



## **2. Minutes from the meeting of 20 Nov 2013**

Minutes agreed

## **3. Actions from the meeting of 20 Nov 2013**

Members agreed with proposal that HSE's JACE online forum that was not being utilised would be closed.

## **4. HSE update**

Cameron Adam updated on a number of current issues

## **Film, Broadcasting, Theatre**

### **4.1 Entertainment Training Information Sheets (ETIS)**

- Meetings held 8-9 April hosted by BBC for those who had volunteered to review the ETIS sheets
- M Sandell and C Adam HSE set out HSE's publications governance guidelines. Discussion around revisions required and potential new sheets. Revision and consultation process set out.
- Adrian Tinson is leading on this from HSE.
- Initial drafts to be sent to Adrian by the end of June. Adrian will edit and send out for consultation to all members of the JACE prior to publication.

### **4.2 Apollo Theatre Ceiling Collapse**

- HSE has started to work with theatre industry stakeholders and other interested bodies to take forward the findings of Westminster Council's investigation into the Apollo Theatre Ceiling collapse nationally. The investigation into the incident is on-going and separate from this work.
- Preliminary meetings have been held with Westminster Council and the ABTT. **Post Meeting Note: HSE attended meeting with Westminster Council, ABTT, English Heritage and Building Research Establishment on Monday on 19 May.**
- The overall aim is to prevent a recurrence by ensuring that similar existing ceilings are structurally intact and properly maintained. Theatre owners/operators should be able to demonstrate this and if not act accordingly.
- The work will be industry led with HSE support and oversight.
- Specifically HSE is seeking to ensure that
  - Theatre owners know how their ceilings are constructed and configured. This will in likelihood require some sort of baseline survey and production of a plan

- An initial assessment of the condition of the ceiling and the structure above it is carried out if one doesn't exist.
- There is a robust and rigorous periodic inspection scheme appropriate for theatres.
- There are defined competency requirements for those carrying out the inspection work
- There are safe methods of access into ceiling voids
- Operators ensure that areas above ceilings are accessible and in a condition to allow thorough inspection
- Operators instigate a programme of remedial work where required

4.3 General discussions followed. Michael Anderson asked what the outcome would be, would it be in a form of guidance or a standard for ornate plaster.

4.4 Louise Norman stated that it was very important that theatre owners are kept in the loop and that the Society of London Theatre is involved in future discussions. Cameron Adam agreed and reassured Louise that theatre owners and their representatives would be integrally involved in the process.

4.5 Roger Sutton said that the TU side would like to be involved around the country; they have been dealing with Westminster Council. He asked if it was limited to the sort of ceilings at the Apollo or would include other types.

4.6 Mark White advised of eight different construction methods and various construction materials that were in use. Different materials age and behave in different ways. Tony Lennon stated that the problem goes much more widely than theatre premises. Cameron Adam agreed and advised that whilst the focus is on theatres, the outcomes of the various strands of work will be communicated more widely where required.

4.7 Cameron advised that the main issue at present was with the degradation of plaster type ceilings and the need for a robust regime of inspection and maintenance by competent people as outlined at 4.2

4.8 Richard Perry asked if there was any consensus on the frequency of inspection. Michael Anderson referred to a frequency of 5yrs for most licence premises that seemed to have come from an electrical standard. Mark White advised that there was no standard of frequency and that it is dependant on risk assessment, based on the type of ceiling and materials and their current condition.

***Action: HSE and theatre stakeholders to report back to JACE on progress.***

### **General Update**

#### 4.9 TRIENNIAL REVIEW

The Triennial Review of HSE commenced in April 2013 and the review report was published on 9 January 2014. It can be found online at <https://www.gov.uk/government/publications/triennial-review-report-health-and-safety-executive-2014>

The review concluded that there is a continuing need for the functions HSE delivers and a strong case for HSE to remain an NDPB, however, it makes a number of recommendations for improvement, including calls for;

- 1) A review of Fee for Intervention.
- 2) Ways of measuring cost effectiveness should be established to enable better and more effective comparisons of performance to be drawn with other similar regulatory bodies in future Triennial Reviews. Preferably, this information should be in the public domain in a format that is readily understandable to all.
- 3) The continuation of the Lofstedt work
- 4) HSE to continue to seek new and innovative ideas for interventions that maximise its impact on the continuing high levels of work-related ill health.
- 5) HSE to explore opportunities for commercialisation – HSE Worldwide

HSE awaits the formal response from the government and will comment in due course.

## **CONSULTATIONS**

### **4.10 CD261 – Consultation on replacement of the Construction (Design and Management) Regulations 2007**

- This Consultation Document seeks views on HSE's proposal to replace the Construction (Design and Management) Regulations 2007 (CDM 2007) and withdraw the Approved Code of Practice.
- This consultation began on **31 March** and ends on **6 June 2014**.

