

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 26 January 2010 in the Brighton Suite, Premier Inn, Kings Cross, London.**

Present:

Judith Donovan CBE,	Chairman
Linda Gowling	Association of Charity Shops
Philip Marsh	British Glass and Glazing Confederation
Matt Mahony	British Woodworking Federation
Peter Newport	Chemical Business Association
Andrew Braund	Confederation of Paper Industries
Steve Walter	EEF – Manufacturers Association
Paul Reeve	Electrical Contractors' Association
Peter O'Connell	Federation of Master Builders
Sara Higham	Federation of Small Business
Wendy Nixon	Hair and Beauty Industry Authority
Sophie Fernandes	Institute of Directors
Martin Isles	Mineral Products Association
Michael Britten	National Farmers' Union (NFU)
Tim Webb	PICON
Stephen Hodgson	Property Care Association
David Ursell	Registered Nursing Home Association
Ray Engley	Road Haulage Association
Collette Best	Royal Institute of Chartered Surveyors
Tony Hutchinson	Rural & Industrial Design and Building Association

Apologies were received from other members.

HSE Officials Present:

Tony Bandle	Head - Business Involvement Unit
Graeme Walker	Head – Agriculture and Food Sector
Katherine Fuller	Secretariat to SME SAT
Heather Bryant	Regional Director - Field Operations Division, East and South East
Chris Taylor	Principle Inspector - Field Operations Division, East and South East
Jill Hawthorne	Small Business Trade Association Forum Secretariat
Kristine Nourish	Small Business Trade Association Forum Secretariat

1.	Introductions and apologies
1.1	<p>Judith Donovan welcomed members and introduced first time attendees Sophie Fernandes Institute of Directors, Graeme Walker Agriculture and Food Sector, Jill Hawthorne and Kristine Nourish both SBTAF Secretariat.</p> <p>Also welcomed were guest speakers: Katherine Fuller, Business Involvement Team; Heather Bryant, FOD; Chris Taylor, FOD and Roger Bibbings, ROSPA.</p> <p>Judith Donovan informed the group that this would be Tony Bandle's last meeting and thanked Tony for his work with the Forum.</p>
2.	Minutes of the last meeting
2.1	It was agreed that the minutes reflected an accurate and true description of the November 2009 meeting and there were no matters arising that were not covered in the agenda.

	Steve Walter did not attend the meeting in November 2009 as recorded and the minutes have been amended accordingly.
3	Hot Topics
3.1	Tony Bandle provided members with an update on current health and safety initiatives, together with an insight into possible items for future Forum meetings:
3.2	<p>Workplace Temperature Review:</p> <p>Tony Bandle advised the Forum that a questionnaire would be sent out by HSE to organisations such as IOSH, CBI which aims to establish whether there is any evidence of ill health effects caused by maximum workplace temperatures. Members of the Forum would receive a copy of the questionnaire via the e-Community site and were encouraged to respond.</p>
3.3	<p>Snow and Ice:</p> <p>Tony confirmed that there is no Health and Safety (Criminal) law to prevent people from clearing footpaths of snow and ice. Members may wish to access the links below:</p> <ul style="list-style-type: none"> • John Denham's statement – 12 January 2010 - http://www.communities.gov.uk/news/corporate/1431227 • IOSH clarification 11 January 2010 - http://www.iosh.co.uk/news_and_events/news/latest_news_releases/01_-_good_neighbourliness.aspx
3.4	<p>Respiratory Protective Equipment (RPE) PROJECT:</p> <p>This is a long term project but in its early stages and stakeholder assistance is crucial. Rob Ellis, HSE who attended the last meeting is keen to obtain input from the Forum particularly regarding ideas of how HSE could engage with employers on this issue and would welcome any information about suitable events and comments for the development of the RPE simulator. Specific Trade Associations have shown interest and offers of partnership working would be invaluable. The SBTAF Secretariat would be happy to place relevant documents on e-community.</p> <p>If any interested parties not already engaged with his work, wish to discuss further please contact robert.ellis@HSE.gsi.gov.uk or tel: 0151-951-5828.</p>
3.5	<p>EMF Directive</p> <p>The group were informed that a new proposal was expected from the European Commission but that this Directive had been delayed until 2012 while the Commission sought the views of stakeholders about how it should be set out. HSE expects a formal revised proposal this summer and we already know that the main issue expressed by SBTAF members so far is exposures from second hand welding kit. We propose to hold a meeting on this topic in Redgrave Court, Bootle, later in February where we would like to invite any interested SBTAF members to discuss this issue and indeed any other issues relating to the EMF Directive.</p> <p>Invites will be sent to members who have expressed an interest in the past but we would welcome anyone who wishes to contribute. Please let Jill Hawthorne jill.hawthorne@hse.gsi.gov.uk or Kris Nourish: kris.nourish@hse.gsi.gov.uk know if you would like to attend.</p>
3.6	<p>HSE Strategy – Pledge Forum Launched 23 November 2009</p> <p>HSE's new Strategy emphasises partnership working and the importance of everyone in the health and safety system playing a part in the effort to improve performance. HSE launched its Pledge Forum last November and a new online site where organisations that have signed the Pledge can exchange information on health and safety issues and ideas. The aim is to facilitate the sharing of good practice and to help good ideas to spread. HSE will be encouraging Forum</p>

