

Safety Groups UK

PROMOTING SAFETY & HEALTH NATIONWIDE



Safety Groups UK – Annual General Meeting 2008

Tuesday 17th June 2008

Hosted by the Swansea & West Wales Safety Group

Held at Village Hotel, Swansea

List of Attendees (annex 1)

- Derek Winkley, Chairman, Swansea & West Wales Occupational Safety Group welcomed everyone to the Safety Groups UK AGM on behalf of the Swansea & West Wales Occupational Safety Group.

AGM

- Kerry Ross thanked Derek Winkley and the Swansea Group for hosting the AGM.
- **Minutes of the last AGM – 8th June 2007**
Proposed by Frank Miller, and seconded by Chris Johns, the Minutes were agreed as a true and accurate record.
- **Apologies**
Please see apologies attached (annex 2)
- **Chairman's report**
Chairman, Kerry Ross, reminded the meeting of the objective of Safety Groups UK - to support the Groups and that less successful and ailing Groups needed help from the successful Groups.

He thanked RoSPA for their ongoing support.

He reported that the Safety Groups UK stand at the Safety & Health Expo at the NEC this year had been very successful with over 200 visitors, however it had been noted how many visitors to the stand were not aware of their local Safety Group. He was in contact with Barbour one of the exhibitors regarding potential sponsorship of Safety Groups UK.

Safety Groups UK were looking into a new project to champion in the same way as it had delivered the DERM project.

The current ideas been discussed were:

Moving Goods Safely supported by the HSE.

However concern had been raised by the Safety Groups UK Management Committee that the topic should include MORR and this was not part of the HSE's campaign.

Dust

Another potential opportunity was a campaign on exposure to dust and respiratory disease.

The new topic may be the focus of the Safety Groups UK conference 2009 and the Management Committee were looking at taking the conference around the country, London South East, Wales, North West, North East, Scotland etc.
Safety Groups UK would be approaching Groups with proposals for holding a conference, the objective would be that the project would be self-funded.
More details would follow.

In conclusion although the progress was slow Safety Groups UK were achieving their mission and had made much progress in the last two years.

The Chairman thanked the Management Committee for their work during the last year and thanked Mrs Nixon for her help and support.
Please see Chairman's Report – AGM 2008 (annex 3)

▪ **Report from Treasurer**

Proposed by Charles Tracey and Seconded by Norman Stevenson, the Accounts were agreed as a true and accurate record.

Thanks to Mike Nixon for his work as Treasurer.
Please see attached Treasurer's report and Accounts (annex 4)

▪ **Management Committee – Election of Officers**

As there was only one candidates for Chairman, Vice – Chairman and Treasurer the positions were voted on unanimously

For the 2 Management Committee places there were 4 candidates.

A vote took place with all Groups represented having one vote, one proxy voting form had been received.

The two members voted onto the committee were:

Frank Miller

Neal Davis

Co-option of Management Committee members would be considered at the next Management Committee meeting on 15th July 2008.

Please see Safety Groups UK elected Management Committee (annex 5)

▪ **DERM report**

Neal Davis chairman of the DERM working group reported on the DERM Project.
Intermediate report on the DERM project from Neal Davis (annex 6)

▪ **Alan Butler Awards**

Jim Flynn explained his suggested revisions to the Alan Butler Awards.

They had been reviewed by David Eves, Vice – President of Safety Groups UK and Chairman of the judging panel.

Please see attached revisions of the Alan Butler Awards (Annex 7)

Jim Flynn asked for comments and feedback on the revisions and welcomed Groups input.

▪ **Safety Groups UK Website**

The Safety Groups UK Website had been updated and it was reported that the site had received over 5000 hits in May.

Any comments from Groups were welcome,

Groups were asked for information (web-links, contact changes, programme details or News) about Groups to keep the website up to date.

