

Small Business Trade Association Forum Minutes

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Small Business Trade Association Forum

**Minutes of the Meeting of the Small Business Trade Association Forum,
held on 9th July 2008 at Health & Safety Laboratories, Buxton, Derbyshire.**

Present:

Judith Donovan CBE, Chairman
Linda Gowling, Association of Charity Shops
Moira McMillan, British Coatings Federation
Pat Stanley, National Farmers' Union
Michael Britten, National Farmers' Union
Ron Bonner, Professional Lighting and Sound Association
John Morecroft, Vehicle Builders and Repairers' Association
Michael Tagg, Vehicle Builders and Repairers' Association Chief Executive
Paul Elcoat, Arboriculture Association
Pete Walker, British Constructional Steel Association
Doug Leech, Chemical Business Association
Declan Moore, Glass & Glazing Federation
Geraint Day, Institute of Directors
Steve Hodgson, Property Care Association
Ray Engley, Road Haulage Association
Tim Webb, PICON

Apologies:

Lynsey Groom, Federation of Small Business
Tony Hutchinson, Rural & Industrial Design Building Association
Wendy Nixon, Hair & Beauty Industry Authority
Michael Lee, British Woodworking Federation
Phil Clark, British Association of Chemical Specialties
Kieran O'Keefe, British Chambers of Commerce
Daniel McAlonan, British Dental Association
Philip Marsh, British Glass Manufacturers' Confederation
Bob Cotton, British Hospitality Association
Robert Keen, British International Freight Association
Annabel Berdy, British Retail Consortium
Andrew Large, Cleaning & Support Services Trade Association
Janet Asherson, Confederation of British Industry
Andrew Braund, Confederation of Paper Industries
Shelley Atkinson-Frost, Construction Confederation
Haydn Steele, Construction Plant Hire Association
Paul Reeve, Electrical Contractors' Association
Steve Walter, Engineering Employers' Federation
Phil Russell, Federation of Master Builders
Andrew Cooper, Federation of Tour Operators
Ian Douglas, Federation of Window Cleaners
Jane Bennett, Forum of Private Business
Bob Towse, Heating & Ventilating Contractors' Association
Phil Baxter, National Association of Master Bakers
Robert Hudson, National Association of Shopfitters
John Gilliland, National Care Homes Association
Howard Button, National Federation of Demolition Contractors
Sofia Gkiousou, National Federation of Retail Newsagents
Ray Seymour, National Hairdressers' Federation
Chris Parker, National Society of Allied & Independent Funeral Directors
Matthew Cowan, Professional Contractors' Group

Martin Isles, Quarry Products Association
 Mike Floodgate, Radio, Electrical & Television Repairers' Association
 Frank Ursell, Registered Nursing Home Association
 Collette Best, Royal Institute of Chartered Surveyors
 Garry Parker, Small Business Bureau
 Nick Boulton, Timber Trade Federation
 Michael Davison, UK Warehousing Association

Officials Present:

Geoffrey Podger, HSE Chief Executive
 Tony Bandle, HSE Head of Business Involvement Unit
 Claire Lonsdale, HSE SBTAF Secretariat
 Richard Aspland, HSE Worker Involvement Unit

