representatives in 2005 but had felt unable to support the concept of RSRs as developed in Scandinavia and supported and actively promoted in agriculture by the TGWU (in particular) for approximately the past ten years. He summarised the findings of the AIAC commissioned research project completed and reported by ADAS Consulting Ltd in 2004 which concluded that the concept was viable but that there were substantial practical, management and logistical problems. Graeme added that the Commission was also due to consider a paper on the future of the DTI sponsored Workers Safety Advisors' Challenge Fund but that it was thought likely the Commission would conclude that the projects funded during the first three years of the project had focused too much on delivering a peripatetic safety advisor rather than a worker involvement model and had been comparatively too expensive to allow them to take it forward. In the circumstances, it was suggested that if the AIAC wished to take this work forward it would need to recast the aims and objectives of the group and widen its membership to develop and promote worker involvement initiatives in the industry. The trend to greater casual, temporary and migrant working in the industry posed particular challenges in this area.

5.8 Members agreed that a paper should be presented at the next AIAC meeting exploring the scope for future work in the context of HSC/E's worker involvement programme.

Action: Graeme Walker (HSE) to produce and present a paper to the next AIAC meeting which explores the options of pursuing and promoting initiatives in support of HSC/E's Worker Involvement Programme.

Child Safety

5.9 Andrew Clark reported that an initial meeting to discuss the scope, membership and objectives of the proposed working group had been held in October, hosted and chaired by the NFU. Unfortunately, the TGWU could not attend and there was a need to engage and include a number of other important stakeholders in the group. A further meeting would be called soon. Andrew advised members that the group would be in a better position to report on progress at the next AIAC meeting.

5.10 Chris Kaufman reported that Lord Hunt has agreed to meet TGWU soon, to discuss the issues raised in his letter to the Prime Minister. Theresa Mackay said that an article in the

NUT's journal on the TGWU's child safety leaflets had generated a lot of interest from schools. Roger Nourish observed this was obviously a topic of great interest as Farmers Weekly had reported that their editorial which focussed on child safety following the release of HSE's 'Fatal Injuries in farming, forestry and horticulture 2005-2006' report had generated the highest response of any topic.

Action: Andrew Clark (NFU) to report at the next AIAC meeting on the progress made in developing objectives for the group and taking forward the current child safety initiatives.

Item 6. Insurance as a driver for health and safety uptake: An Agriculture Sector initiative (Paper AIAC 060602)

- 6.1 The Chair welcomed Douglas Dale, Jason Hold (both from AXA Insurance) and Alan Douglas (CMi) who were attending the meeting to provide support to the proposed initiative.
- 6.2 Roger Nourish summarised the paper, which described a project that had been developed in partnership with a number of key stakeholders in the agriculture and financial services industries. Dr Nourish asked members to comment on the project, which involved the systematic coordination and application of the tools and other information available on databases developed by HSE and other organisations. The overall objective would be for these to help provide a mechanism for insurers to recognise and reward their clients for carrying out adequate risk assessments and implementing other effective controls to reduce risk, including training and competence of staff.
- 6.3 Members supported the initiative but asked for clarification on whether the use of these tools would lead to a reduction in premiums. Alan Douglas explained that insurance premiums were set on risk rates – whereby the risks are assessed against how well those risks are managed. If risks are well managed then insurance premiums will be lower than those who do not demonstrate good preventative risk management.
- 6.4 Dr Nourish also sought members comments and support for a proposed seminar to be held in the current work-year to; outline the joint proposals to the wider insurance industry, to gain support/sponsorship for initiatives of joint interest, and to secure the industry's commitment and identify ways to take forward the project. Dr Nourish particularly asked members to advise whether any other stakeholder organisations in Agriculture can be identified to help drive the initiative forward.

Members. AIAC members to identify any other stakeholders who could help drive forward the proposed project.

Item 7. Migrant working in agriculture

- 7.1 Graeme Walker summarised the changing workforce in agriculture, which has led to an increase in the use of migrant workers in the industry. Graeme also provided details of the main concerns, issues, and political/other drivers including the extensive media and public interest following the deaths of the 21 cockle pickers at Morecambe Bay.
- 7.2 Graeme provided details of HSE's approach to the issue as well as outlining some of the cross-government initiatives and partnership working that HSE has been involved in, including inspection/investigation activities, working with the supply chain and labour providers, active support for the Gangmaster Licensing Authority and joined-up enforcement.