Please send to: Charlotte Henderson

contact@safetygroupsuk.org.uk; chenderson@rospa.com

Safety Groups UK, c/o RoSPA 353 Bristol Rd, Birmingham, B5 7ST

Date of next meeting 14th October, venue tba

The AGM was closed

Presentation from Paddy Roche, Partner, Morgan Cole
(Annex 8)

Safety Groups UK

PROMOTING SAFETY & HEALTH NATIONWIDE



Safety Groups UK AGM 2008

Attendance List

Kay	Barnes	Swansea & West Wales Occupational Safety Group
Paul	Baskeyfield	The Marches Health, Safety & Fire Group
Peter	Bennett	Wiltshire Occupational Safety & Health Association
Roger	Bibbings	RoSPA
Derek	Boulton	Wiltshire Occupational Safety & Health Association
John	Cairns	SHEF (Scotland)
Andy	Chappell	Birmingham Health, Safety & Environment Association
Kelvin	Davies	Swansea & West Wales Occupational Safety Group
Neal	Davis	Peterborough & District Fire, Health & Safety Group
Chris	Dolan	South Wales Branch, IOSH
Jim	Flynn	Coventry & Warwickshire Occupational Health & Safety Group
Michael	France	Swansea & West Wales Occupational Safety Group
Sean	Gallageher	
Charlotte	Henderson	RoSPA
Roy	Hewson	Swansea & West Wales Occupational Safety Group
Nigel	Hill	Swansea & West Wales Occupational Safety Group
Mark	Hoare	Birmingham Health, Safety & Environment Association
Bill	Irving	South Wales Construction Safety Group
Gary	James	South Wales Construction Safety Group
Rex	Jensen	Swansea & West Wales Occupational Safety Group
Chris	Johns	Cardiff & South East Wales Occupational Health & Safety Group
Bob	Lentell	Wiltshire Occupational Safety & Health Association
Bernard	Mallows	Swansea & West Wales Occupational Safety Group
Scott	McKinnon	HSE

Frank	Miller	Lancashire Occupational Health & Safety Group
Claire	Howells	Swansea & West Wales Occupational Safety Group
Michael	Murphy	Swansea & West Wales Occupational Safety Group
Cathy	Nixon	Manchester Occupational Health & Safety Group
Mike	Nixon	Manchester Occupational Health & Safety Group
Bob	Phillips	
John	Peacock	
Phil	Rees	Swansea & West Wales Occupational Safety Group
Kerry	Ross	Manchester Occupational Health & Safety Group
Norman	Stevenson	SHEF (Scotland)
Tony	Stuart	
Neil	Thomas	Swansea & West Wales Occupational Safety Group
Charles	Tracey	North West Regional Association of Occupational Health & Safety Groups
Sheree	Waldman	Swansea & West Wales Occupational Safety Group
Derek	Winkley	Swansea & West Wales Occupational Safety Group

Safety Groups Represented: 12

Birmingham Health, Safety & Environment Association
Cardiff & South East Wales Occupational Health & Safety Group
Coventry & Warwickshire Occupational Health & Safety Group
Lancashire Occupational Health & Safety Group
Manchester Occupational Health & Safety Group
North West Regional Association of Safety Groups
Peterborough & District Fire, Health & Safety Group
SHEF (Scotland)
South Wales Construction Safety Group
Swansea & West Wales Occupational Safety Group
The Marches Health, Safety & Fire Group
Wiltshire Occupational Safety & Health Association

Safety Groups UK

PROMOTING SAFETY & HEALTH NATIONWIDE



Safety Groups UK AGM – 2008

Apologies

Denis	Hands	East Anglia Construction Safety Group
Roger	Monaghan	HSE, Safety Groups UK Management Committee
Bob	Rajan	HSE, Safety Groups UK Management Committee
Ian	Currie	Lea & Ouse Valley Safety Association
Ed	Ferret	NEBOSH
Maria	Sanderson	North Lincs Health & Safety Group
Trevor	Fletcher	North Staffs Health & Safety Group
Graham	Bell	Nottinghamshire Occupational Safety & Health Association
Ann	Jones	Swansea & West Wales Occupational Safety Group