1.	Introductions and apologies
1.1	Judith Donovan welcomed members to the meeting. Judith welcomed Tim Webb (PICON) and Declan Moore (Glass & Glazing Federation), who were attending their first SBTAF meeting. Members were also advised that Claire Lonsdale has replaced Richard Aspland as Secretariat to the Forum.
2.	Minutes of the last meeting
2.1	It was agreed that the minutes reflected an accurate and true description of the April 2008 meeting.
3	Round up of Hot Topics
3.1	<p>Tony Bandle, head of the Business Involvement Unit, gave members an overview of current HSE activity and other health and safety news.</p> <p>Tony advised that the BRE review of health and safety for SMEs has now been completed and that a final report is likely to be published towards the end of July on the BRE website, www.berr.gov.uk/publications/index.htm. The review investigated the cumulative impact of health and safety legislation on low risk businesses, particularly with regard to SMEs. The key points to come out of the review were:</p> <ol style="list-style-type: none"> 1) A commitment to improve the provision of tailored health and safety information to meet the needs of SMEs and: 2) A commitment to examine the balance of resources between HSE and Local Authorities and to investigate how they work together the partnership. <p>In addition, the report recommended that a balanced view of risk be taken by both businesses and enforcing authorities and that the role of intermediaries, (such as insurance companies and trade associations) in encouraging SME compliance with health and safety legislation be re-examined. The Sarah Anderson review of guidance for SMEs in obtaining health and safety advice (part of the government's Enterprise Strategy) will be published around the end of October.</p>
3.2	<p>Members were informed that the Health & Safety (Offences) Bill passed its second reading in the House of Lords on 4th July. It will now go to the Lords Committee stage on 18th July. The purpose of the Bill is to raise the maximum penalties available to the courts in respect of certain health and safety offences. The effect of the Bill is to:</p> <ol style="list-style-type: none"> 1) Raise the maximum fine which may be imposed in the lower courts to £20,000 for most health and safety offences; 2) make imprisonment an option for more health and safety offences in both the lower and higher courts; 3) make it possible to try certain offences in the higher courts as well as the lower courts. <p>The Bill will need to successfully clear Parliament before the end of the Parliamentary session in October 2008 if it is to become law. If it does, it is expected to reach the statute book by the end of November. Tony emphasized that the penalties would be strictly proportional and aimed at the more serious health and safety offences.</p> <p>Information was also presented regarding the Corporate Manslaughter & Homicide Act, sentencing</p>

	<p>guidelines and publicity orders. The Sentencing Advisory Panel has been consulted on penalties for health and safety offences covered by the Act, which are expected to be in line with those imposed for financial offences. There is no cap on the level of fines that can be imposed and 5% of annual turnover is seen as the likely baseline, with a 'normal' range of between 2.5% and 10% (based on average turnover from the previous 3 years). The Sentencing Advisory Panel was also consulted on the use of publicity orders. Publicity Orders require an offending organisation to publicise its conviction together with certain details of the offence in a way that is specified by the court, for example by popular media, letters to customers and notice to its shareholders. SBTAF members were advised that draft sentencing guidelines and guidance on the use of publicity orders are likely to be released by the Sentencing Guidelines Council in the autumn, with the publication of the final guidelines to follow after spring 2009.</p> <p>Tony also informed members that consultation regarding the removal of several legislative form filling requirements is likely to start on 28th July. The legislation currently applies to most businesses in the UK operating from a factory, office or shop and is being re-examined as part of the greater scheme to try and reduce the legislative administration burden on UK businesses.</p>
3.3	<p>Members were informed that HSE's Worker Involvement Unit is currently looking to revise their guidance leaflet advising employers how to involve their workers in health and safety management. The leaflet, entitled "Involving Your Workers In Health And Safety – A Guide For Small Businesses", is aimed primarily at organisations with less than 25 employees as these are less likely to have appointed health and safety representatives.</p> <p>SBTAF feedback is critical to ensure the effectiveness of the guidance. The leaflet was uploaded to the SBTAF e-community on 10th July and members were requested to submit their feedback via the e-community. HSE would also like a member of the Forum to speak about a good practice case study on worker involvement at the launch of the leaflet on 14th October. Volunteers to lead a discussion group of around 15 people to share successes and exchange information about how to increase worker involvement would also be welcomed.</p>
3.4	<p>Members were also advised about the upcoming Health, Work & Wellbeing Awards for Small Businesses. This is a government-led initiative that brings together employers, unions and healthcare professionals to support the health and wellbeing of all working age people. The award will go to the organisation with less than 250 employees that can best demonstrate how it has improved the health and wellbeing of its workforce to the benefit of the business. Further details can be found at www.nationalbusinessawards.co.uk or by phoning 020 7234 8751. The awards are open to both the public and private sectors and the deadline for applications is noon on Thursday 31st July.</p> <p>On a related matter, the closing date for UK entries to the European Good Practice Awards is 15th September 2008. Further details are available from the campaigns section of the HSE website, www.hse.gov.uk/campaigns/euoweek/goodpractice.htm.</p>
3.5	<p>SBTAF attendees were informed of a request for their help from HSE non-executive board member Dr Sayeed Khan. In addition to his role at HSE, Dr Khan is also involved with the National Institute for Health and Clinical Excellence (NICE) and would like SBTAF's input regarding absenteeism in the workplace. Material will be uploaded to the e-community shortly and members will be requested to comment on their own experiences of absenteeism and how it could be managed more effectively.</p>
3.6	<p>Tony then thanked the members of the Forum who attended the European launch event for the Example Risk Assessments project. HSE now needs to undertake a significant communication/promotion push to ensure that they have a real impact. There are now around 29 Example Risk Assessments and the next step will be to evaluate their impact regarding the aim of demystifying the risk assessment process and illustrating the benefits of it. Tony emphasised that Risk Assessments need to be 'owned' by companies and that the example templates are not intended to be completed and then left. The intention is to make companies think about risk assessment and not to cut corners.</p> <p>Tony also suggested that SBTAF members could produce their own risk assessment templates as they are closer to businesses in their sectors. An interactive web-based template and other simplifications are under consideration for the autumn and SBTAF advice will be sought on this.</p>
3.7	<p>The presentation was completed by a briefing on the accreditation of health and safety consultants and current health and safety activities in the construction sector. The forum was advised that the</p>