	<p>members to participate in the coming months. SBTAF members were asked to inform their SME members of this facility and to encourage any with success stories to consider posting them on the Forum. Judith Donovan confirmed that the Strategy Launch went very well and endorsed Tony's request.</p>
<p>3.7</p>	<p>LEV Project:</p> <p>Stakeholder feedback and commissioned research have highlighted that many businesses particularly SME's are often unaware of exactly why they need LEV, which means that they buy systems that do not effectively control exposure.</p> <p>The LEV Project is aiming to develop support for SME's. This could be a checklist or a flow diagram to assist them in getting effective systems, to ensure that workers are protected and that they do not waste their money on incorrect kit.</p> <p>Members were asked for suggestions, views and examples of best practice. The contact for further information is louise.rice@hse.gsi.gov.uk. Tel: 0151-951-5832.</p>
<p>3.8</p>	<p>EASe – Easier Access To Services</p> <p>The EASe project aims to allow HSE's customers easier and more convenient ways to contact HSE to report incidents and notifications, and also to receive information, guidance and advice on health and safety that is both clear and relevant.</p> <p>There are several key organisational drivers for the EASe Programme, apart from the retendering of the current contracts which are soon due to expire there is the need to ensure that the Government agenda is addressed, and this includes reducing the unnecessary regulatory burden on SME's and the benefits which will be realised .</p> <p>The EASe Programme Team is keen to understand customer's needs and if anybody from the associations you represent, would like to feedback any views, opinions or comments they would be welcomed. Please feedback via Jill Hawthorne: jill.hawthorne@hse.gsi.gov.uk or Kris Nourish: kris.nourish@hse.gsi.gov.uk SBTAF Secretariat.</p>
<p>3.9</p>	<p>Anderson Review</p> <p>This review of Government Guidance was initiated by the Enterprise Strategy of March 2008 and was conducted for BIS. A key recommendation was the provision of a telephone helpline offering 'insured' advice to small businesses on health and safety and employment law.</p> <p>This would mean that the provider would recommend an appropriate course of action and as long as the small business follows this advice, the Provider will cover any associated legal costs the small business incurs because of this. This is regardless of whether or not the advice provided was deemed correct or incorrect. A pilot of this approach is aiming to understand the barriers to the take-up of insured advice explore ways of removing these barriers.</p> <p>Phase 1 is already underway and Phase 2 will provide a pilot service to small businesses with access to free or subsidised tailored insured advice for a defined period. This began in the North West in January 2010 and the aim is to assess how receptive small businesses are to insured advice. SBTAF member, the Forum of Private Business, has been selected along with Peninsula to provide the advice to a limited number of businesses for a 6 month period under the free advice scheme.</p>
<p>3.10</p>	<p>Safety Bulletins</p> <p>HSE operates an e-bulletin system which enables users to keep in touch with any potential alerts and notices issued by HSE. The forum gave a show of hands by those who use the service and one member said the facility was of key interest and would help reduce accidents and also give advice on how things might be done differently. Tony Bandle encouraged the members to sign up and reminded the group that HSE does not issue any other institutions' bulletins.</p>

