



NOTES OF MEETING

Date: 20 June 2012	Location: Unite HQ, 128 Theobalds Rd, London	Taken by: Anna Fenton
Subject: AGRICULTURE INDUSTRY ADVISORY COMMITTEE (AIAC) MEETING		
Present:		
HSE	AIAC Members	
Graeme Walker (Chair) Andrew Turner David Coackley Rachel Corbridge Anna Fenton	Marcus Themans (NFU) James Brown (AFAG) Madge Moore (Lantra) Cath Speight (Unite) Charlie Clutterbuck (Unite) Ian Beeby (Unite) Alan Plom (IOSH) Tim Englefield (Landex) Ben Ellis (NFU) Gillian Littlewood (British Retail Consortium) David Leavesley (NFU Mutual)	

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1	Welcome and Opening Remarks (1.1) Graeme Walker, AIAC Chair, welcomed everyone to the meeting, especially Gillian Littlewood (British Retail Consortium) who has joined the Committee as Chris McCann's replacement. (1.2) Apologies had been received from Andrew Clark (NFU), David Knowles (IOSH), Jill Hewitt (NAAC) and Jackie Jones (HSE). Ben Ellis and Alan Plom attended the meeting in place of Andrew Clark and David Knowles respectively.
2	Matters arising and actions outstanding from previous meeting (2.1) Actions from the previous meeting were either discharged, ongoing, or listed as an agenda item. (2.2) Industry Safety Partnership. NFU will respond to the Committee as to whether Unite had been added to the list of members. Action: ➤ NFU to check if Unite have been added to the list of members.

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3.	<p data-bbox="188 183 300 215">Updates</p> <p data-bbox="188 241 1481 367">(3.1) The latest statistics – HSE are due to publish provisional fatal statistics for work year 2011/12 on 5th July 2012. Current information suggests that fatal accidents are in line with the industry performance over the last 10-15 years, which includes 1-4 child fatalities a year. The final statistics for 2011/12 will be published at the end of October/beginning of November 2012.</p> <p data-bbox="188 398 1487 613">(3.2) Cath Speight asked if the Committee needs to focus on the lack of downward trend in the fatality rate for children and pointed out that HSE previously had 2 publications regarding child safety, one entitled 'Farms are not Playgrounds'. Unite asked that HSE revamp these publications. The Chair answered that all child safety information will be reviewed as part of the HSE's review of guidance. It would also be possible for other organisations to take ownership and responsibility for publishing these publications in future. Ben Ellis said that NFU are looking at producing some child safety leaflets and will look into where they are with this and report back.</p> <p data-bbox="188 645 1481 734">(3.3) Charlie Clutterbuck asked if the child fatality figures will change to include under 18 year olds as the school leaving age changes. The Chair answered HSE currently publish on the basis that a Child is under 16 and a young person is 16-18 years of age. He currently has no reason to believe these definitions will change.</p> <p data-bbox="188 766 1417 833">(3.4) Charlie Clutterbuck asked if the fatal statistics can be presented to the Minister. The Chair assured Members that they would be.</p> <p data-bbox="188 864 1474 981">(3.5) Industry Safety Partnerships- Ben Ellis provided an update on progress. This year there are three key areas that the partnership are focusing on, namely; Safe Stop (machinery), safe cattle handling and safe delivery (of agricultural materials and products e.g animal feed). This will be developed to target other areas as well.</p> <p data-bbox="188 1012 1474 1079">(3.6) Cath Speight mentioned that Unite have not been involved with the Industry Safety Partnership since its launch and would like to be involved from now on. NFU will invite Unite to the next meeting.</p> <p data-bbox="188 1111 1481 1258">(3.7) The Chair provided an update on the Welsh On-Farm Safety Partnership. This group has generally smaller organisations involved than is the case in the Industry Safety Partnership but has a lot of support from the Welsh government. Progress is slower due to the comparative lack of resources but there is a lot of enthusiasm. They have launched a Safety Charter and a strategy based on a number of priorities, including transport.</p> <p data-bbox="188 1290 1337 1357">(3.8) The Chair invited any of Members would like to participate in the either of the Industry Safety Partnerships to contact Ben Ellis (England) or Mary James (Wales) (NFU Cymru).</p> <p data-bbox="188 1388 1490 1447">(3.9) April AFAG Meeting –Andrew Turner provided an update on the AFAG meeting on 18 April. He advised that:</p> <ul style="list-style-type: none"> <li data-bbox="226 1478 1436 1545">○ Members had reviewed the status of AFAG projects; some of which had been consolidated, some overtaken by events and some continued to be progressed. <li data-bbox="226 1576 1481 1724">○ A Forestry Safety Summit had taken place in Edinburgh on 5/6 March. The aim of the Summit was to get the industry to accept there is a problem with health & safety in the industry as the fatal accident incidence rate is 15 times higher than the all industry average. The Summit had agreed to develop on Industry Safety Accord and establish an Industry Safety Group. The Industry Safety Group had met for the first time on 15 June 2012. <li data-bbox="226 1756 1449 1881">○ Lantra had produced a paper on training at the . which discussed changes in the way qualifications would be assessed in future. The key issue was to do with definition of the term 'Independent Assessment' and there had been no consensus. The paper was to be revised and re-submitted to AFAG at its next meeting. <li data-bbox="226 1912 1490 2038">○ About attendance at the APF show which runs every two years and had been a great success in 2010. In 2012, HSE and other stakeholders were trying to find a suitable 'attractor' for their joint stand. It was likely that the Forestry Industry Safety Group would seek to publicly launch its Safety Accord at the APF in September. <li data-bbox="226 2069 1481 2092">○ James Brown wanted to thank HSE for the work involved in setting up the Industry Safety Accord and