	<p>government is currently exploring the scope for voluntary accreditation of health and safety competence for independent advisors. The key aim is to ensure that businesses, particularly SMEs, receive health and safety advice appropriate to their own individual needs and circumstances. Existing HSE guidance regarding external health and safety consultants was drafted with SBTAF help and now IOSH have published 2 complementary advice booklets entitled <i>“Getting Help With Health & Safety: Practical Guidance On Working With A Consultant”</i> and <i>“Consultancy: A Good Practice Guide”</i>. Copies were distributed to members who attended the meeting. IOSH would appreciate SBTAF feedback and have advised that additional copies can be obtained by contacting their office on 0116 257 3100 or via www.iosh.co.uk.</p> <p>Tony finished by giving the forum an overview of the current health and safety issues in the construction sector, where of the 72 workers killed in 2007/8, 40 (56%) were employees of SMEs. The Construction Industry Advisory Committee (CONIAC) is working with other groups to try and improve health and safety standards in construction SMEs. The Construction Clients’ Group (CCG) Assurance Tool has been recently developed and is aimed at small, infrequent and one-off construction clients to assist compliance with the client duties in the Construction (Design & Management) Regulations 2007. CCG is seeking support from HSE and hopes to use SBTAF as one of the representative groups to promote the tool.</p>
3.8	<p>Judith thanked Tony for the presentation and invited comments from members on the items covered. The group discussed the Example Risk Assessments, with particular reference to the difficulties in implementation experienced by the construction industry. It was emphasised that the example risk assessments could be either activity or trade specific, but that the main point was to encourage people to get involved in risk assessment. Although members were positive about the example risk assessments, SBTAF members involved in the construction industry felt strongly that Risk Assessments and Method Statements should be kept separate and should not be amalgamated into a single legislation-satisfying piece of paper. Tony Bandle advised that the Irish construction industry uses a picture system to make the risk assessment process more accessible to employees. HSE intends to explore the possibility of extending this system to the UK and will share its findings and progress with SBTAF.</p> <p>Forum members also emphasised the current disparity between the HSE message of simplification and the expectations of industry clients regarding the risk assessment process. Many clients won’t believe that a company’s risk assessment is sufficient if it doesn’t include complex methodology, with the result that businesses often produce two different health and safety policies/risk assessments in order to satisfy their clients and win contracts. Members strongly advocated the need of a dialogue with the supply chain to ensure a universal acceptance of standards for risk assessment.</p> <p>Judith Donovan offered to invite her colleague John Spanswick to a future HSE meeting. John is a non-executive member of the HSE board with a background and interest in the construction sector. The Secretariat will investigate the possibility of inviting him to attend the next SBTAF meeting in October 2008.</p>
4	SBTAF Stocktaking Presentation
4.1	<p>Tony Bandle and Claire Lonsdale gave a presentation regarding the current project to evaluate the Forum and consider its future direction. Members were given a brief history of the Forum and its place in helping HSE to “think small first” and adapt its regulatory approach for the benefit of small businesses. There was an overview of SBTAF’s terms of reference and their continued relevance to the Government Enterprise Strategy and the vision of making the UK the best place in the world to start and grow a business. The importance of SMEs to the UK economy was emphasised, as was the significance of SBTAF’s role in acting as an intermediary between HSE and (traditionally) apprehensive SMEs.</p> <p>An examination of SBTAF achievements was also included, highlighting the Forum’s role in the RIDDOR Review of 2006, which has saved UK businesses an estimated £16.5 million per annum as a result of suggested improvements. SBTAF also played a central role in advising on HSE guidance to SMEs on obtaining competent health and safety advice from external consultants. An additional piece of guidance aimed at independent health and safety consultants was also produced as a direct result of SBTAF feedback in this area. The Forum was thanked for its ongoing help with the Example Risk Assessments project and it was emphasised that these achievements illustrated how the Forum was well placed to contribute strongly to health and safety developments in the future.</p>

