

Small Business Trade Association Forum Minutes

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Exemptions:			

Small Business Trade Association Forum

Minutes of the Meeting of the Small Business Trade Association Forum, Held on 7th October 2008 in the Globe Room, Rose Court.

Present:

Judith Donovan CBE,	Chairman
Phil Clark	British Association of Chemical Specialties
Robert Cummings	Confederation of British Industry
Michael Davison	UK Warehousing Association
Geraint Day	Institute of Directors
Ian Dormer	Institute of Directors
Ray Engley	Road Haulage Association
Mike Floodgate	Radio, Electrical and Television Retailers Association
Tony Hutchinson	Rural & Industrial Design and Building Association
Philip Marsh	British Glass Manufacturers' Confederation
Kevin Minton	Contract Plant Hire Association
Declan Moore	Glass & Glazing Federation
John Morecroft	Vehicle Builders and Repairers' Association
Peter Newport	Chemical Business Association
Wendy Nixon	Hair and Beauty Industry Authority (HABIA)
Chris Parker	Society of Allied and Independent Funeral Directors
Phil Russell	Federation of Master Builders
Pete Walker	British Constructional Steelwork Association
Steve Walter	Engineering Employers Federation (EEF)
Tim Webb	Paper Industry Confederation (PICON)

Apologies:

Shelley Atkinson-Frost	Construction Confederation
Phil Baxter	National Association of Master Bakers
Collette Best	Royal Institution of Chartered Surveyors
Jane Bennett	Forum of Private Business
Annabel Berdy	British Retail Consortium
Ron Bonner	Professional Lighting and Sound Association
Andrew Braund	Confederation of Paper Industries
Howard Button	National Federation of Demolition Contractors
Andrew Cooper	Federation of Tour Operators
Bob Cotton	British Hospitality Association
Ian Douglas	Federation of Window Cleaners
Paul Elcoat	Arboriculture Association
Julie Gillies	National Pest Technician Association
John Gilliland	National Care Homes Association
Sofia Gkiousou	National Federation of Retail Newsagents
Linda Gowling	National Association of Charity Shops
Lynsey Groom	Federation of Small Business
Steve Hodgson	Property Care Association
Robert Hudson	National Association of Shop Fitters
Martin Isles	Quarry Products Association
Robert Keen	British International Freight Consortium
John Kell	Professional Contractors Group
Andrew Large	Cleaning & Support Services Trade Association
Eileen Lawson	National Hairdressers Federation
Michael Lee	British Woodworking Federation
Daniel McAlonan	British Dental Association
Moira McMillan	British Coatings Federation

Kim Oliver Kieren O'Keefe Paul Reeve Pat Stanley Haydn Steele Frank Ursell	Property Care Association British Chambers of Commerce Electrical Contractors Association National Farmers Union Construction Plant Hire Association Registered Nursing Home Association
Officials Present:	
David Gartside Tony Bandle Teresa Quinn Andrew Garrod Anne Strype Claire Lonsdale	HSE Board Member HSE, Head of Business Involvement Unit HSE, Head of Policy Capability Team HSE, COSHH Practical Controls Team HSE, Business Involvement Unit HSE, Small Business Trade Association Forum Secretariat
1.	Introductions and apologies
1.1	Judith Donovan welcomed the attendees and introduced 6 representatives who were attending their first meeting: Robert Cummings, Michael Davison, Ian Dormer, Kevin Minton, Chris Parker and Philip Marsh. The National Association of Pest Technicians has now joined the Forum, increasing the total membership to 52. David Gartside, a member of the HSE board, was also present and was introduced to the attendees. Teresa Quinn, Head of HSE's new Policy Capability Team was introduced to Forum members. Claire Lonsdale will be moving to this team in her role as Forum Secretariat after the meeting. Teresa explained that she believed that this would be a positive step for the group. The main role of the Policy Capability Team will be to work internally within HSE to try and ensure a quality approach to policy-making. Like the Forum, the team will be interested in engaging in the earliest stages of policy-making and plan to build up a good knowledge base of upcoming policies and initiatives to facilitate this. It is hoped that this will enable the Forum to focus meetings more upon consultation than information provision, a key element of the recent stocktaking.
1.2	<u>Secretariat's Note:</u> Please refer to the appropriate slides on the e-community for more information on the presentations.
2.	Minutes of the last meeting
2.1	It was agreed that the minutes reflected an accurate and true description of the July 2008 meeting.
2.2	Judith reminded members of Dr Sayeed Khan's request for feedback on NICE guidance "Managing Health & Sickness in the Workplace", which was uploaded to the e-community on 29 th August. Members were also informed that an informal meeting, 'SMEs in construction sector' has been arranged with HSE Board Member John Spanswick in response to expressions of interest at the July meeting. This is scheduled for 9:00-11:00 on 20 th October and will take place at Rose Court. Judith asked any members interested in attending to forward their details to the Secretariat.
3	Hot Topics
3.1	Tony Bandle and Claire Lonsdale provided members with an update on current health and safety initiatives, together with an insight into possible items for future Forum meetings. The following topics were included: <u>Sarah Anderson Review of Government Guidance:</u> Findings are expected to be available in late October. Members who are interested in obtaining further information can do so via the BERR website: http://www.berr.gov.uk/bre/reviewing-regulation/review%20of%20guidance%20provision/page45278.html <u>Health & Safety Management Performance in SMEs:</u> HSE is currently working to develop a 'tool' for inspectors to use in making assessments of health and safety management performance in small businesses. The team would like to consult the Forum on this at a future meeting. <u>Euroweek:</u> EEF/HSE will be running risk assessment workshops throughout October. See the website for more details. http://www.hse.gov.uk/campaigns/euroweek