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	<p>Industry Safety Group.</p> <ul style="list-style-type: none"> ○ James Brown provided an update on the European Chainsaw Qualification. The European standard now matches the UK standard and this has been accepted. The Chair thanked James Brown for his work on progressing this. ○ The Chair discussed the status of the AFAG leaflets. Due to a review of its guidance, HSE will only in future be able to publish guidance that focuses on compliance and will have remove or withdraw guidance which focuses on best practice. Acknowledging that the tree work industries are concerned at the loss of the AFAG suite of leaflets, he advised HSE would (subject to certain assurances) be willing to transfer ownership of and responsibility in future for publishing these leaflets to one or more suitable industry stakeholders. The Forestry Industry Safety Group had expressed interest in taking over ownership of some or all of the AFAG leaflets, possibly in conjunction with the Arboriculture industry. They had also expressed interest in taking on ownership of the HSE publication INDG294 'Managing Health & Safety in Forestry'. Further discussion and negotiation was required. <p>(3.10) Membership & Governance – The Chair said that due to recent losses, there are vacancies on the Committee. He proposes approaching 2 or 3 people to potentially join AIAC but pointed out that it is important to find new members who will fill any gaps and/or can add value to the Committee.</p> <p>(3.11) Charlie Clutterbuck asked if there is going to be a new HSE Board Champion for Agriculture now that Sandy Blair has left HSE. The Chair answered that there will be a Board Member with an interest in agriculture and this will be Professor Richard Taylor. The Chair and members of the Agriculture Sector team will be meeting him at the end of July and he will be invited to future AIAC meetings.</p> <p>Actions:</p> <ul style="list-style-type: none"> ➤ NFU to report back to the next meeting on their plans to produce a Child Safety leaflet ➤ NFU to invite Unite to the next Industry Safety Partnership meeting. ➤ Committee members to contact NFU or NFU Cymru if they wish to be involved in the Industry Safety Partnerships.
4	<p>Lofstedt – reporting back on outcome, ACOP review – Graeme Walker</p> <p>(4.1) Self employed -The Chair explained that Prof. Lofstedt's report had a reference to the exemption of the self-employed from Health & Safety legislation. Committee members wanted clarification on whether this is to include agriculture. The Chair advised that HSE is looking at the exemption of the self-employed in a number of industries and there will be a formal consultation exercise; probably later this year.</p> <p>(4.2) ACOP Review – The Chair further advised members that Prof. Lofstedt's report had also initiated a review of all (50+) HSE's ACoPs. From the evidence submitted to his review team, he believed that there was a widespread and fundamental misunderstanding by industry generally as to the purpose and legal status of ACoPs. This review was being carried out in addition to and separately from the review of HSE publications. A Consultation Document will be published on proposals for the future of the first 15 ACOPs and proposals for the future; including that on 'Preventing accidents to children in agriculture'. The Chair urged members to look at HSE's website on 25th June when the document is published and comment if they wish. Members have until 14th September to respond. HSE will be sending out an email to a wide range of stakeholders – including AIAC members – on Monday 25 June alerting them to the Consultation Document and exercise.</p> <p>Actions:</p> <ul style="list-style-type: none"> ➤ HSE will centrally send out an email on 25 June at which time, the ACOP Consultation Document will be posted on HSE's website. ➤ Members are invited to comment on the Consultation Document by 14th September 2012.