	<p>Attendees were advised that telephone interviews had been conducted with SBTAF members unable to attend the July meeting, to ensure that a full compliment of views would be available to inform the stock-take. Claire Lonsdale gave an overview of feedback received during the survey, which covered attendance, the e-community, SBTAF achievements, health and safety issues and possible improvements. Claire emphasised that although the survey had been template-based, answers were neither altered to fit the listed categories, nor were participants guided towards certain responses. Due to time constraints, the topics of attendance, e-community and achievements were covered only briefly, but would be made available in more detail as part of the stocktaking paper.</p> <p>The survey showed a divergence between a central hub of regular attendees and those who attended meetings less frequently. 53% of participants in the survey had either attended only 1 SBTAF meeting or had never attended. Many infrequent attendees cited time, financial and manpower constraints as reasons for their relatively low engagement with the Forum. For many, health and safety formed only a small part of their responsibilities and so tended to be considered a 'fringe' issue and prioritised accordingly with regard to other concerns. Although use of the e-community was widespread, this tended to be for information purposes rather than interaction and discussion.</p> <p>Most members believed that the Forum had improved the flow of information between HSE and SMEs, which correlated with 54% of respondents believing that SBTAF's main role was the provision of information. The majority of suggestions for improvements to the Forum revolved around increasing member engagement, but there was a divergence of opinion about whether this should be via meetings or the e-community. Some members expressed concern that more attendance at meetings could inhibit discussion, whilst 25% strongly believed that more people should be encouraged to attend the Forum. Claire briefed attendees on some of the suggestions telephone participants had made for improvements to the Forum. These included holding SBTAF meetings in different locations, organising meetings around a specific theme, such as risk assessment, to allow issues to be discussed in more detail. It was also suggested that agenda items should concentrate on HSE projects that are in the early stages of their development, to allow for increased SBTAF engagement and consultation. Claire then gave members an overview of some of the central themes that appeared to have come out of the survey. This included the view of SBTAF solely as an information provider, the often haphazard appointment and briefing of new SBTAF representatives by member TAs and whether it would be better to promote increased member engagement through attendance at meetings or via the e-community. Claire also pointed out that the majority of participants in the telephone survey were irregular attendees, so HSE were interested to discover whether their views correlated with those present at the meeting.</p> <p>Tony Bandle then invited members to engage in a discussion revolving around the points made in the presentation and explained that their views would be used to revise the existing stocktaking paper. This will be placed on the e-community by the end of July for further comments before being forwarded to Judith Donovan as a briefing paper for her engagement in the review of the HSE Strategy in the autumn.</p>
4.2	<p>Judith then asked members for their views on the Forum. It was explained that HSE was looking for possible areas that could be improved for the benefit of SBTAF, its members and their constituent SMEs. Some members welcomed the idea of holding meetings outside of London and Judith mentioned the possibility of holding some of the forthcoming meetings at HSE's new headquarters in Bootle, Merseyside. It was agreed that Judith and the Secretariat would look at the possibility of alternating SBTAF meeting locations in future. Meeting locations would not necessarily be moved altogether, as SBTAF wants to do what is best for its membership.</p>
4.3	<p>Several new representatives commented that the 'handover' of SBTAF duties from their predecessors/TAs seemed a bit inadequate. It was emphasised that the current economic downturn has marginalised health and safety as a concern as many SMEs concentrate on survival. Members acknowledged the perpetual problem of encouraging attendance at meetings and several admitted that they had believed that the Forum was merely a 'talking shop' before they attended their first meeting.</p> <p>There was a strong consensus that SBTAF was more potent than a mere information provider and that regular attendees have a real opportunity to influence HSE policy. Although members thought that SBTAF agenda items were usually good, there were far more HSE projects that they were unaware of. Geoffrey Podger commented that HSE is trying to increase internal awareness of its own activities and projects and that these should be submitted for SBTAF consultation much earlier.</p>