	<p><u>Removal of Forms Project:</u> A public consultation is now open on HSE's proposals to amend the Factories Act (1961) and the Offices, Shops and Railway Premises Act (1963). Members can participate at http://www.hse.gov.uk/consult/condocs/cd219.htm The consultation will run until 14th November.</p> <p><u>REACH Regulation:</u> The pre-registration period runs from 1st June – 1st December 2008. Further information can be found at HSE's website: http://www.hse.gov.uk/reach/index.htm</p> <p><u>HSE Simplification Plan:</u> HSE is currently drafting 3rd annual simplification plan, outlining progress in reducing unnecessary administrative burdens. Publication is expected in December.</p> <p><u>'The Hidden Killer' Asbestos Campaign:</u> New campaign warning tradesmen of the dangers of asbestos launches on 13th October. See http://www.hse.gov.uk/asbestos/hiddenkiller/index.htm for more details.</p> <p><u>Work Related Road Safety:</u> HSE is working to promote the message that employers have a duty to manage risks to workers who drive at work. The team would welcome the opportunity to discuss this issue with the Forum at a future meeting.</p> <p><u>Construction Division 'Small Sites' Project:</u> HSE's Construction Division is seeking to develop a sustainable strategy to encourage small businesses in the construction industry to adopt sensible risk management principles. The Forum may be consulted on this issue in the future. Additional information is available in an accompanying paper on the Forum's community website: http://webcommunities.hse.gov.uk/inovem/inovem.ti/sbtafcommunity</p> <p><u>Safety and Health Awareness Days – Agriculture:</u> Dates of regional events from October 2008 – March 2009 are now available online. See http://www.hse.gov.uk/agriculture/diary.htm for more details.</p>
3.2	<p><u>Forward Look:</u></p> <p><u>Health and Safety for Migrant Workers:</u> Members were given an overview of a topic that the Forum may be asked to consider the future. Health and safety for migrant workers is a rising issue for UK businesses and SMEs predominate in sectors where they are most likely to be employed. At present, as much as 10% of the UK workforce is made up of overseas workers and this may well increase in the future. They are protected by the same health and safety laws as their British counterparts. SMEs that employ migrant labour have additional factors to consider and need to think carefully about training and instruction. HSE is developing a risk assessment tool specifically for SMEs that employ overseas workers. The aim is to give employers an idea of the risks that migrant workers face and to emphasise that the solutions needn't be complex. A draft version should be available for discussion with focus groups in January and the team would welcome the opportunity to consult with the Forum in the future.</p> <p><u>Forum Stocktaking:</u> Claire provided an overview of progress in implementing members' suggestions received during the recent stocktaking. This included:</p> <ol style="list-style-type: none"> 1. Varying meeting locations – the April 2009 meeting is due to be held in Redgrave Court, Bootle. 2. Agenda items focusing on consultation 3. Promoting the business case for the Forum by inviting senior management from member trade associations to attend Forum meetings 4. Producing a Forum 'briefing pack', listing aims, activities and achievements to inform new members and representatives – the Secretariat is working with HSE's Communications Department on the production of a pack. They hope to have a draft version available for the next Forum meeting. <p>Claire added that she would like members to feel involved in the development process and would welcome any comments.</p>
3.3	<p>A lively discussion followed the presentation. Some members were deeply concerned about the REACH regulation and the implications of the pre-registration requirements. Two members specifically raised the issue of the current pre-registration backlog at the European Chemicals Agency (ECHA), caused by computer problems. This was of particular importance as members believed that the ECHA had stated that there will be no extension to the deadlines for pre-registration of applicable substances. There were concerns that this could lead to sanctions and how the REACH enforcement system will be able to operate effectively and consistently if responsibility continues to be split between different authorities (such as Local Authorities, HSE</p>