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5	<p>Current Issues</p> <p>(5.1) Slurry - David Coackley explained that the use of recycled plasterboard in animal bedding increases the production of hydrogen sulphide gas when the bedding is added to slurry. Wider use of gypsum in bedding is causing an increase in the number of cattle deaths particularly in the Scottish Borders. There have been no reported human fatalities to date in GB. It is also an issue of concern in Northern Ireland. The Environment Agency has advised that it is illegal to use gypsum in bedding without a license. HSE and HSE Northern Ireland (HSENI) are commissioning research on the increase of sulphide levels in slurry from the addition of gypsum based products..</p> <p>(5.2) David Coackley said that HSENI have published a very good leaflet on hydrogen sulphide and that HSE is proposing to produce a new leaflet on slurry; consolidating the existing guidance leaflets into one.</p> <p>(5.3) HSE asked if the NFU or NFU Mutual had any knowledge of increased livestock deaths reported to them and if they could let HSE know if any are related to the use of gypsum based bedding.</p> <p>(5.4) Industry Code of Practice on animal attractions – David Coackley provided an update on the development and publication of an Industry Code of Practice which will replace AIS 23 ‘Preventing Ill-Health from Animal Contact at Visitor Attractions’. He advised that he had delivered several training sessions to regulators including Environmental Health Officers & HSE inspectors and that training is now being given to the industry.</p> <p>(5.5) Trailer Braking – Andrew Turner. The speed and weight capacity of tractors and trailers have increased since the current trailer braking regulations were introduced in the 1980’s. The Department for Transport (DfT) has agreed that tractors and trailers can increase their speed and the weight they carry. There are concerns regarding trailer braking maintenance which has led to a voluntary scheme in which farmers submit to a yearly check of their trailer braking system. The training of the drivers of large tractors is also an issue. The DfT has set up two working groups to look at concerns raised by HSE and others and will produce a Consultation Document in due course.</p> <p>(5.6) The Chair asked if the NFU could circulate its trailer braking guides. Ben Ellis replied that they were free to NFU members.</p> <p>Action:</p> <ul style="list-style-type: none"> ➤ NFU and Mutual to let HSE (Jackie Jones, Secretary) know if they have any information on increased livestock deaths associated with the use of gypsum based bedding.
6	<p>HSE’s Regulatory Activity in Agriculture- Graeme Walker</p> <p>(6.1) There will be a planned programme of inspection in the fresh produce sector in 2012/13 which will target specific activities at specific times of the year. It will be based on the model developed for and tested during Operation Safe Haven.</p> <p>(6.2) The effect of the Ministerial Statement (Good Health and safety, Good for Everyone) published in March 2011 is that in future, HSE and the Local Authorities will focus less on proactive and more on reactive inspection. Amongst other things, the statement indicated that agriculture (along with other industrial sectors) was not an industry for which proactive inspection was deemed to be appropriate.</p> <p>(6.2) Notwithstanding, the Chair stated that he believes some (albeit a small amount of) inspection is important in in the industry and he will be submitting proposals to HSE’s senior managers later this year seeking permission to carry out some proactive inspection in agriculture in 2013/14. The Chair invited Members views as to which activities or parts of the industry HSE should target.</p> <p>Action:</p> <ul style="list-style-type: none"> ➤ Members to forward to HSE (Jackie Jones, Secretary) their views on which parts or activities HSE might target through any future programme(s) of proactive inspection.