**Safety Groups UK
Chairman's Report – AGM 2008**

A. Overview:

- 2007/8 has been a year of progress but continuing challenges.
- The Management Committee remain committed to delivering the mission which is '*to ensure the health and safety groups are key players in the UK health and safety system and in the delivery of UK health and safety strategy*' and to the Safety Groups UK vision which is of '*a powerful and thriving network of health and safety groups in every part of the UK, working to disseminate vital information to the grass roots.*'

During the year the Management Committee have been allocated certain responsibilities and have been working towards fulfilling Safety Groups UK's aims of:

- Providing a **forum** and platform for Groups to **debate** key issues and to **influence** the formulation for health and safety strategy and policy;
- Advancing and promoting **education** in all aspects of health and safety;
- **Disseminating information** to groups on all health and safety matters of potential interest and on best practice;
- **Strengthening our partnerships** with other health and safety agencies and looking into entering agreements with other organisations having similar objectives;

Much work remains to be done however to help raise awareness of the Groups among other key players; to help Groups to develop their work programmes; and to help re-establish Groups in parts of the country where they have lapsed.

B. Core work:

- Three meetings of Safety Groups UK have been held.
The Group hosts were;
8th June 2007, the Lancashire Occupational Health and Safety Group held at BAE, Warton, **26th September 2007** the Manchester Occupational Health & Safety Group, held at Trafford College Manchester.
The annual **London meeting on 26th January** was held this year in the House of Lords hosted by Safety Groups UK President Lord Brougham & Vaux. The Alan Butler Awards followed in the afternoon.
- **Five meetings** of the **Management Committee** have been held.
- The **Alan Butler Awards** were delivered successfully.
The **winners and 'commendeds'** were:
Swansea & West Wales Occupational Safety Group; Isle of Wight Health & Safety Group, Birmingham Health, Safety & Environment Association; SHEF (Scotland); Suffolk & North Essex Occupational Safety Group; Northern Ireland Safety Group; Bradford Area Occupational Health & Safety Forum; South Cumbria Occupational Health & Safety Association; Lea & Ouse Valley Safety Association
- The **DERM seminars programme** has been completed, with 'partners' HSE thanking Safety Groups UK for helping deliver significant objectives of the Disease Reduction Programme..
- The **Safety Groups UK stand at the NEC** was delivered successfully, with contact details of visitors to the stand and of fellow exhibitors sent to local Safety Groups.
- Communications have been improved including a **new stand-alone website** www.safetygroupsuk.org.uk and the beginning of a **monthly e-newsletter**.
- The first **Safety Groups UK conference** was delivered with sponsorship from NEBOSH, on 12th March at Coton House, Nr Rugby.

C. Following up key tasks

1) Improving the groups' '**offer**' to **SMEs**. We need to explain that groups can offer a whole range of things:

- not just regular meetings,
- but friendly problem solving and signposting;
- seminars and events;
- workplace visits;
- outreach and briefing to other local organisations;
- newsletters and websites;
- contributions to local media; and importantly,
- social gatherings where people can network and form friendships.

2) We still need to appoint a **development officer** to expand our support to existing groups and to foster regional development.

3) We need to secure **continued support** from RoSPA, HSE, IIRSM and NEBOSH.

4) We need to encourage groups to work closely with **key intermediaries** at a local level.

5) We need to help Groups to align their meetings programmes as closely as possible with HSE priorities/campaigns and also run separate events on these themes.

6) SGUK has got to develop a marketing and communication strategy (including better electronic communication and the website); and

7) We have got to be able to fund the above through a number of routes: sponsorship, Government funding, our revenue generating activities and by an annual appeal to Groups. (**Funding remains an over-riding challenge.**)

D. Looking to the Future

Over the next twelve months the Management Committee will be concentrating on **marketing** Safety Groups UK and **establishing the needs of Groups, fund raising** and sponsorship, **helping lapsed and ailing Groups**.