<p>3.11</p>	<p>Project to Improve Competence of Fork Lift Truck Drivers</p> <p>Information about this subject had been posted on the e-community early December 2009 and HSE are planning to hold an event to gather ideas from businesses about the right way forward on operator competence for operators of fork lift trucks and other workplace vehicles.</p> <p>Members were informed that the event will take place on 9th February at the Coventry Hilton Hotel and HSE plans to use the day to hold discussion forums on the following four key questions:</p> <ul style="list-style-type: none"> • What more help do small businesses need from HSE on operator training issues • Should the same principles apply to all worksite vehicles and mobile plant or are any areas markedly different? • What do we need to do about ongoing competence and continuing professional development?; and, • What about operators from elsewhere in Europe (and farther afield)? How do we understand their training and competence? <p>It was intended that the discussion groups would be facilitated by non-HSE group leaders and comments from small businesses about what they think the problems areas are would be welcome. Further information relating to the event is available from Jill Hawthorne jill.hawthorne@hse.gsi.gov.uk or Kris Nourish kris.nourish@hse.gsi.gov.uk.</p>
<p>3.12</p>	<p>Artificial Optical Radiation (AOR) Directive</p> <p>Members were informed at the November meeting that the online consultation on this Directive will run until 5 February 2010. Some comments had been received but the policy team were still especially keen to receive comments on the draft guidance that has been posted as part of the consultation package – particularly from an SME perspective.</p>
<p>3.13</p>	<p>Managing Health and Safety Project (old HSG65)</p> <p>HSE has committed to reviewing this guidance in it's 2009/10 Business Plan. The core part of the framework on this issue (HSG65) was first produced in 1991 and last revised in 1997. The work links in a practical way to the themes of Leadership, Worker Involvement, Competence, SME's & Avoiding catastrophe. It also keeps pace with the changing economy and demonstrates HSE's continuing commitment to be a modern regulator.</p> <p>The guidance is for leaders, managers, owners of organisations, employee representatives and HSE & LA Regulators and the products delivered by this project will include:</p> <ul style="list-style-type: none"> • a statement of the core elements for managing for H&S , that would also signpost other important guidance, toolkits and case studies, e.g. on leadership, culture, etc; • a refreshed and 'reduced' HSG65, which reinforces widely believed principles but is expected to change in language and content; • a revised website presence on the topic; • an updated Guide to Inspection of H&S management (for HSE & LA's); • a briefing & training package, including using GRIP and RDNA. <p>The guidance will be developed using a core group of stakeholders and Judith Donovan asked for volunteers from SBTAF.</p>
<p>3.14</p>	<p>Asbestos Survey Guide and Duty to Manage Regs</p> <p>Asbestos: The Survey Guide HSG264 was published on 29 January 2010 and it updates and</p>