	and the Environment Agency). It was also emphasised that there would be substantial numbers of SMEs who would be slow to recognise and react to the potential impact of the REACH regulation, particularly as the current economic climate has shifted their priorities to concentrating upon survival. Judith Donovan encouraged Forum members to raise awareness of REACH among their own constituent businesses. Meanwhile Tony Bandle agreed to raise these concerns with appropriate HSE personnel and to report back to the Forum.
4	COSHH: A Brief Guide To Regulations
4.1	Andrew Garrod, of the COSHH Practical Controls Team, delivered a presentation on the new Control of Substances Harmful to Health (COSHH) Guidance leaflet. HSE is currently revising the guidance to make it more useful for small businesses. Andrew specifically praised guidance supplied by trade associations for its accessibility and stated that HSE's new leaflet had been written with SMEs in mind. The new leaflet, 'Working With Substances Hazardous to Health', will be free and HSE will test it with focus groups to ensure comprehensibility and usability. The new leaflet should make it easier for small businesses to understand the relevance of COSHH to their sector of work. Example COSHH assessments for small and micro businesses will be available online, along with COSHH Essentials guidance sheets. These describe good control practice for individual activities for a wide range of trades, substances and tasks, including agriculture, printing, stonemasonry, funeral services and pest control. COSHH Essentials sheets also include an 'employees' checklist' of measures to protect their own health and safety. All COSHH Essentials products are produced through consultation with industry working groups and Andrew invited feedback from the Forum.
4.2	Members discussed the guidance and also the problems faced by small businesses in controlling the risks associated with working with harmful substances. It was emphasised that manufacturers of products do not supply control provisions on the label. This is one area that could be targeted to improve the provision of risk information to SMEs, although this may not be possible under current GB legislation. Wendy Nixon advised that HABIA had produced its own guidance booklet for hairdressers to help them consider the types of precautions they should be taking when working with different products and substances. Members emphasised that accessibility of guidance remained a big issue for small businesses, and highlighted HSE's 'Clearing the Air' campaign as a good example of how to increase SME awareness of where to find appropriate advice. Andrew said that HSE were also looking at how to improve the COSHH website to make it and the guidance more easily accessible for small businesses. The discussion closed with the agreement that the example COSHH assessments would be very useful for SMEs, as they simplify a very complex subject. Some members also volunteered to promote 'clean air' and local exhaust ventilation guidance to their own SME membership.
5	Directors' Duties: Health And Safety Leadership From The SME Perspective
5.1	<p>Ian Dormer, Chairman of the Institute of Directors' (IoD) Oversight Group, gave a presentation on his work to promote the use of the guidance among SMEs. In addition to being Vice-Chairman of the IoD Board, Ian is also the Managing-Director of ROSH Engineering Ltd, a medium-sized company involved in Transformer and high voltage equipment repair, refurbishment, installation and maintenance. Small businesses often cite that the proliferation of health and safety legislation places too great a demand on their resources to be seen as more of a benefit than a burden. Ian's own experience of health and safety is that good management improves profitability for any company, particularly those working in high-risk industries. Ian believed that his company's high health and safety standards had often enabled him to win contracts, although he cited the disparities between health and safety legislation in the UK and Europe as an additional difficulty for businesses competing for contracts. For example, the difference between working at height legislation in the UK and the Netherlands. Whereas scaffolding is always used for work at heights above 10 feet in the UK, legislation in the Netherlands permits this work to be done using ladders.</p> <p>Despite this, Ian believes that the answer to these problems lies in education, not legislation. Only through education can we hope to change attitudes and culture and the Directors' Guidance on health and safety leadership was written with this in mind. Compiled for Directors, by Directors, the guidance aims to change health and safety culture in businesses by encouraging employers to take a positive lead on risk management and education. Although data collected by HSE suggests that as many as 40% of large organisations are aware of and use the guidance,</p>