Specific initiatives will include:

- looking into delivering a **new project**, in the same vein as the DERM project, being able to use lessons learnt.
The new project being considered is 'Moving Goods Safety' which covers a range of hazards (slips and trips, musculoskeletal disorders, workplace transport, falls from vehicles). Positive discussions are currently ongoing between the Safety Groups UK Management Committee and the HSE 'Moving Goods Safely' team.
- The **Alan Butler Awards** are being revised, improving guidelines for Award entries and developing a more structured judging scheme.
- Developing the Annual Safety Groups UK Conference or a **series of regional events**.

E. Conclusions

I would like to **thank all my colleagues** for their inputs and hard work.

We still face a challenge in my view, in **explaining the SGUK project fully**, particularly to Groups that may not yet appreciate the extent to which they can helping us as the national body to **raise awareness of the groups movement** and make sure there is a thriving **Group in every part of the country**.

Those who have achieved success within their own area also have a **duty to help** achieve that success elsewhere.

I wish my colleagues well for 2008/09 and look forward to your **continuing support**.



Management Committee Member:

Treasurer
Mr M. Nixon
62 Willow Avenue
Cheadle Hulme
Cheshire
SK8 6AX
Tel/Fax: 0161 485 8102
e-mail: treasurer.sguk@ntlworld.com

GROUP TREASURERS REPORT

APRIL 2007 – MARCH 2008

Current income has been from various donors or sponsors including: BT, NEBOSH, several Derm Seminar exhibitors along with £6500 from the HSE for which we are extremely grateful.

The Presidents Appeal was not very successful with only £875 being received. Bank interest of over £600 also helped to boost our income.

Expenditure was moderate with funds being used to purchase permanent exhibition display equipment. As currently there is no specific sponsorship to cover events at the House of Lords this is an outlay that will be examined to see if improvements can be made.

The Conference would have been a financial burden if it had not been generously sponsored by NEBOSH.

Specific costs have been subject to additional approval by the Management Committee.

The Charities Commission have been kept up to date. Reports were delayed due to the additional requirement of trustee reports as income had gone over £10k. Similar reports will be required later this year and will be submitted once they are requested.

Again the accounts have been fully and independently audited using the Manchester Group auditors.

As previously a balance sheet has been prepared with additional details available on the pre-balance sheet.

My thanks go to the Management Committee for their support during the last year and to Laurie Manning and Alan Lidyard as auditors for thoroughly checking every entry.


Currently a small working party of myself, John Cairns and Ian Coombes are looking at the Financial strategy of the group over the next 3-5 years to see if selected objectives can be attained.

I again look forward optimistically to retaining a healthy financial future for the group.


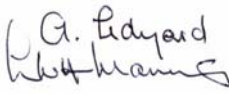
June 2008

PROMOTING SAFETY & HEALTH NATIONWIDE

Pre balance sheet 2007-8

			
OUTGOING			
Meeting expenses			
28-Jun-07	Water UK meeting in January 2007		£625.69
08-Feb-08	Photographer at H of L		£432.90
18-Feb-08	House of Lords event		£2,244.02
Various	RoSPA catering for MC meetings		£187.27
Various	Refund of Committee members attendance expenses		£379.57
		SUB TOTAL	£3,869.45
Conference			
14-Jan-08	Printing of brochures		£236.00
12-Mar-08	Delegate Badges and folders		£43.31
		SUB TOTAL	£279.31
Awards/donations			
Various	Alan Butler awards + £300 uncashed from 2007		£1,550.00
11-Jan-08	Derm Book preparation		£500.00
04-Nov-07	Derm seminar CD production		£1,000.00
04-Nov-07	Subsidy to LOVSA		£250.00
		SUB TOTAL	£3,300.00
Publicity/Gifts			
20-Sep-07	St Georges Church		£25.00
18-Dec-07	Charlotte		£40.00
		SUB TOTAL	£65.00
Exhibition Costs			
14-Apr-07	Chairs		£13.36
25-Apr-07	Counter & table top		£204.45
16-May-07	2 Posters printed		£84.60
16-May-07	Leaflet carousel + box		£174.39
26-May-07	Prize Draw token		£20.00
06-Jun-07	PL Insurance renewal		£230.00
28-Jun-07	Plastic cards		£269.66
Various	Stationery, sweets etc.		£25.78
		SUB TOTAL	£1,022.24
		TOTAL	£8,536.00