	<p>Judith agreed that she needed to look at a list of HSE projects 2 or 3 times per year to see which ones could disproportionately affect SMEs. SBTAF members could possibly then choose agenda items from a list of topics. This would allow meetings to focus on a central theme, whilst ensuring that topics were not so sector-specific as to risk alienating Forum members. It was agreed that HSE should be more proactive in promoting the business case for the Forum to encourage members to prioritise attendance.</p> <p>Tony Bandle suggested that HSE compile a briefing pack for new SBTAF members that highlighted its achievements and influence. Members also suggested the possibility of an accompanying press release to go into their own newsletters so that their own constituents could hear of the good work undertaken by the Forum. There was also strong concurrence that SBTAF should pick up on embryonic issues, which Tony Bandle advised should be made much easier by the new small firms impact test requirement in HSE's policy group.</p>
5	Information Exchange
5.1	<p>Judith thanked the Forum for a very good discussion and asked whether members had any other concerns which they wished to raise. Geraint Day pointed out that for those interested, Dame Carol Black's webpage on the business & community website contains a useful examination of absenteeism and its effects on the economy. http://www.workingforhealth.gov.uk/Carol-Blacks-Review/Default.aspx</p> <p>Judith also advised that the September 2009 meeting would be her last as Chairman of SBTAF this is when her time as a non-executive member of the HSE board will come to an end.</p>
6	A.O.B.
6.1	No other items of business were raised.
7	Meeting round up and close
8	Date of next meeting – 7th October 2008, <u>14:00 – 16:00</u> in Rose Court, London (Please note this is a PM meeting)
Actions	<p>Secretariat to:</p> <ul style="list-style-type: none"> • Explore the possibility of varying the locations of SBTAF meetings with Judith Donovan. A list of dates for next year's meetings will be placed on the e-community by the end of July. • Incorporate feedback received at the July meeting into a revised version of the stocktaking paper. • Post the revised stocktaking paper on the SBTAF e-community before the end of July for member comments. The paper will then undergo a further revision to reflect member feedback, before being used as a brief for Judith Donovan to inform the HSE Strategy Review in the autumn. • Explore, with the advice of Judith Donovan, the possibility of inviting non-executive board member John Spanswick to attend the next SBTAF meeting. • Work on producing a briefing pack for new SBTAF members/representatives. • Explore the possibility of organising SBTAF meetings around a central theme. • Investigate the possibility of drawing up a mechanism for keeping up to date with current HSE projects to inform the selection of items for SBTAF meeting agendas. <p>Forum members to:</p> <ul style="list-style-type: none"> • Respond to the Worker Involvement Unit's request for feedback on their guidance leaflet "<i>Involving Your Workers In Health & Safety – A Guide For Small Businesses</i>". • Respond to the Worker Involvement Unit's requests for a speaker for the leaflet's launch event on 14th October 2008 and for volunteers to participate in discussion groups. . • Leave feedback for the SBTAF stocktaking paper via the e-community by 17th August 2008. • Respond to Dr Sayeed Khan's request for advice regarding Absenteeism in the workplace. • Respond to HSE requests for consultation regarding the removal of several form-filling requirements from legislation affecting the majority of UK businesses. Consultation for this project is due to start on 28th July 2008. • Give feedback regarding IOSH publications "<i>Consultancy – A Good Practice Guide</i>" and

"Getting Help With Health And Safety".

- Respond to future requests from the Construction Clients' Group (CCG) for help in promoting the Construction Clients' Group Assurance Tool to their members.

To contact the Small Business Trade Association Forum Secretariat, please email sbtaf.secretariat@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>