

**Adventure Activities Licensing Authority (AALA)
Minutes of the 19th Management Board Meeting
Held on 2 March 2016 at 11am
at HSE Offices,
9 Quinton Park
Quinton Birmingham B32 1AL**

Those Present:

David Snowball – Chair
Rob Vondy - HSE
Alistair McNab - HSE
Gavin Howat - HSE
Kate Haire - HSE
Karen McKenzie - HSE
John Paul Lawrence - Local Authorities
Colonel Robert Cosgrove - MOD
John Walsh Heron - TQS
Sir Brooke Boothby - TQS
Marcus Bailie - TQS
Brian Chapman - Independent Member
Ian McMorrin - Independent Member
Anna Bliss - DWP by phone
Kerry Darke – Welsh Government by phone
Jill Worrall - HSE (note taker)

Apologies Received From:

Rona Tatler - Scottish Government
Jacqui Moyle - Welsh Government
Stephen Bateman – Department for Education

1 Welcome & Introductions

The Chair welcomed everybody to the meeting and apologies were noted.

2 Minutes and Actions from the Previous Meeting

The minutes from the 18th meeting were accepted as a true record.

3 Progress Report on the Cabinet Office Review of AALA and the Scottish Government request for transfer of powers.

Rob Vondy reported that a meeting had been held in early February to discuss how the transfer may proceed. The Cabinet Office were hoping for completion by April 2016. The Scottish Government felt that December 2017 was a more realistic date due to the referendum and the forthcoming Scottish elections.

Cabinet Office are due to meet with:

- The Welsh Office on 3 March
- The Scottish Government on 4 March and
- The DCMS week commencing 7 March

These meetings should help to inform the timetable going forward.

Colonel Cosgrove asked that the MOD be included in future discussions regarding transfer of powers to Scotland.

Sir Brooke Boothby informed the meeting that it would be favourable to extend the contract with TQS until March 2017 as this would be helpful with their accounting period year end.

Also, if the proposed contract extension could be agreed by May 2016 - that would help with planning.

4 AALS Update

Sir Brooke voiced concern regarding the the provision for refunds on non expired licences.

There is currently uncertainty around how the AALA system is likely to operate in future in England, Scotland and Wales. The system could be different in all three countries.

When three year licences come up for renewal - holders may consider whether they wish to renew at all in the current climate. It is possible that the take up of licences could fall off and therefore this would result in falling income. Should this occur, when the new provisions come into force - up to 1200 inspections will need to be undertaken at once. This is of course not at all practical.

The AALS financial report was circulated to members prior to the meeting. The current position is steady and on budget. Sir Brooke informed the members that there may be an anomaly at the end of March. The number of licences is at an all time high and therefore record numbers of inspections are required. The monies received are not rising due to the increase in the length of licences.

Alistair McNab reminded the Board of the Treasury's expectation for full economic recovery - this may of course be part of the provisions going forward.

Marcus Bailie suggested that it would be helpful to all concerned if the present Regulations and arrangements were initially accepted and the status quo maintained to allow for a settling period. During this settling period discussions could take place regarding any proposed changes. It was agreed that in due course, this would be a matter for further consideration and consultation between the Cabinet Office, HSE and the prospective new AALA bodies.

5 HSE Update

Gavin Howat reported that the AALA Community and number of hits to the AALA website remained steady.

The AAAC met in December 2015 and a new Chair was appointed. The HSE Chair had spoken about the merits of people with disabilities undertaking water based activities.

Gavin informed the meeting that he would soon be taking up a new post within HSE and that this would be his last Management Board Meeting. He thanked everybody for their help during his long period of service on this topic and reminded members that his door would always be open and he would be happy to offer any help of advice going forward.

It would also be Alistair's last meeting as he will be retiring from HSE shortly.

Kate Haire explained that she will be taking up the policy lead on AALA from Rob Vondy in the interim period prior to transfer of AALA.

Full transition arrangements are now in place for this internal HSE move. Karen McKenzie will be the new secretary to the Management Board.

6 TQS Reports:

- Finance - covered under item 4.