Pre balance sheet 2007-8

		INCOME	
Interest			
19-Feb-08	StandardLife Loyalty Bond		£102.18
20-Mar-08	StandardLife 10 day account		£411.54
Various dates	Alliance & Leicester deposit account		£123.75
		SUB TOTAL	£637.47
Sponsorship			
16-Nov-07	BT- Alan Butler Awards (2006)		£1,250.00
05-Feb-08	Nebosh		£5,000.00
Various	Derm Seminar exhibitors		£3,000.00
17-Sep-07	HSE for Derm Seminars		£6,500.00
		SUB TOTAL	£15,750.00
Conference			
Various	Member fees		£850.00
Various	Non member fees		£190.00
		SUB TOTAL	£1,040.00
Presidents Appeal			
Various	Donations from 5 local groups		£875.00
		SUB TOTAL	£875.00
Derm Seminars			
22-Jun-07	Donation towards cost of CD's		£114.00
		SUB TOTAL	£114.00
Refund			
30-Sep-07	Exhibition overcharge		£5.90
		SUB TOTAL	£5.90
		TOTAL	£18,422.37
		NET CHANGE (INCOME - EXPENDITURE)	£9,886.37
19-Apr-08	Prepared by Treasurer		
	Approved by Hon. Auditors		
01-May-08	A. Lidyard		
	L. W. H. Manning		

Safety Groups UK

PROMOTING SAFETY & HEALTH NATIONWIDE



Management Committee Elected Officers

Chairman: Kerry Ross

Vice Chairman: John Cairns

Treasurer: Mike Nixon

Members: Neal Davis

Frank Miller

Auditors: A. Lidyard

L.W.H. Manning

The Dermatitis Working Group Project Report TO AGM 2008

This is a short report with information regarding the Group project. In line with the original project targets, a full and detailed report will be published by December 2008 the closure date of the project. This report is intended as an add on to the detailed progress report issued last AGM in 2007.

The key objective of the project was to deliver 10 seminars across the country to highlight the problems of dermatitis across a range of industries to as large an audience as possible. This was surpassed as 12 seminars were presented although the programme was changed a number of times due to unforeseen logistic problems.

The seminars were hosted by various safety groups spread around the country with professional support from the HSE. The HSE provided the speakers and presentation material so that the core information was standardised across all the seminars. The Group project was sponsored by a key group of companies with interests in dermatitis prevention and protection. Feedback from these sponsors was very positive. The hand cream companies indicated that they have seen an increase in sales of 8% year on year and the glove manufacturers and suppliers companies 6% and thus this gives us a good guide for future projects.

The number of direct delegates attending the seminars was around a thousand with numbers varying by location and group(s), but as these delegates were representing their companies and workplaces the indirect impact was potentially huge. Added to this, website contact, information available through HSE and SGUK members and affiliate organisations, the total audience made aware of the hazards of dermatitis in industry could have easily exceeded 50,000. Add to this the potential down line training and the number made aware could be significant. Although these figures can only be guessed at, they are considered to be realistic when compared historically with similar alternative projects. 1500 support packs were issued and 2000 CD's were pressed. (There are a few left available from the Group and a copy is available at the HSE skin at Work website re-launched this month). DERM project helped to achieve a very wide publicity for SGUK and the groups. Overall the project has to be counted a resounding success.

Feedback and information from the seminars has been used extensively by Group member Dr. Bob Rajan-Sithambparanajarajah OBE JP in his book "Controlling skin exposure to chemicals and wet-work" to be

published next month. SGUK are acknowledged in this book and DERM seminar presentations are referenced, where appropriate.

The HSE have formally thanked SGUK for helping to deliver significant objectives of the Disease Reduction Programme. (DRP).