	<p>the rate among SMEs is a lot less. Ian explained that the Oversight Group were working to increase awareness of the guidance in the SME community and asked for the Forum's help in achieving this.</p>
5.2	<p>A lively discussion followed and members highlighted some basic problems in communicating the Directors' guidance to SMEs, such as:</p> <ul style="list-style-type: none"> • Many small businesses are composed of small partners or the self-employed, and are therefore unlikely to react to guidance they perceive as being aimed at Directors and, by association, larger businesses. Although getting the documentation out to them is rarely a problem, encouraging them to read and use it often is; and • Small businesses often work for smaller clients, whose expectations surrounding health and safety are generally much lower. The result is that many SMEs have fewer client drivers to encourage them to devote resources to health and safety. <p>The Forum agreed that changing health and safety culture and attitudes was very much the way forward, but was more difficult for regulators than introducing more legislation. Communication methods need to be adapted to reach the smallest businesses and to stop them from 'slipping through the net'. Forum members suggested various ways of communicating guidance to SMEs, ranging from quarterly newsletters and follow-up phone calls, to Safety and Health Awareness Days targeting businesses that do not belong to trade associations. The Vehicle Builders and Repairers' Association (VBRA) advised that they held a mailing list of non-members for their industry, where they estimate that up to 2/3 of businesses do not belong to a trade association. VBRA use this to send copies of their monthly journal out to potential members and suggested that other trade associations could benefit from a similar approach. It was stated that the subliminal threat of inspection was a great driver in encouraging these businesses to attend Safety and Health Awareness Days. The discussion closed with several members volunteering to investigate how many of their constituents made use of the Directors' guidance following its distribution.</p>
6	Example Risk Assessments: Communications
6.1	<p>Anne Strype, from HSE's Business Involvement Unit, gave an update on the example risk assessment project. Anne acknowledged the role played by the Forum in the success of this initiative, emphasising that many of the members had been heavily involved in the creation and compilation of the example risk assessments. HSE now want to reach out to businesses to ensure that as many as possible benefit from the initiative. Whilst example risk assessments have proved extremely popular with trade associations, the important thing is to get businesses to actually adopt them and, more importantly, to adapt them to their own needs. To encourage this, HSE has developed a communications plan that includes flyers and electronic information packs. Forum members were asked whether they could help to promote the example risk assessments to small businesses. Anne emphasised that the Forum is one of the best conduits to small businesses available to HSE and that, thanks to groups like this, the organisation has a far better SME network and database than many other Government Departments.</p>
7	HABIA: A Case Study In Communications
7.1	<p>Wendy Nixon provided members with examples of HABIA initiatives to encourage SME engagement with health and safety. These included:</p> <p><u>Publishing their own guidance</u> written specifically for SMEs in the hair and beauty industry.</p> <p><u>Producing Codes of Practice (COPS)</u> in both electronic and hard copy formats, as well as different languages.</p> <p><u>Working with different organisations</u>, including Local Authorities and HSE, to distribute the guidance directly to industry. Joint-working also helps to ensure that businesses are subject to consistent guidance and enforcement and do not receive conflicting advice from different sources. This is crucial to increase business confidence in health and safety guidance and regulation.</p> <p><u>Introducing Health & Safety Award Schemes</u> to give recognition to good practitioners. Every year, qualifying businesses receive a certificate and their achievements are publicised on HABIA and Local Authority websites, as well as trade magazines. Rewarding businesses with free publicity emphasises the business benefits of good health and safety management. The awards proved so popular that a national award is now presented at the largest hair and beauty industry</p>

