

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 July 2005 in the Hope Room, Rose Court.	
<p>Present</p> <p>Judith Donovan CBE, Chairman</p> <p>British Chambers of Commerce British Wood Preserving and Damp Proofing Association Federation of Master Builders Federation of Small Businesses Institute Of Directors National Farmers' Union National Hairdressers' Federation</p> <p>Apologies</p> <p>British Dental Association British Woodworking Federation Confederation of British Industry Road Haulage Association Small Business Bureau</p>	<p>Officials Present</p> <p>Jenny Eastabrook (Head of Cross Cutting Interventions Division)</p> <p>Debra Humphries Hani El-Sabbahy Louisa McNamara Meena Sharma</p>

1.	Introductions and apologies
1.1	Judith Donovan welcomed members to the meeting.
2.	The way we work
2.1	Jenny Eastabrook introduced herself to members. She explained that she and Elizabeth Hodkinson (with whom she job shares) are responsible for a wide range of cross-cutting initiatives in HSE. This includes the Business Involvement Unit (of which the Small Business Team is only part), the Better Regulation Unit and International Unit. One of their aims is to improve HSE's relationships with business. The Small Business Trade Association Forum is one such initiative where HSE works closely with businesses. Jenny also introduced Debra to members. Debra has joined HSE on secondment from DTI. She will be focussing on the needs of businesses, small businesses in particular, and will be encouraging colleagues in HSE to embrace the Government's <i>Think Small First</i> agenda.

2.2	<p>Jenny explained that the team had two important roles. The first is to enable the Forum to make early input into policy development. The role of the Secretariat is to spot relevant issues early on, engaging the Forum at appropriate points and giving members time to debate options. This will also enhance Judith's contributions at Commission meetings.</p> <p>Secondly, the Small Business Team is concentrating on equipping Forum members with information. This will help the Forum provide a more effective service to their own members.</p> <p>Horizon scanning is central to both roles to achieve the balance between early information and input. Jenny assured members that the Small Business Team will follow through on comments to ensure that SME (small and medium size enterprises) health and safety issues are dealt with effectively internally and reflected in cross Government work like businesslink.gov.</p> <p>Jenny informed members that she and Judith would review the Forum on a six monthly basis to check it is fulfilling its functions and meeting member's needs.</p>
2.3	<p>Members emphasised the key target audience for the small business team needs to include micro businesses, but that the same principles are relevant to businesses of up to 250 employees. All agreed that engaging the Forum at an early stage would ensure that messages were tailored and presented appropriately for SMEs.</p>
3	Better Regulation
3.1	<p>Teresa Quinn outlined the work currently underway across HSE on Better Regulation. She informed members that Government departments are undertaking an exercise to identify and measure the administrative costs of their legislation on business, particularly in relation to requirements for businesses to provide Government with information. Members were also informed that a 'one in, one out' approach to making legislation was being considered.</p> <p>By January 2006, all Government departments must submit wider plans for simplifying to include, if appropriate, consolidating, removing or replacing legislation. Teresa sought members' comments on the exercise and how the Forum could contribute.</p>

3.2	<p>It was clear from discussion that members felt not all of the irritations on business are the result of Government regulation. In many cases, they are the result of insurance or an attempt to reduce risk to zero, but they are often perceived as requirements under legislation.</p> <p>In relation to the aspiration to implement a “one in one out” rule on new legislation, some Forum members felt that the implication was that the current level of regulation was about right. This was something with which they did not necessarily agree. Although members were keen for legislation to be simplified wherever possible, they wanted reassurance that any effort to keep the same number of regulations would not lead to complicated consolidated legislation which would actually be more difficult to understand and therefore comply with. There was a general consensus that any change should be for the better and not change for change’s sake.</p> <p>Members were also keen to ensure that Government considered carefully the issue of renewal – wherever businesses are required to renew or submit regular, but largely unchanged returns to Government on a specific issue.</p>
3.3	<p>Members were asked whether they, as organisations, had mechanisms for consulting their members on which pieces of legislation and/or information requirements were the most irritating. Members confirmed that they were able to provide some feedback to this exercise. Judith agreed that the October Forum meeting should include an item on the agenda to discuss the irritants identified by Forum members</p> <p>British Chamber of Commerce offered to nominate a BCC member to the steering group on administrative burdens. British Chamber of Commerce stated for information that they already have in place a ‘burdens barometer. This can be found at: http://www.chamberonline.co.uk/policy/pdf/Burdens_Barometer_2005.pdf</p>
4	Consultation with employees on health and safety
4.1	<p>Christine Barringer outlined the current position on worker involvement (WI). HSC/E is keen to promote and increase the involvement of workers in health and safety because research indicates it can have a positive benefit on reducing accidents and ill-health. The WI Team has been working on a number of voluntary approaches to increase worker involvement. HSC has asked the team to consider whether there is also a case for further regulatory action. The WI team are consulting the Forum at an early stage to help shape advice to the Commission. In particular, the team are interested in experiences of what works within small business, whether regulation would have the desired impact, what steps could HSE take to encourage WI and views on the specific proposals currently being considered.</p>
4.2	<p>There was general consensus across the Forum that WI could have a positive impact on the quality of health and safety management in the workplace. It was felt that involving workers in the process increased their sense of responsibility and made them think more about themselves and their colleagues, and generally had a positive impact on worker relations. However, there was general concern about introducing further regulation. The Forum felt that legislation was inappropriate and would not be able to take account of the differing nature and needs of different sectors and firms of different sizes.</p>
4.3	<p>Members made suggestions for very innovative approaches – such as sharing</p>

