

**HEALTH AND SAFETY EXECUTIVE
AGRICULTURE INDUSTRY ADVISORY COMMITTEE**

**Project proposal: Production of guidance addressing
health and safety issues of permanent and temporary staff
'employed' by 'large' employers in the farming and fresh produce supply sectors**

Issue

- 1 Agriculture has the worst fatal accident record of any industry. In addition the industry's non-fatal injury performance and ill health record are poor and are obscured by gross under-reporting.
- 2 Poor health and safety conditions are known to exist in sub-sectors which use large numbers of workers including, in particular temporary and agency workers.
- 3 HSE believes attention should be paid to addressing the health and safety issues of permanent and temporary staff 'employed' by large employers.

Recommendations and actions

- 4 Members are invited:
 - 1) to note and comment on the paper; and
 - 2) to agree to developing industry guidance addressing the health and safety issues associated with 'large' employment.

Background

- 5 The main sector where there is 'large' employment at certain times is the fresh produce sector. Large numbers of workers are engaged either direct or agency staff and sometimes for short periods e.g. planting and harvesting.
- 6 In many cases there are labour users (the farms/packhouses needing the workers) and labour uses (gangmasters and agencies supplying them)
- 7 HSE believes the key issues include
 - gangmaster activity;
 - temporary and agency working;
 - poor co-operation and co-ordination between labour users and labour providers;
 - inadequate or non-existent health and safety training;
 - potential for fatal and severe injuries (several migrant workers have been killed including one this month);
 - accommodation problems in caravans (especially concerned with domestic gas safety);
 - lack of welfare provision;
 - lack of adequate PPE;

- poor first-aid provision; and
- working time issues.

8 Operation Safe Haven carried out in Lincolnshire in September 2011 demonstrated that this is a poor performing sub-sector of agriculture. (For further information see AIAC paper AIAC 06/12/02.) The Gangmaster Licensing Authority (GLA) has issued more additional licence conditions for health and safety issues than for any other licence condition. The GLA consider health and safety to be a major concern and in its third year since going live health and safety non compliances still account for approximately 1/3 of all additional licence conditions.

9 There is no specific national guidance dealing with this sub sector apart from a Horticulture Development Council DVD. However, local guidance has been produced in the South West by the Cornwall and Devon Growers Group 'Health and Safety Standards for Fieldworkers: A Good Practice Guide'. This guide has been welcomed and found very useful by the industry. This could be reviewed and revised to become the basis of national guidance.

10 The Association of Labour Providers also believe the industry would welcome national guidance and the development of templates that can be used by both labour users and labour providers.

11 It is proposed a group is formed to consider the issues and develop guidance.

Group membership

12 The membership of the group should not come from members of AIAC. It should comprise people who are 'industry experts'. The numbers should be small. The project leader will be nominated by the main committee and will be responsible for reporting progress.

11 Possible membership would be:

- Labour user representative
- Labour provider representative (e.g. Association of Labour Providers)
- Representative from the Horticulture Development Council
- Representative of Unite
- GLA
- NFU
- HSE

Objectives

12 To:

- Discuss and agree the key issues
- Produce industry guidance

Key milestones

13 The following deliverables/dates are proposed:

20th June 2012 AIAC to agree to group being established.

By 31st July 2012 HSE to circulate South West Growers Guide for group to consider. Members will then read the guide and feed comments back to the group secretary

30th October 2012 First meeting of Task and Finish Group to consider and agree the key issues that need to be addressed in guidance

30th March 2012 Guidance to be published

Success criteria

14 Development of national guidance

Action

15 AIAC to note, comment and agree to the above

Contact David Coackley
Via david.coackley@hse.gsi.gov.uk