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7	<p>Update on the Agriculture Strategy– The Way Forward - Graeme Walker</p> <p>(7.1) The HSE Agriculture Strategy aims to tackle fatal and non-fatal injuries and occupational ill health across agriculture and the wider land based industries. Although there has been some consultation with Members in developing the strategy, Member's views have not had the opportunity as yet to discuss the Strategy in detail. The Chair called for volunteers to examine and comment on the Strategy in detail. Madge Moore, Cath Speight, and Gillian Littlewood volunteered. The NFU will put someone forward in due course and David Knowles was volunteered in his absence by Alan Plom on behalf of IOSH.</p> <p>(7.2) The Chair proposed a meeting (hopefully in July) to take this forward and HSE will write out to members to agree a date and venue. HSE will also send out to members a copy of the Strategy and the draft Sector Implementation Plan</p> <p>Actions:</p> <ul style="list-style-type: none"> ➤ AIAC Secretariat to write out to members to discuss dates and venues for a meeting regarding the Agriculture Sector Strategy. ➤ AIAC Secretariat to send out a copy of the Sector Strategy and the draft Sector Implementation Plan.
8	<p>Review of AIAC Working Groups – Graeme Walker</p> <p>(8.1) Members discussed the status of the six AIAC working groups;</p> <ul style="list-style-type: none"> • AFAG is an established working group that meets regularly. • The Transport & Machinery working group is currently dormant. • The Vulnerable Workers project group. It was suggested that this group be closed down. • The Training & Education working group. At present it was decided that this work would be better delivered through the Industry Safety Partnership. • The Intelligence-gathering working group. It was proposed the work on the developing the Agriculture Sector Strategy will supercede this. • The Livestock working group. This work is being taken forward through the Industry Safety Partnership. <p>(8.2) Unite requested that they would like one of their members to join AFAG. Cath Speight will put forward a name. Alan Plom pointed out that John Ireland will be representing IOSH on AFAG in the future.</p> <p>(8.3) AIAC Paper 06/12/02 – David Coackley presented a paper proposing an Occupational Health project. The project's aim would be to identify priorities in occupational health in agriculture, develop a strategy and highlight any industry concerns and issues. It was agreed the project would be taken forward.</p> <p>(8.4) Nominations to participate in the project group were received from Unite (Susan Murray) and IOSH (John Ireland). Manual Handling, Noise/vibration, MSDs were suggested as potential issues. Alan Plom suggested that John McNamara (IOSH) would be a good source of information for this group. Members were asked for further volunteers for this working group.</p> <p>(8.5) HSE will forward current ill-health information to members by 31st July.</p> <p>(8.6) AIAC Paper 06/12/03 – David Coackley presented a paper proposing a project to produce industry guidance for permanent and temporary staff employed by large employers. This follows on from the work done on Operation Safe Haven which highlighted various issues including welfare and working conditions. Members were happy for this project to be taken forward.</p> <p>(8.6) Nominations to participate in the Large Employers project were received from Unite (Ivan Monkton),</p>

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	<p>NFU Mutual, Kevin Byewater & David Knowles (IOSH), the British Retail Consortium and potentially the NFU, subject to suitable and sufficient resource being available.</p> <p>(8.7) The Chair reminded members that if they would like the Committee to focus on any particular issues, they can produce a paper to be presented at meetings or contact the Committee Secretary to have items included on the agenda.</p> <p>Actions:</p> <ul style="list-style-type: none"> ➤ Cath Speight to forward details of a member of Unite to join AFAG. ➤ Members to forward their views on what they have done to tackle occupation health issues to David Coackley. ➤ Members to identify potential members to participate in the Occupational Health project and to forward them to David Coackley ➤ David Coackley to forward current ill-health information by 31st July. ➤ Members to identify potential members to participate in the Large Employers project and forward them to David Coackley.
9	<p>Any Other Business</p> <p>(9.1) Aspergillus – Charlie Clutterbuck raised the potential ill-health effects arising from spores in compost that can cause Aspergillosis. He wanted to check if HSE had had many reported cases as he has received information that this disease is becoming more prevalent. HSE replied that there has only been one reported case to someone working at a compost site within the past 10 years. Guidance which covers this and other respiratory diseases and COSHH is available on HSE’s agriculture website.</p> <p>(9.2) Safety at shows – Alan Plom raised the issue of safety at shows and the dangers at set up and take down time. David Coackley stated that Association of Shows and Agricultural Organisations (ASAO) is developing guidance on this and HSE is represented on the working group. This guidance is due out soon. Alan Plom requested that IOSH be informed when this guidance is available.</p> <p>(9.3) Fee for Intervention – NFU raised its ongoing concerns regarding HSE bringing in Fee for Intervention. The Chair advised on the current position.</p> <p>Action:</p> <ul style="list-style-type: none"> ➤ David Coackley to pass on to the ASAO that IOSH wish to receive its Safety at Shows guidance when it is published. ➤ The Chair to advise members of any future developments in relation to FFI and its implementation.
10	<p>Time and date of next meeting: The next meeting will be on 28th November 2012, at the HMS Courts and Tribunal Service building in Birmingham.</p>