

Date: 19 Nov 2018	Location: HSE Nottingham Office, BGS, Keyworth, NG12 5GG	Taken by: Nick Sangha
Subject: AGRICULTURE INDUSTRY ADVISORY COMMITTEE (AIAC) MEETING		
Present: HSE Members Rick Brunt (Chair) Andrew Turner Adrian Hodkinson Lyn Spooner Nick Sangha (Committee Secretary)		AIAC Members Thomas Price (NFU) John Charles-Jones (NFU) Marcus Potter (Lantra) Duncan Russell (NAAC) Gerald Davies (Landex) Matthew Belsey (Unite) Adam Meredith (representing Alan Plom, IOSH RIG)
Item No	Description	
1	Welcome and Opening Remarks (1.1) The Chair welcomed everybody to the meeting and informed members that Edward Ford (NFU) had stepped down. The Chair also expressed his gratitude and thanks to Mark Smith (NFU Mutual) and James Brown for their valuable contribution over their time on the committee. (1.2) Apologies had been received from John Burbridge (Unite), Alan Plom (IOSH RIG) and Evita Van Gestel (new AIAC member representing NFU Mutual).	
2	Matters arising and actions outstanding from previous meeting Most of the actions from the previous meeting had either being dealt with and discharged; listed as an agenda item or will be rolled over as detailed below. The following outstanding items remain on the agenda but will be carried forward: (8.3) and (8.4) Andrew Turner informed members that the Roll Over Protection (ROP) on ATV research had completed. The literature review addressed some risks of overturn but not in all situations e.g. depending on which way the vehicle overturned. The recommendations will be published following further work on HSE's position on use of ROPs on ATVs. In the interim members were reminded to follow HSE's current guidance on training, maintenance and PPE. Members acknowledged lack of training and wearing of helmets remained a major issue in the industry and agreed good practice should be encouraged more widely.	
3	HSE's Agriculture Compliance Events Programme – development and follow up inspections (3.1) Adrian Hodkinson updated members on HSE's agriculture compliance events programme 2018/19. Farmers in 4 regions had received an invitation to attend a training event delivered by Lantra in advance of a programme of inspection visits planned during January and March 2019. The course delivered key messages based on the law and guidance published in HSE's booklet ' what a good farm looks like '. HSE Inspectors will be looking for compliance with these requirements when they visit farms. Evaluation work will follow. Subject to funding, HSE proposes to roll the programme into 2019/2010 and introduce additional events focussed on health. (3.2) Marcus Potter was pleased to report that the courses had been well received and, in some locations, oversubscribed. Lantra trainers were initially apprehensive about how many places could be filled up but uptake was very high. Lantra proposes to develop a similar bespoke training package for farmers who were unable to attend one of the HSE funded events due to high demand or other reasons. Lantra will also evaluate programme and arrange a feedback session with both HSE and the trainers. Anecdotal evidence suggests that the level of interest may have been generated because of the possibility of a follow up HSE inspection. Members were pleased to learn that ACE training sessions had filled up quickly without the need of a reminder letter and the greater flexibility offered to farmers on both date and location in comparison with SHAD events. (3.2) The Chair thanked Lantra for developing the training events in a very short time frame soon after the contract was awarded. Members queried costs of event and cost per individual attendance. The Chair	

	<p>confirmed that each place costs HSE approximately £55 per attendee. Members discussed low uptake of training in the industry and cost is seen as a one of the factors with many in the industry unwilling to invest despite the benefits it brings.</p> <p>(3.3) Findings on both good and bad practice will be communicated on social media channels including other communication platforms. Members agreed that a number of HSE planned activities supplemented and supported by stakeholder initiatives will need to be resourced adequately and delivered to help achieve the FSP's aspirational target of reducing fatal injuries by 50% within 5 years.</p>