Feedback from delegates was very good. Comments on feedback forms collected at each of the seminars showed comments typical to those listed here. The number of comments considered as requiring improvements came from about 1 % of those attended.

A well organised day

Very useful seminar. Hope to provide a lot more information and, instruction and awareness in the workplace

Overall enjoyable seminar which provided me with useful information to take back to my organisation.

Well worth Attending

Loved all the practical demonstrations

Excellent seminar, Thank you very much

Without exception the majority that attended the seminars rated the quality of presentations as very good or excellent. The quality of the food and venues in general were very good.

In addition, Commercial sponsors said to us it gave a good opportunity to train some of their staff, using professional people, cost effectively.

The project was also targeted with providing a source of income for SGUK and in this regard a reasonable sum was realised to assist in the running of SGUK. (Details of sources of income and expenditure are available within the SGUK financial report). Given the high level of support from a large number of groups and officers and the expertise and support from the HSE, along with the quality of the support packages this was no mean feat and thanks must go to the members of the Group for the effort in this direction.

Considerable feedback was gained from the seminars and this should enable the group to gain valuable data on the level of understanding of the risk of dermatitis in various industries. This data will be fully available in the final conclusion report.

As an added bonus SGUK have learnt a number lessons from the project. This means that future initiatives may run more smoothly and methods of working with groups and targeting audiences can be modified to be more effective.

The project has proven that Safety groups and the SGUK can “Deliver” on behalf of our important partner, The HSE, and that the National groups are effective. The future looks good for further initiatives.

Neal Davis JP Dip SM FIIRSM
Chairman Dermatitis Working Group.

Alan Butler Awards

Jim Flynn

Category 1 Best Program

Large v Small Groups

Agreement to be reached that no distinction between these should be made, however area could be adjusted e.g. by geographical size / resources available.

Essential Details: Some of which should be included in the reports submitted for an award. This would give Judges greater knowledge of information that may be obvious to the writer but not to those having to mark the work.

Each program could be split into 10 Units, considering one of two main topic areas.

- i) To suit local H&S needs and should include at least TWO HSE initiatives or
- ii) All details considered to be the most important 10 HSE initiatives

Both programs should include many of the factors below;

- Essential details of the topic giving reasons for the choice made e.g. Helpful to SME's or Local group members
- A thumbnail sketch of the speakers – who should be knowledgeable of the subject, well practiced in the topic plus their professional qualifications
- Perhaps a storyboard (front page) to set the scene and indicating the reasons for choice. With a time scale set to 1 – 1.5 hours per topic, including time given for Q and A
- If relevant to SME's, were they invited as visitors, and did they evince enough interest to join the group
- Were the handouts designed to attract maximum attention, Issued, and at least three typical copies included for inspection.
- How was the talk presented (Lecture, PowerPoint, Film) and was feedback encouraged. If yes – HOW, and were further talks requested.
- Was the subject matter logically presented.
- If the speaker was for e.g. HSE – did any follow up indicating a successful conclusion?
- Would you want to duplicate any or all of the topic areas the following year. What if any differences in subject matter would you make as a consequence.
- Were factory or other types of visits made. Indicate the reasons why and how the particular visit was chosen.
- How successful was the project in terms of for e.g. Membership, publicity etc.

If your program was in support of the HSE priorities ii) above, then other relevant issues could be addressed e.g.:

- Was a CD in the offing, relevant matters could be addressed
- Was the date of one of the programs fixed to coincide with the Euro H&S Week
- How did you advertise the function / by invitation or other method
- What numbers were required to break-even (assuming a change had to be made to cover costs)
- Was HSE funding available
- Did you have a local database available to advertise
- Was help available from local industry
- How many of your group attended the workshop / lecture
- If the work was constrained to internal (Group) talks – How were they organised

Category 2 - Best Seminar / Workshop / Special Event

Again give reasons for your choice and include:

- Detail concerning Venue – Location Size Cost
- Describe what Special Event means could it be a special factory visit or Talks on Safety Topics to Special Needs groups (Disable Units staff e.g. Risk Assessments)

Many of the areas covered by Category 1 could apply.