	the responsibility more formally for risk assessment between employer and worker. There were also ideas around consequences for workers who did not engage in the process – e.g. penalties for workers who fail to report faulty equipment or who do not follow correct safety procedure.
4.4	Members were also concerned that further legislation requiring employers to respond to issues raised by safety reps could be damaging to business. Employers could waste a lot of time dealing with spurious or unfounded complaints to the point where they were no longer able to carry out the day to day functions of the business. There were also questions about whether legislation was necessary, or appropriate, given the requirements in the Management of Health and Safety at Work Regulations 1999 to carry out risk assessments.
4.5	Judith explained that HSC was not minded to increase regulations unless it was absolutely necessary. However, it has targets to meet for reducing accidents and ill health, and success rates are levelling off. Judith asked members to provide alternative options to regulation and/or offer evidence that regulation was not necessary or would not achieve the required effect. With these alternatives the debate would stay open. Without evidence to the contrary, the Commission would need to consider legislation as a viable approach. She particularly asked the Forum to help identify cases studies of voluntary good practice that would help demonstrate that legislation was unnecessary and ideas for alternative approaches to legislation.
5	Special communications item – Noise Guidance
5.1	<p>Caroline Munkenbeck from Strategic Communications explained that HSE is currently drafting guidance on the new Noise Regulations. The guidance will help employers understand the new law and their responsibilities and ensure employees understand what they should do to protect their own hearing. The draft guidance is currently being tested on employers (large and small) by external consultants Opinion Leader. HSE is keen to get the reactions of the Forum.</p> <p>Caroline informed members that this would not be their only opportunity to comment. Members have already been approached to see whether they wish to be involved in a telephone interview or complete a questionnaire to feed in views.</p>
5.2	Members discussed the graphics used in the publications and the majority of Forum members preferred the close up photo of the ear and side of the head. The other images were considered much less effective (as borne out by research into use of imagery in promotional material).
5.3	<p>The Forum found the small pocket book aimed at employees most useful, as it was very clear, concise and simple to follow. There was a strong view that this kind of first tier, simple information would also be appropriate for all employers and managers, including sole traders.</p> <p>Action: Noise Team to consider developing a shorter leaflet aimed at employers.</p>
5.4	There were mixed reactions to the leaflet for employers. The general view was that it was too long, detailed and technical. Although much of the draft was easy to understand, some of the information about how to manage risks associated with noise was complex and confusing. There were general concerns that some of the text advice being given to employers appeared to be contradictory. Members would rather employers had a leaflet which was simpler

	and smaller to get them started.
5.5	There were some specific concerns. For example, advice on measuring the level of noise took insufficient account of industries where the level of noise can fluctuate greatly throughout a working week (e.g. hairdressing and hospitality). Some of the advice was considered patronising and unnecessary. The Forum felt that the language and phraseology in relation to measuring noise and managing risks implied that businesses should bring in specialist consultants to do the work for them. The Forum felt that this was inappropriate for low risk businesses.
5.6	The Forum felt that a summary document for employers (similar to the employee pocket card) should be made widely available free of charge to employers, signposting to the leaflet for those wanting more detailed information. Action: Noise Team to consider this.
5.7	HSE committed to sharing the findings of the focus groups and questionnaires with the Forum. Opinion Leader agreed to feedback their finding to members at a future Forum meeting.
6	Members' opportunity to raise 'hot' topics
6.1	The issue of paid and free literature available from HSE was raised. Members expressed frustration in trying to obtain bulk orders of free publications from HSE to distribute to their constituency groups and members. Trade Associations are a valuable means of letting businesses know what is happening and where they can find information and advice on legislation. This can be particularly important for small businesses that do not have access to the internet and rely on newsletters and mailshots from their trade association. It is not sufficient simply to post guidance on the HSE website on the assumption that businesses will think to look for it. Judith agreed to raise this issue with the HSC Chair.
7	AOB
	The next meeting will take place on Tuesday 25 th October.
Actions:	Forum to: <ul style="list-style-type: none"> • send Secretariat details of irritant pieces of legislation in advance of the October meeting for debate (information on irritants should set out whether it is the policy itself which is the irritant, whether the irritant is how the Government requires businesses to submit information or whether it is how others, such as the insurance industry, create irritants). The deadline for responses from members is 5th October. • send Secretariat their views on Worker Involvement. HSE would like details/views of how small businesses involve their workers in health and safety; what formal/informal consultation arrangements work best; how to involve workers in risk assessments; is time off for safety reps' (including elected reps') training an issue; is HSE guidance helpful and what can HSE do to encourage more and better worker involvement. We are particularly keen to hear of innovative approaches. The deadline for responses from members is 5th October. • contact the Secretariat if they want to be involved in the HSE's working group to develop the draft simplification plan. • contact the Secretariat if they would like hard copies of the HSC annual report.

	<p>Noise Team to:</p> <ul style="list-style-type: none">• consider urgently developing a shorter leaflet aimed at employers.• consider the impact of implying in the guidance (as current leaflet does) that a consultant is required in low risk businesses. <p>Secretariat to:</p> <ul style="list-style-type: none">• issue a separate email to Forum members detailing what is required on Worker Involvement and irritant legislation so it is easier for them to forward to members.
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Documents circulated with these Minutes

- Jenny Eastabrook's Ways of Working presentation
- Teresa Quinn's Better Regulation presentation
- Christine Barringer's Work Involvement Presentation