	<p>replaces the guidance contained in MDHS100. The guidance is aimed at a wider target audience: i.e. surveyors, clients/duty holders, architects and others, and contains</p> <ul style="list-style-type: none"> • Management Survey • Refurbishment/Demolition Survey • Duty to Manage E-tool – http://www.hse.gov.uk/asbestos/managing/index.htm <p>3.15 Directors' Duties</p> <p>Evaluation research now completed and the independent Steering Group that oversaw that work now in the process of finalising its report to HSE Board. The HSE Board will return to this issue on 24 February, when HSE plans to provide the Board with a paper that covers:</p> <ul style="list-style-type: none"> • Steering Group's report, including the research reports • Summary of views from key stakeholders who have expressed interest in this issue • Some detail about successful prosecutions of directors <p>Forum members should note that the Steering Group's remit is to oversee an independent evaluation of measures taken to strengthen director leadership on health and safety.</p> <p>Ministers have asked HSE to advise them following HSE Board's consideration. For further information, see http://services.parliament.uk/bills/2009-10/healthandsafetycompanydirectorliability.html</p>
<p>3.16</p>	<p>Current HSE work re Possible Link Between Shift-work and Cancer</p> <p>An update on this subject was requested at the November meeting and as background; the WHO International Agency for Research on Cancer (IARC) has recently classified shift-work as "probably carcinogenic". HSE recognises the need for further work on this issue and has been proactively commissioning research. University of Oxford undertaking extensive study – results expected December 2010</p> <p>In April 2009 HSE co-funded an IARC Workshop on "Shift-work and Cancer: How to Improve the Exposure Assessment" which concentrated on identifying possible routes to prevention and which aspects of shift-work should be the focus of more research.</p> <p>HSE recognises need for further research, but believes that current evidence is inconclusive and as such does not justify placing additional demands on employers aside from those already applicable under the Working Time Regulations (1998) – at this time. Currently, the main risk from shift-work is regarded as fatigue, which leads to human error and accidents. HSE has produced guidance to help employers manage safety risks of shift-work (HSG256) and this is free for download from our website.</p> <p>HSE will continue to monitor the situation and take note of wider research prior to any proposals for possible future action on this issue.</p>
<p>3.17</p>	<p>FOD Complaints Procedure</p> <p>This procedure was reviewed as there are a huge amount of complaints received in the field from employees and members of the public relating to the actions of a duty holder under HSWA.</p> <p>HSE introduced a scheme, which has been in place since last year. The scheme aims to filter risk and local factors when deciding to progress complaints. The filter is based on likelihood of injury/ill health and seriousness of such an occurrence. A report on procedure and initial functionality went to the Board on 27 January 2010.</p>
<p>3.18</p>	<p>Call for Evidence: A Chance to Have Your Say</p> <p>Departments and regulators, including HSE, are on course to meet the target of a 25% reduction in the administrative burdens arising from regulations by May this year. The Government</p>

<p>3.19</p>	<p>has now set some new simplification targets to cut the ongoing costs of regulation by a further £6.5 billion in total by 2015. BRE are particularly keen to receive suggestions on which business processes could be improved and how: (see www.berr.gov.uk/whatwedo/bre/policy/simplifying-existing-regulation/simplification-plans/page54027.html).</p> <p>The Government has proposed a cross-Government themed approach to achieving these targets. These themes include:</p> <p>Workplace Health and Safety; Built Environment; Business Law ; Consumer Issues; Employment and Skills; Health and Social Welfare; Natural Environment; Transport</p> <p>HSE will lead on the Workplace Health and Safety theme. The government have issued a call for evidence and BRE are particularly keen to receive suggestions on which business processes could be improved and how: (see www.berr.gov.uk/whatwedo/bre/policy/simplifying-existing-regulation/simplification-plans/page54027.html). Members were invited to respond but were advised of the tight deadline for responses of Friday 12 February 2010.</p> <p>Three additional items were added to the agenda by Tony Bandle discussed under Hot Topics:</p> <ol style="list-style-type: none"> 1. Penfold Review: Non-planning Consents - barriers to business start up. Currently out for consultation call for evidence web link www.bis.gov.uk/penfold . This review compliments the Killian Pretty review – now completed consultation stage that looked at planning consents. 2. Enterprise side of the Department of Business Innovation and Skills with the Better Regulation Executive are currently conducting a study into the regulatory framework for micro businesses and the law it has to deal with, key regulations to be compliant with. 3. Tony Bandle explained to members that a ‘forward looking’ paper about the role of the forum had been drafted by a few members and the forum secretariat. Members were asked to consider the paper at the November meeting but were now being given extra time to respond. Contributions and views would be welcome prior to the next meeting and they should be submitted to Jill Hawthorne.
<p>4</p>	<p>Core Messages for SME's</p> <p>Katherine Fuller outlined the details of this project to develop a set of core messages for SMEs to help them 'do the basics' of health and safety. The project is in its early stages and currently includes messages on ten key health and safety topics. HSE understands that the presentation and functionality of the core messages is important and has had initial discussions with the Central Office of Information to obtain initial ideas on developing an engaging product design.</p> <p>Katherine Fuller asked the Forum to provide comments on the core messages and consider novel ideas for delivery of the messages to SMEs. Judith Donovan agreed to discuss the further development of this project at future meetings. Following a positive discussion, Katherine agreed to put initial draft of the core messages on the SBTAf e-community site.</p>
<p>5</p>	<p>Estates Excellence</p> <p>Heather Bryant gave a brief overview of an 18 month trial which will run in the South East which will provide risk based support through a range of partner led interventions. The trial will look at 1000 businesses in 6 locations of which 80% are SME's. The trial also aims to assist businesses to sensibly control risks, deliver reductions in accidents; ill health and sickness absence and lastly to achieve business benefits. Heather informed the Forum of the success of the Medway pilot and the lessons learned.</p> <p>A discussion took place about how geographical areas were identified and Heather was able to give more detail of the advantages and successes that came out of the trial. Some members of the Forum also gave examples of schemes they had been involved in. Any further views and help from the Forum would be very welcome.</p>