Category 3 - Best Communication

- i. Group Communication
(This should not consist of one single area of Communication e.g. Our Best Web Site).

And it should also refer to the way the Group communicates with individual members of the group;

- showing the dates and times of meeting(s). The minutes of the last meeting and comments regarding matters raised at the last Executive meeting
- Votes and comments on recently discussed HSE Consultative Documents (CD's)
- All information relating to Future programmes etc.
- If e-mail is used to communicate, is sufficient consideration given to those members without e-mail, or even a computer

- ii. Describe how you communicate with External Organisations (why and how).

These could be Local Retail outlets and Retirement Homes etc other groups.

FPA, Environmental, SME's and HSE – Identify Potential Speakers

If Factory or Commercial visits are to be included in your annual program – To set these up do you meet with an appropriate contact, send a letter to the company. State the objectives of such a visit

I REPEAT my previous comment that many of the above facts may be obvious to you, but with all the other information you submit, remember that to those who have to judge your submission these facts may not be so clear.

Afterthought

Coventry Group has low numbers at present meetings. Therefore the idea of inviting specialist speakers presented a problem.

It was agreed that each group member should be invited either to:

- Give a talk on their specialist health and safety area or
- Lead a discussion group on a specific safety subject of their choice

Both of these have been most successful and perhaps should be considered adequate to be presented in this category.

The group decided to set up a meeting *on* a local Factory Estate. Result was zero attendance!

In cooperation with the HSE and funding First meeting at the RICOH Arena in Coventry 140 attended and a second meeting also had a further *140 attendees*

In terms of communication Coventry City Council permitted the use of their Data Base, without which the seminars may not have been successful.

Time Scales etc for ABA's

These comments are based on two simple comments made by the judges after marking the 2007 submissions

- i) they had insufficient time to cope with the work in-hand also
- ii) There was a lack of information available for them to use

1) Submissions

Documents ready and sent to groups 3 to 4 weeks after the AGM (June) and will consist of:

- The application form
- Outline of the submission – Category – Number of pages / words etc as applicable
- Outline marking scheme showing those areas essential to gain full marks (yet to be designed and agreed)

2) Marking of Papers all information to be sent to the groups by the secretariat (Post AGM June 2008)

Groups to return completed entries by first week in October

Markers (who will not be members of any member group of Safety Groups UK) will receive entries by second week in October 2008. All papers will then be sent to the secretariat by the second week in November 2008.

All entries / marking sheets to be sent to the judges by the first week in December for final Moderation. The judges after Moderation will declare the winners (their decision being FINAL).

Much of the above has been based on a number of facts:

- a) my own thoughts on the Awards over the past 2/3 years
- b) A discussion paper from the Lancs OH&S Group issued Sept 2006 sent to me in Feb 2008
- c) Reading through all those papers marked Dec 2007
- d) My final conclusion being that most of the submissions were anything but professional – I congratulate the Judges ability to give any mark at all to some of those I have read through!!

I intend to put these ideas first to the Chief Judge our Vice President David Eves CB then present them to the Management Committee for comment. Finally to all the Safety Groups for their comments, which if this follows the pattern when the Draft Constitution was put out nationally we will certainly finish up with a very good scheme.

I hope that the groups will be responsible for making the final decision on this very important issue.

Jim Flynn
Safety Groups UK Management Committee Member

Please see attached Criteria:

- Category 1: Best Programme**
- Category 2: Best Seminar / Workshop**
- Category 3: Best Communication**

Category 1 – Best Programme

Each programme could be split into 10 Units, considering only one of two main topic areas as follows: Depends on the number of meetings/year

- i) To suit local H&S needs and should include at least TWO HSE initiatives
or
- ii) All details to be considered to be the most important 10 HSE initiatives

Therefore to obtain good marks both programs should include some or all of the factors below:

