

## **Adventure Activities Licensing Authority (AALA) Management Board**

### **Fifteenth Meeting 4 March 2014**

#### **HSE Offices, 9 Quinton Business Park, Birmingham**

##### **Those Present:**

David Ashton - HSE Chair AALA MB  
Alistair McNab - HSE Vice Chair AALA MB  
Rob Vondy - HSE Policy  
Anna Bliss - Department for Work & Pensions  
Steve Bateman - Department for Education  
John Paul Lawrence - Local Authorities  
Sir Brooke Boothby - Chair TQS / AALS  
John Walsh-Heron - Chief Executive TQS / AALS  
Brian Chapman - Independent Member AALA MB  
Ian McMorrin - Independent Member AALA MB  
Derek Grieve - Scottish Government (by phone)  
Jill Worrall - HSE Policy, Minute Taker

##### **Apologies:**

Paul Logan - HSE  
Gavin Howat - HSE  
Alice Chicken - Department of Education  
Marcus Bailie - Head of Inspection TQS/AALS

#### **1 Welcome & Introductions**

The Chair thanked members for attending. Apologies were noted.

#### **2 Minutes and actions from the previous meeting.**

There were several outstanding actions from the meeting of 8 October:

Scottish Government will look to set up its own AALA

**Action** - A meeting will be held between the Scottish Government and officials from Westminster as soon as it is appropriate to do so.

The Department for Education was to be informed of the use of existing AALS reporting arrangements for notification of relevant incidents –

**Action** - Steve Bateman will check whether this has been done.

The Royal Yachting Association (RYA) had written to the Chair in September 2013 with a proposal for licensing by the RYA. The Chair had confirmed that the current agreement for the RYA On Board Scheme was an interim arrangement that now needed to be addressed.

**Action** – A meeting will be taken forward by HSE officials with RYA to discuss the proposals and agree a position in respect of the On Board Scheme. Gavin Howat and Rob Vondy.

### **3 Progress Report: Review of the licensing regime and arrangements**

Rob Vondy and Anna Bliss fed back that Ministers continue to consider the future arrangements for AALA. A decision has been taken that AALA will be retained, albeit that in the longer term its scope and future delivery mechanism may change. Any proposals for significant change will be announced with sufficient lead-in time to allow the AALS service provider and licence holders to plan for change and, if required, include transitional arrangements.

The big picture and the effects of the present situation were put forward. In discussion, members recognised that the impending Scottish Referendum and UK General Election will have a bearing on the timing for a decision.

On 5 March two papers will be put to the HSE Board, one will be the presentation of the AALA annual report and the second will be an update on the future of AALA.

The delay in obtaining a decision on the future of AALA is now putting pressure on the current contracting arrangements with the AALS provider, TQS. The current contract will expire in September 2014 and a condition of this contract is a notice period 6 months. The trigger for this is 27 March 2014.

The uncertainty around the future of AALA has created understandable anxiety and concern for TQS. This situation has therefore been formally raised with the AALA Board to stress the urgency of obtaining clarity on the future of AALA.

A further extension of the existing contract will provide a degree of stability and allow for the review of the scope and delivery of AALA,

taking in to consideration the developments with the devolved administrations.

**Action** - Rob Vondy & Anna Bliss will put together a timeline for Ministers that outlines proposals for what is possible in respect of proposed transitional arrangements contract re-tendering.

#### **4 HSE Operational Report**

The Community website is working well

**Action** - Gavin Howat to monitor site (on going action)

The data base has been problematic. However, it will soon be revisited as HSE is currently undergoing a major software upgrade which should help.

Several accidents had occurred and were under investigation through the appropriate channels.

There was a discussion about the Adventure Activities Industry Advisory Committee (AAIAC).

It has been reported that as a result of the Skills Council (Skills Active) withdrawing funding, the AAIAC will be without financial support from May 2014. This places a doubt over their suitability as an alternative AALA. In addition, the AAIAC, whilst an independent non profit making organisation, includes members who are licence holders and this would present a possible conflict of interest.

#### **5 TQS Reports**

##### Annual Report

The current annual report had been circulated.

##### Finance & Staffing

The current financial position had been circulated to members.

Costs are under control with income as forecast.

New licence applications had increased but renewal figures had decreased with an overall trend being that of a steady rise.

##### Inspection Report

The Head of Inspection's report had been circulated and the Board noted its content.

**Action** - Following a brief discussion, it was agreed that Alistair McNab and Gavin Howat would consider the provision of guidance for licensees when dealing with people with learning difficulties.

## **6 Reports from:**

### DWP

The main focus of late has been the Triennial Review, that has concluded that HSE should remain in its present format. A Government response to the review is expected in April 2014.

Resolving the position and future of the AALA remains a key issue for HSE and DWP.

### Department for Education

Department for Education remain engaged and interested in the future of AALA and are happy to assist and feed into this process particularly with regard to school trips.

### Local Authorities

Budget cuts affecting local authorities had greatly reduced the resource for health & safety work.

### Devolved Administrations

#### Scotland

The Minister for Commonwealth Games, Sport, Equalities & Pensioner's Rights has written to Mike Penning (3 March) stressing the need for Scotland to be informed urgently about what is happening to the future of AALA and to request the formal transfer of powers to the Scottish Government. The Scottish Government is wishing to involve all stakeholders across GB in the development of its plans. It is very much focussed on working in collaboration to ensure commonality and uniformity in the development of provision under any new AALA arrangements.

## **7. AOB**

Sir Brooke Boothby drew the Board's attention to a forthcoming Private Members Bill on overseas trips. Department for Innovation Business &

Skills will prepare the Government response based on information from DWP and HSE.

Ian McMorrin informed the Board that the Duke of Edinburgh Expedition Advisory Panel support the current AALA licensing arrangements as they like the uniformity between England, Scotland & Wales.

John Paul Lawrence described a canoe hire licensing scheme, run by the British Canoe Union that is in operation on the River Wye.

### **8. Date and time of next meeting.**

This is scheduled for Tuesday 7 October 2014.