6	<p>Healthy Workplaces - Milton Keynes (HWMK)</p> <p>Chris Taylor described the work carried out in partnership between HSE and Milton Keynes Council between January 2008 and April 2009. Chris gave examples of how the service was marketed, how advisors were trained and local events held. The service provided was based on Workplace Health Connect and provided free advice and support for SME's by telephone and/or visits. The service was open to all SME's based in the Milton Keynes area and we are currently waiting for an evaluation report based on cost, impact, effectiveness and take-up from the Institute of Employment Studies.</p>
7	<p>RoSPA</p> <p>Roger Bibbings gave an overview of the work carried out by ROSPA explaining that it was an independent safety charity and their mission was to save lives and reduce injuries. The society is a major campaigner for Health & Safety and provides training and information to organisations.</p> <p>Roger informed the group of ways in which ROSPA wanted to improve support to businesses and that ROSPA was going to hold an exploratory seminar in June 2010 for key Trade associations. The objective of the seminar being for associations to share and compare experiences and to explore what works and new initiatives. If anyone wished to contribute any ideas Roger is contactable by e-mail rbibbings@rospa.com or by phone on 0121 248 2095.</p> <p>Judith Donovan thanked Roger for his presentation and the information he passed on.</p>
8	<p>Information Exchange / AOB :</p> <p>A discussion was held relating to Workplace Transport – Load Safety. The Forum raised concerns about HSE's guidance published on the website and did not feel it was clear enough particularly relating to loading to Headboard and use of Side Curtains. Tony Bandle said he would address this matter urgently on his return to the office and would also find out which associations had participated in the consultation process. Judith Donovan said any findings would be posted to the e-community site. (This was done within 2 days of the meeting).</p> <p>A further discussion took place about inadequate ventilation in the roofing industry and Judith Donovan asked that the National Federation of Roofing Contractors be invited to join the Forum.</p> <p>One member also raised the issue of damage caused to farm buildings due to heavy snow falls causing problems with load bearing. This has been brought to the attention of relevant policy leads and operational staff.</p> <p>Judith Donovan asked for six volunteers to comprise a sub-board. The purpose of the sub-board would be to provide a strategic steer to the forum; helping to plan future agendas and priority engagement, and assuring continuity Of business after Judith's appointment to the Board and SBTAF Chair ends in September 2010. The sub-board could expect to meet between Forum meetings. Jill Hawthorne will act as co-ordinator and call for volunteers via the e-community site.</p>
9	<p>Meeting round up and close</p>
9.1	<p>Judith thanked the members for attending and advised them of the time and date of the next meeting.</p>
10	<p>Date of next meeting – 14 April 2010 at 14:00 – 16:30. Brighton Suite, Premier Inn, Kings Cross, London</p>

To contact the Small Business Trade Association Forum Secretariat, please email Jill.Hawthorne@hse.gsi.gov.uk or telephone 0151-951-3746 or kris.nourish@hse.gsi.gov.uk or telephone 0151-951-4902 or access the e-community at <http://webcommunities.hse.gov.uk/inovem/inovem.ti/sbtafcommunity/grouphome>