Item 8. Update on HSE merger with Gangmaster Licensing Authority (GLA)

- 8.1 Graeme Walker provided details of the "Hampton Report: Burdens on businesses" which was accepted by the Government in March 2005 and which recommended the merger of HSE with the GLA.
- 8.2 He reported that the GLA was established in April 2005 to regulate the activity of labour providers (gangmasters) and labour users in the agriculture and food industries as set out in the Gangmasters (Licensing) Act 2004. The Act established the GLA Board and the GLA to operate a licensing scheme; set licensing conditions and maintain a register of licensed

gangmasters; introduced new offences, including operating without a licence, engaging the services of an unlicensed gangmaster and using false documentation; and penalties including up to 10 years imprisonment.

- 8.3 He stated that the aims of the project are to merge the GLA within an enhanced HSE by no later than 31 March 2009; to promote / implement Hampton principles; and to maximise the potential for savings through the rationalisation of common functions.
- 8.4 He reported on the progress to date as well as the recent HSC decision that the Commission would take on the remit/functions of the GLA Board and that HSE would take on responsibility for the GLA. Graeme also outlined the proposed legal basis on which the merger would take place i.e. by way of a Regulatory Reform Order and the process of public consultation and parliamentary scrutiny that would need to take place prior to the merger.
- 8.5 TGWU, who are represented on the GLA Board, expressed their continued opposition to the merger on the grounds that HSE is not the most appropriate organisation for the GLA to be merged with. TGWU believe that migrant working is mainly an employment issue and is about protecting the exploitation of workers on a range of other non-health and safety issues. TWGU stated they would continue to make representations to Ministers and the Secretary of State to oppose the merger.
- 8.6 Zad Padda stated that he was not opposed to the merger with HSE but was concerned that the merger would deflect the GLA from its primary objective of licensing gangmasters and protecting migrant workers.

Item 9. Closing remarks

- 9.1 The Chair asked for a paper on AFAG and the Transport Project Group to be presented at the next AIAC meeting, to update members on progress and to review what each Group is delivering.
- 9.2 The Chair agreed to meet with Roger Nourish to discuss the future of the Musculoskeletal Disease (MSD) working group and to report back to AIAC members at the next meeting.
- 9.3 The Chair also asked for HSE to produce a paper for the next AIAC meeting, updating members on the development of the Vocational Qualifications in agriculture.
- 9.4 Finally, the Chair alerted members that HSE would be producing a consultation document (available on the HSE website before Christmas) on the proposed merger of HSC and HSE and encouraged members to participate in the consultation exercise.

Action: Roger Nourish and Alan Plom (HSE) to present papers at the next meeting on the progress of AFAG and the Transport Project Group.

Action: Chair and Roger Nourish (HSE) to decide on the future of the Training & Education and Musculoskeletal Disease (MSD) working groups and report back at the next meeting

Action: Alastair Mitchell (HSE) to prepare and presented to the next meeting on the development of Vocational Qualifications in agriculture.

Next meeting

- **28 March 2007** - venue: **NFU's Stoneleigh office**

SUMMARY OF ACTIONS FROM MEETING			
2.3	Cattle in fields: Members are asked to promote and publicise the new information sheets.	Members	
4.4	SHADs: AIAC Members to contact HSE if they wish to attend a SHAD.	Members	
4.5	SHADs: to revise/update the SHAD paper and discuss the sponsorship of lunches at SHADs by NFU Mutual with David Leavesley.	Alan Plom and David Leavesley	
4.7	SHADs: HSE to update the paper to include a list of contacts for each SHAD and to produce a similar update paper on SHADs for 07/08 to present to the AIAC in Autumn 2007.	Alan Plom	
4.7	SHADs: Andrew Clark (NFU) to use the NFU regional network to promote the 2006/07 programme of SHADs.	Andrew Clark	
5.5	Standards for visibility of telehandlers: HSE to discuss with AEA and DfT and prepare letter for Dr Gibby as appropriate.	Alan Plom	
5.6	Migrant Workers: AIAC members are invited to comment on the proposed project by 15 December.	Members	
5.8	Worker Involvement: Graeme to produce and present a paper to the next AIAC meeting which explores the options of pursuing and promoting initiatives in support of HSC/E's Worker Involvement Programme.	Graeme Walker	
5.9	Child Safety Working Group: To report at the next AIAC meeting on the progress made in developing objectives for the group and taking forward the current child safety initiatives.	Andrew Clark	
6.4	Insurance industry initiative: Members to identify any other stakeholders who could help drive forward the proposed project.	Members	
9.1	HSE to present papers at the next meeting on the progress of AFAG and the Transport Project Group.	Alan Plom and Roger Nourish	
9.2	HSE to decide on the future of the Training & Education and Musculoskeletal Disease (MSD) working groups and report back at the next meeting.	Elizabeth Gibby and Roger Nourish	
9.3	HSE to prepare and presented to the next meeting on the development of Vocational Qualifications in agriculture.	Alastair Mitchell	