<p>4</p>	<p>Publication: what a good farm looks like - benchmark standards</p> <p>(4.1) Andrew Turner updated members on HSE's publication 'what a good farm looks like' and the benchmark standards in the guide. The guide contains simple statements on what good looks like to help prevent accidents and ill health and how to comply with health and safety legislation.</p> <p>(4.2) Each section contained statements on what you can do comply with the law and understand common risks to health and safety – e.g. avoid work at height, use a competent contractor instead'. Members were encouraged to promote leaflet within their own membership and through their wider networks. The leaflet is available at http://www.hse.gov.uk/agriculture/resources/pdf/good-farm.pdf</p> <p>(4.3) Members welcomed the downloadable guidance but felt that a hard copy is more likely to be read than a web version and enquired about print costs. Members enquired about practicalities and economical costs of printing guidance themselves against HSE print costs per unit price. Chair confirmed that material can be used for non-commercial purposes under the open government licence framework.</p> <p>Action: 4.5 – HSE to explore ACE guide unit print costs 4.6 – AIAC members to promote guide within their membership and wider industry channels</p>
<p>5</p>	<p>AIAC paper 18/11/01 Child safety on farms – application of health & safety law</p> <p>(5.1) Adrian Hodgkinson introduced AIAC paper 18/11/01 child safety of farms – application of health & safety law. Full background details, discussions and recommendations can be found in paper. In summary the paper reinforced the Chairman's Thought Piece (AIAC paper 18/06/05) and agreement at last AIAC meeting 'that children should not be involved in farm work activities and kept away from the workplace'. The paper clearly sets out the application of the law.</p> <p>(5.2) AIAC members were invited to comment on the recommendations made in the paper and to promote the messages to change attitudes and behaviours. Members cited Gs as a responsible employer that does not allow children within the farm work area. Their policy stipulates that children should wait in office or at farm gate and not be allowed anywhere within the working farm boundary.</p> <p>(5.3) Members agreed the only practical solution to stop children being killed on farms is to keep them out of the working farm area. The Chair agreed to approach HSE's legal team to look at options for improving the clarity of guidance to reflect the full range of applicable law.</p> <p>(5.4) Members agreed the paper was on the right track. Messages on riding and driving of farm machinery will need to be made clearly and succinctly in any proposed communication messaging. It was felt that messages should tie in with and support the FSP child safety message. Marcus Potter sought some clarification on the legality of children training and driving machinery in Northern Ireland. Chair agreed to approach Brian Monson, acting Chief Executive, HSENI at time meeting held to discuss.</p> <p>Members agreed to actively communicate two key messages (a) children under the age of 13 years are specifically prohibited from driving or riding on any agricultural machine and (b) FSP safety message children should not be allowed on farms.</p> <p>Action: 5.2 - HSE to explore options with legal advisors to improve the clarity of the legal position with children working on farms 5.4 - Chair to approach Robert Kidd, newly appointed HSENI Chief Executive.</p>
<p>6</p>	<p>EU Exit updates</p> <p>(6.1) The Chair outlined that uncertainty over EU Exit remained and it was difficult to conclude what this may mean for farming until the framework for our future partnership with EU was set. Health and safety legislation will remain in place (albeit underpinned by a different framework) whatever the outcome of the negotiations. Health & Safety law is closely aligned with the wider social agenda on the requirements for employers, and protections for workers and members of the public. The Health & Safety at Work etc Act 1974 will remain. HSE's Chemical Regulations Directorate (CRD) are actively involved and preparing legislation with EU partners for the chemical regime so that products such as pesticides will still be approved and available for use. HSE has planned and prepared for a no deal situation. HSE will keep a</p>

	close eye on developments.