- Head of Inspection Report:

The Head of Inspection Report was circulated to members prior to the meeting. Marcus Bailie would of course be happy to answer any questions that members may have. Overall, it had been business as usual. Three licences have been withheld and the AALS are working hard with the applicants in question in an effort to raise their standards to a level that would allow them to be granted licences in the future. Marcus invited Kate Haire to consider what she may like to see in his reports in future.

The Royal Yachting Association (RYA) Pilot is going well and the RYA Inspectors will be ready to undertake inspections (RYA/AALS) in the forthcoming season. Marcus will provide a fuller report on this for the next meeting.

Due to the long periods between accidents / incidents and prosecutions the release of "Lessons Learned" material may need to be rethought. It is useful to put such material out sooner rather than later. The Chair explained that HSE issues "Safety Alerts" almost immediately after accidents / incidents. This sort of system may be helpful to the AALS.

Action HSE - Discuss the HSE Safety Alerts system with AALS.

7 Reports From:

- DWP - covered under item 3
- DfE - nobody in attendance from DfE
- Devolved Administrations
 - Wales - Kerry Darke reported that she would be briefing Ministers. The Welsh Government are due to meet with Cabinet Office tomorrow 3 March 2016.
 - Scottish Government - Rona Tatler had provided a report to HSE prior to this meeting. Rob Vondy gave a brief report on Rona's behalf: The proposed timetable for transfer of powers to Scotland was not acceptable to the Scottish Government. The DWP will also have a view on this.

Scotland would like to designate HSE as the AALA. The Scottish Government would be meeting with Cabinet Office on 4 March 2016.

- Local Authorities - nothing to report
- MOD

Colonel Cosgrove explained that Adventurous Training was a core element of military training. The quantity of adventurous training had increased considerably over the last two years as far fewer MOD personnel are deployed overseas. As a result of this accidents associated with adventurous training had increased. All MOD personnel are covered by their standards not just the under 18's. Adventurous training is not just delivered at centres. Much of the training also takes place in military units.

The MOD are exempt from the Regulations, however, they do work to and are inspected against the same standards. From 1 April 2016 where possible and practicable inspection is undertaken by TQS. This scheme will take 12 - 18 months to roll out. Higher risk activities will be considered first.

Adventurous training includes activities that fall outside the AALA remit e.g. parachuting. MOD will maximise the use of national government body inspectorates when inspecting these activities as they are the correct standards to work to.

8 Update on Association of Heads of Outdoor Education Centres.

Nothing further to report

9 Membership of AALA Management Board

Revised Terms of Reference for Independent Members had been distributed prior to the Management Board meeting in October 2015. Comments were invited from members. There were two revisions: Length of Service and a mechanism or the appointment of independent members.

The revised terms of reference were approved by the Board.

Brian Chapman advised the Board that when new independent members are sought, as well as inviting the usual key bodies to suggest people a further good source is the UK Sport website - "Jobs in Sport". Ian McMorrin suggested that the Board may wish to approach the Association of Heads of Outdoor Education Centres.

Marcus Bailie suggested that if appointing from an association the Board may wish to appoint the position rather than an individual person. For example rather than appoint an individual appoint the head or chair of an association as these people often serve for a set period of time before moving on.

Alistair McNab advised that the Terms of Reference for the AALA Board may need revision and that perhaps changes may need to be made for the transition period. The Chair took an action to update and appraise the HSE Board of the current position.

Action HSE - update and appraise the HSE Board of the current position.

10 Any Other Business

Sir Brooke wished to remind the Management Board that under the current contractual arrangements the Government is liable for redundancy payments that become due to any TQS staff who may be made redundant.

Sir Brooke expressed his thanks to HSE staff and the independent members who had worked on AALA over the last twenty years. He thanked everybody for their hard work and for the excellent working relationship that has been established. His comments were endorsed by John Walsh-Heron, Marcus Bailie and the Chair.

11 Date Time & Venue of Next Meeting

Wednesday 5 October 2016 at 11am HSE Offices Birmingham