(NB - this was also an agenda item for further discussion see item 7)

### **4.11 CD268 – ACOPs: **Provision and Use of Work Equipment (L22), Safe Use of Power Presses (L112), Safe Use of Woodworking Machinery (L114)****

- The Consultative Document sets out proposals from HSE to amend the approved codes of practice (ACOP) on the Provision and Use of Work Equipment Regulations 1998 (PUWER) (L22); Safe Use of Power Presses (L112) and Safe Use of Woodworking Equipment (L114). This is a light-touch review of the PUWER ACOPs with the aim of removing time-limited material and, where appropriate, simplifying the text.
- This consultation began on **31 March** and ends on **23 May 2014**

### **4.12 Self Employed**

- Proposed legislation to exempt the self-employed from H&S legislation includes a prescribed list of activities that will not be included in the exemption.

- Work on prescribed list ongoing
- There will be a public consultation on this list beginning June for 8 weeks. Members will be notified as soon as it is live.

4.13 Members expressed their concerns regarding exemptions to the Self Employed in the entertainments industry. Stephen Gregory stated that the De - Regulation Bill had removed the previous caveat concerning 'no harm to others' and had concerns regarding the prescribed list. He did not know who they should be lobbying was it CBI.

4.14 Tony Lennon said that this would be a step back for the industry and was interested to hear what members of JACE could do to lobby against this. He advised that BECTU had responded first time round. Bob Forster stated that some had already made representation. Peter Jaques proposed that Tony draft a response and send round for members to sign. Tony volunteered to lead on this on behalf of the JACE.

4.15 Cameron urged that members make their views known and respond to the consultation when it goes live – expected this some time in June 2014.

**Action :**

- **Norma to send out consultation to members when available.**
- **Tony to draft response to the consultation when it becomes live and send to it members for their signature and support before submission.**

**Guidance Review**

Two pieces of guidance relevant to industry recently revised

4.16 INDG247 – Electrical safety for entertainers (revised) and GS50 – Electrical safety at places of entertainment (third edition)

Glasgow 2014 Commonwealth Games Web Pages now live

**Filming on Highways Bill**

4.17 Cameron to follow up and advise JACE in due course when more information known.

**Action: Cameron**

**Other Guidance**

4.18 Beverly Griffiths reported that the Emergency College Safety Advisors Group draft good practice guide had gone out for wider consultation. She would send link for circulation to events industry. Consultation closes on 4 June

**Action: Beverly to send link to Norma (Post Meeting Note link circulated to members)**

4.19 Andy Lenthal reported that the Events Industry Forum 'Purple Guide' had been launched on 18 March 2014. So far, 600 copies had been sold. The chapters on Noise and Special Effects had gone out for consultation by end of May and these will be published in due course.

4.20 Roger Sutton expressed concern regarding the TUC consultation on the guide and its endorsement by HSE. Tony Lennon mentioned concern re subscription basis of the guide and did HSE believe that general guidance written by stakeholders be on a pay for basis.

4.21 Andy Lenthal invited Roger to attend the next Events Industry Forum meeting to discuss his concerns

## **5. Misuse of industrial gases in productions**

5.1 Doug Thornton of the British Compressed Gas Association gave an interesting presentation highlighting the effects of misuse of industrial gases in entertainments industry. Copy attached with minutes.

## **6 First Aid Management Systems**

6.1 Alistair Hollington of Lazarus Training gave an interesting presentation based on risk based scenarios for first aid training for those employed in the entertainments industry. Copy attached – if anyone has any questions please contact Alistair at [alistair@lazarustraining.co.uk](mailto:alistair@lazarustraining.co.uk)

## **7. CDM & Temporary Demountable Structures Update**

7.1 Gavin Bull, HSE Construction Sector advised that the consultation was now open and he asked members for their views especially those in the events industry.

7.2 Bob Forster advised that he had been asked to represent the Production Safety Group (PSG) who represents the major broadcasters. He reported their concerns to the meeting and a copy of the paper outlining the collective concerns of the PSG is attached to the minutes. He advised that the PSG strongly recommend that this issue is raised with the Better Regulation Executive (BRE) in the Cabinet Office and that an Impact Assessment is undertaken (specifically for the sector) as a matter of priority.

7.3 General discussion followed where other members expressed strong feelings and concern on a number of issues; the lack of impact assessment for the events industry and the cost effect this would have; comparison with construction industry where there is a higher number of accidents; the amount of paperwork that it would produce; costings done by the industry showed a cost of 150million as a direct impact of the changes; unrealistic timescales for consultation.

7.4 Richard Perry asked how JACE could take this forward. Gavin Bull encouraged members to respond to the consultation by 6 June

**Action:** Post meeting note – internal HSE meeting took place on Tuesday 20 May with HSE Entertainments sector, construction sector colleagues and HSE economist. Email sent to JACE members and meeting arranged for 23 June 2014 with JACE members and HSE.

***Members to reply to CDM consultation by 6 June***

## **8 AOB**

8.1 Chris Higgs reported on the National Rigging Advisory Group and advised that minutes from their meetings would be shared with JACE members.

8.2 Ron Bonner reported that the committee revising HSG 95 Laser Safety had made good progress and a draft of the guidance would be available by 5 June.

## **9 Date and time of next meeting**

The next meeting will be **Thurs 15 Nov 2014** from 11.00am – 2pm. HSE will host and the location will be in Mary Sumner House, 24 Tufton St London, SW1P - 3RB.