7	<p>AIAC paper 18/11/02: Overview of 2017/18 cattle related incidents investigated by HSE</p> <p>(7.1) Lyn Spooner presented AIAC paper 18/11/02: Overview of 2017/18 cattle related incidents investigated by HSE. See paper for further details. AIAC members were invited to comment on recommendations and continue to work through the FSP to promote livestock safety. Members considered the recommendations and agreed the approach in principle.</p> <p>(7.2) Analysis in the paper identified that cows and calves in fields with public footpaths continue to be a concern. John Charles-Jones, NFU suggested exploring the feasibility of diverting footpaths with public access. The chair explained that any changes to bylaws on rights of way on footpaths in fields would not be easy and HSE is not the responsible department. Temporary changes to rights of way can be provided through LA footpath officers but again this isn't straightforward or quick. Farmers have responsibility to manage the risk posed by their herds. e.g. by taking simple measures such as moving water and feeding troughs to a different location away from the footpaths, keeping cows with young calves in alternative fields, and regularly checking for signs of aggression or upset behaviours. Analysis of the data shows that generally farmers injured and killed by cattle can be attributed to poor cattle handling facilities and handling techniques.</p> <p>(7.3) Members agreed with the recommendations in paper and the FSP plan to promote messages. Members also agreed that HSE should continue with current approach in collecting data on cattle investigations for a period of 5 years. The Chair informed members that a letter from the County Land Association (CLA) proposing in relation to cattle on Open Access land had recently been brought to his attention.</p>
8	<p>AIAC/FSP initial fatal notifications: use of information and numbering of fatal alerts</p> <p>(8.1) The Chair reminded members of the arrangements agreed with AIAC representatives and FSP Chairs receiving initial fatal alerts. Recipients of the alert are discouraged from using the notifications to count the number of in year fatalities and then report in open media. The intention of the fatal alert remains as previously agreed i.e. to assist timely promotion of key health and safety messages. Members are provided with brief details of cause so that they can focus their efforts on providing timely key safety messages to help prevent similar accidents. HSE recognises that the numbering of an alert may give some indication, but members should not draw any conclusions from the next consecutive number running in sequence. Data quality checks and results of HSE investigations may mean that fatality is attributed to another industry when more is known. Therefore, the true count can't be established using the notifications. Furthermore, the detail provided is only sketchy and not verified – it shouldn't be used in isolation to report the fatality in media channels.</p> <p>(8.2) The Chair invited members for their feedback on how the information is used within their organisation. Marcus Potter confirmed that Lantra promoted incidents of interest within own organisation and wider training network via website and inhouse magazine. He felt there was little value in reporting back to HSE on each fatality received. Tom Price, NFU reported that safety messages were promoted on the farm safety website and cascaded within NFU network. This was largely dependent on nature, seasonality and topic issue at the time. Gerald Davies confirmed that messages were actively promoted within Landex colleges and within his own organisation along with key safety message. Content was also used to inform and educate students as a part of their learning. James Eckley informed members that notifications were further developed and then posted onto the NFYFC member social media channels. Duncan Russell reported that alerts were circulated throughout NAAC membership along with appropriate safety message. The notifications continue to be well received and of particular value is HSE's key message for members to promote within their organisation and wider farming stakeholder community network.</p> <p>(8.5) Chair reminded members that full details of fatal incidents can only be established after the investigation had completed, and any associated legal proceedings have concluded.</p> <p>Action: 8.3 – Members to use the notifications as intended to provide timely messaging when incidents are reported, or they are asked for a view.</p>
9	<p>Recent Manslaughter Conviction and Prison Sentence – PTO fatality</p> <p>(9.1) The Chair provided a brief overview of the recent prosecution taken for the horrific PTO fatality. The case also highlighted other serious safety issues found on the farm during the investigation process. Neil Carpenter was sentenced to 4 years and 6 months in prison. He was also sentenced to 10 months in prison for further health and safety failings. There were two charges relating to machinery guarding and a charge for failure to provide workers with a helmet when using an ATV. During the investigation, HSE</p>