	<p>show in the UK.</p> <p><u>Encouraging business involvement</u> and interactive guidance. During HSE's 'Bad Hand Day' Dermatitis Campaign, HABIA noted that many SMEs seemed reluctant to adopt the suggested practice of wearing gloves. By running trials in local salons, HABIA encouraged small businesses to become involved choosing everything from the size and style of the gloves to their colour. Industry road shows also focused on an interactive approach, supplying gloves as part of free 'goodie bags' and incorporating activities into talks and exhibitions. By getting industry involved, HABIA were able to increase enthusiasm for the project and change small business attitudes.</p>
7.2	<p>Judith thanked Wendy for a lively and interesting presentation and invited members to share their own experiences of communicating health and safety information to SMEs. The Forum agreed that it was essential to talk to small businesses to discover their views on new initiatives and any possible reasons for resistance to new practices. Small and micro businesses need a 'hands on' approach to encourage them to adopt good health and safety management principles. HABIA was praised for its successes in providing their members with guidance without the need for small businesses to trawl through lots of documentation. It was emphasised that more guidance needs to communicate messages in terms that SMEs can understand, to make it easy for them to go away and put their newfound knowledge into practice. Tony Bandle summarised members' views in observing that people are more likely to take advice from people who are like them and know their business. HSE recognises that the majority of small businesses want to practice good health and safety management and that guidance should focus upon enabling them to do so. Tony was also impressed at HABIA's achievement in ensuring a uniform following of their guidance by different trade associations, local authorities and regulators.</p>
8	<p>A.O.B.</p>
8.1	<p>Visits To Small Businesses: Judith advised members that Claire Lonsdale would shortly be expanding her role on the Policy Capability Team to include advising colleagues on the potential impact of their proposals on SMEs. As part of her preparation for this responsibility, Claire would like to visit some small businesses to gain a 'reality check' on the problems they face in dealing with health and safety on a day-to-day basis. Claire would like to request the Forum's help in arranging and facilitating these visits.</p> <p>HSE Strategy: Members were also given a brief update on progress towards developing the new HSE Strategy. Judith advised that HSE wanted to work with stakeholders on this project and that regional road shows may be used to facilitate this in early 2009.</p> <p>Briefing Pack: Tim Webb (PICON) raised the issue of the Forum providing examples of its achievements to new representatives and members, which was discussed at the July meeting. Judith advised that this work would be included in the forthcoming briefing pack (see 3.12.4). Claire also advised that she would send a copy of the existing draft version of the pack to any member who requested it and would also place a copy on the e-community as part of the paperwork for the October meeting.</p> <p>Regulatory Changes: Members also asked for an update on how work was progressing to ensure that the Forum received prior notice of regulatory changes before they are implemented. This was because some had just become aware of the Government's proposal to set regulatory budgets. Tony Bandle said that the proposal is designed to introduce a means of controlling the costs of new regulation in a defined period. The Government is currently consulting on its proposal which is due to end on 14 November 2008.</p> <p>http://www.berr.gov.uk/consultations/page46955.html</p> <p>Role of Working Groups: Members expressed an interest in the formal review of the role of working groups and committees in policy development, which is currently being undertaken by HSE. The concern was that working groups would be restricted to influencing the implementation of policy, rather than its development. Judith Donovan advised that nothing had been decided upon in relation to this issue and that, unless members wanted to suggest any improvements, the Forum would be unaffected. It was emphasised that the Small Business Trade Association Forum was not part of this review. The Forum has a good reputation in HSE and Whitehall and is often held as a model for other working groups.</p>

9	Meeting round up and close
9.1	<ul style="list-style-type: none"> • Tony Bandle thanked the Forum for all of their assistance during his time supervising the Secretariat and stated that he looked forward to working with them again in the future. • Judith thanked the members for attending and advised them of the time and date of the next meeting.
10	Date of next meeting – 15th January 2009, 10:00 – 12:00 (Please note this is an AM meeting) Globe Room, Rose Court
Actions	<p>Secretariat to:</p> <ul style="list-style-type: none"> • Advise HSE personnel of Forum concerns regarding the REACH regulation. • Post a copy of the existing draft of the Briefing Pack on the e-community. • Continue to work with HSE colleagues in focusing Forum agenda items increasingly upon consultation <p>Forum members to:</p> <ul style="list-style-type: none"> • Respond to requests to assist with the communications push for example risk assessments • Investigate the extent to which their own membership are aware of/have made use of the directors' guidance. • Respond to requests from the Secretariat to facilitate the arrangement of visits to small businesses • Participate in the public consultation for the removal of forms project http://www.hse.gov.uk/consult/condocs/cd219.htm

To contact the Small Business Trade Association Forum Secretariat, please email claire.lonsdale@hse.gsi.gov.uk or telephone 0151 951 3377 or access the e-community at <http://webcommunities.hse.gov.uk/inovem/inovem.ti/sbtafcommunity/grouphome>