	<p>issued 11 Prohibition Notices on pieces of farm equipment, these prevented further use until the serious faults were corrected. Members were encouraged to highlight the case within their organisation and wider industry contacts and in draw attention to how seriously the Court viewed the offences.</p> <p>(9.2) Members agreed to promote messages and requested details of any other HSE prosecution taken by HSE, preferably in the same format as HSE issued the initial fatal alerts. Members felt that details of prosecutions and fines awarded by the courts was a powerful communication tool to channel key messages to farmers. The Chair outlined that work was underway to improve the way that Cases were publicised in relation to agriculture.</p> <p>(9.3) Members discussed wider lessons to be learned and regular messages following inspections, investigations and enforcement. Messages should include both positive and negative including details of any advice or enforcement action taken. Evidence suggests that enforcement or the fear of enforcement helps achieve some behavioural change. The Chair confirmed that provision and wearing of a helmet for ATV use was a legal requirement.</p>
<p>10</p>	<p>Report back</p> <p>Farm Safety Partnership (FSPs) in England, Scotland and Wales</p> <p>England</p> <p>(10.1) Tom Price reported that several meetings had been held and four key themes had been identified and agreed: Transport, Working at Height, Livestock and Children. Working Groups have been set up to take forward specific activity relating to each theme. Key messages had been developed and fed back to FSP members to promote. FSP(E) has produced a toolkit for promoting the messages.</p> <p>Scotland</p> <p>(10.2) The Chair reported that the Scotland FSP had agreed to focus its efforts on monthly messages. The first topic was falls from height and last month's feature was working near OHPL.</p> <p>Wales</p> <p>(10.3) The Chair informed members the Wales partnership was exploring activities to take place during the Royal Welsh Show and the annual Winter Fair. FSP(W) secretariat support role comes from within the Welsh Government which helps to push the importance of the group within Wales.</p> <p>FSP Chairs meeting</p> <p>(10.4) The three FSP chairs for England, Scotland and Wales had met to discuss ways of working more collaboratively. It was agreed that messages need better coordination and regular dialogue between FSP Chairs will help. All three chairs agreed more needs to be done to meet the ambitious FSP targets of reducing deaths. The focus remains biased towards safety in an attempt to reduce the number of fatalities. However, health issues are affecting many farmers and mental health and suicide are topical FSPs will work with others including Yellow Wellies (FSF) to promote mental well-being during February 19. Marcus Potter informed members that Lantra have developed an e- learning package for anxiety and depression</p>
	<p>AFAG and FISA</p> <p>AFAG: AIAC paper 18/11/03</p> <p>(10.5) Andrew Turner presented AIAC paper 18/11/03 - overview of the AFAG meeting held on 7 November 2018. See paper for details. Items of concern continue to be chainsaw accidents and the slow progress with driving forward improvements in forestry management within the industry. Marcus Potter sought further clarification on using single or two ropes for tree access and the need for PPE components to be CE marked. Andrew Turner commented on new guidance that the Arboriculture Association were preparing that is likely to deal with these issues.</p> <p>Adam Meredith raised IOSH representation on AFAG. HSE will follow this up with AFAG.</p> <p>FISA: AIAC paper 18/11/04</p> <p>(10.6) Andrew Turner presented AIAC paper 18/11/04 – FISA update since November 2018 and 19 September 2018. Full details on the work of the working groups and the steering group can be found in the paper.</p>
<p>11</p>	<p>Any other business</p> <p>(11.1) John Charles-Jones enquired about any statistics on using mobile phones whilst operating a tractor. The Chair confirmed that HSE does not hold statistics at that level of detail unless it is recorded in the</p>

	<p>inspector's investigation report. However, research from other areas does shows that risk of injury is far higher whilst using a phone and operating machinery.</p> <p>(11.2) A communications workshop is to be held on 28 March 2019 in support of FSP(E). IOSH will be sending out an invite inviting members to a session to explore 'how to communicate messages effectively within the farming community'</p> <p>(11.3) Mathew Belsey sought clarification on noise exposure in HSE's publication 'what a good farm looks like'. In particular what high exposure looks like in practical terms without needing complex measurement equipment. HSE agreed to revisit the wording of the guide and update the relevant statement in the next planned review.</p>
	<p>Date of next meeting:</p> <p>The next AIAC meeting will be held on Tuesday 25 June 2019 at HSE's Nottingham office c/o BGS, Keyworth, Nottingham.</p>

Notes Item No	Description of Actions	Progress
4.5	HSE to explore ACE guide unit print costs	
4.6	AIAC members to promote guide within their membership and wider industry channels	
5.2	HSE to explore options with legal advisors to improve the clarity of the legal position with children working on farms.	
5.4	Chair to approach Robert Kidd, newly appointed HSENI Chief Executive.	
8.3	Members to use the notifications as intended to provide timely messaging when incidents are reported, or they are asked for a view.	