	Detail	Mark
a) Essential details of the topic giving reasons for the choice made eg. Helpful to SMEs or Local group members	Range of Topics & reasons for choice made Topics Importance/Relevance/Informative/Helpful	5 20
b) A thumbnail sketch of speakers – who should be knowledgeable of the subject, well practiced in the subject matter their professional or other qualifications also to be included	Name(s) / Profession / Qualification / Experience	5
c) Perhaps a storyboard (front page) to set the scene and indicating the reasons for choice suggest a time scale eg. 1 hour + Q&A	Optional	
d) If relevant to SME's, were they invited as visitors, and did they later evince enough interest to join the Group If the speaker was for e.g. from the HSE –did any follow up indicate a successful conclusion?	Target population HSE / SME's, Members needs / General Appeal. Something for everyone both safety Professionals and the Less qualified. Detailed description required.	15
e) Were the handouts issued designed to attract maximum attention. At least TWO typical copies to be included for inspection	Handouts – Informative / well designed & Issued Include 2 copies for adjudication with relevant comment	5
f) How was the talk presented (Lecture, PowerPoint, Film) and was feedback encouraged. If yes – HOW, and were further talks requested (by whom with reasons)	Logical arrangement of information and facts Provide copy(s) with suitable comments	5
g) Wss the subject matter logically presented Would you want to duplicate any or all of the topic areas the following year. What differences (if any) in subject matter would you make as a consequence	Based on what evidence / previous successes – please comment	5
h) Were factory or other types of visits made. Indicate the reasons why and how the particular visit was chosen. Were the results of the programme successful in terms of Membership, Publicity or future HSE involvement in the Group etc.	Factory or other visits considered – Give reasons why If these visits were carried out, how did you measure their success	10
i) If you r program was in support of the HSE priorities ii) above then what other relevant issues could be addressed other than above. Did a Consultative Document influence your topic choice Was HSE funding / assistance / speakers available? Did you ask?	Were these successful in terms or recruitment or any other way? Please comment	5
j) Did you advertise any of the function(s) by invitation or other method such as the local newspaper How many of your group attended the workshop / lecture If the work was constrained to internal (Group) talks – How were they organised Did you have a local database available to advertise e.g. from local industry or local government	Mark awarded based on your comments re success of publicity	10
k) Judges FINAL comments	Judges final comments on: Overall presentation and successful outcome(s) of the years program(s) presented for the Award. E.g. Did the design attract Maximum / Minimum attention	15
	See separate marking sheet for Judges Mark / comment	Total Mark? 100

Safety Groups UK – Alan Butler Awards

Category 1 – Best Overall Programme

Group Name:

CRITERIA	Max Mark 100	1	2	3	COMMENTS
a) Range of Topics & reasons for choice made Topics Importance/Relevance/Informative/Helpful	5 20				
b) Name(s) / Profession / Qualification / Experience	5				
c) Optional	---				
d) Target population e.g. HSE / SME's, Members needs / General Appeal, Something for everyone both Professional and less qualified. Details descriptions needed	15				
e) Handouts – well designed / issued (3 copies)	5				
f) Logical arrangement of information and facts Provide evidence with suitable comments	5				
g) Based on what information / previous successes	5				
h) Factory or other visits considered – Give reasons why If these visits were carried out, how did you measure their success	10				
i) Was this support successful in terms of recruitment or in any other way. Please comment	5				
j) Marks to be awarded based on your comments re successful outcome of publicity	10				
k) Judges final comments on: Overall presentation and successful outcome(s) of the years programmes presented for the Award. E.g. Did the design attract Maximum / Minimum attention etc.	15				
TOTAL	100				

No of Members:

Nos Attending meeting:

Comments:

Final Mark:

Category 2 – Best Seminar / Workshop

The submission should include many of the factors below:	Detail	Mark
a) Perhaps a storyboard (front page) to set the scene and indicating the reasons for choice.	a) Optional	----
b) Describe the essential details of the Seminar / Workshop giving reasons for your choice of topic(s) made e.g. Helpful to SMEs, Local group or HSE and other partners of SGUK.	b) Range of topics chosen and reason for the choice. Topics / Importance / Relevance / Informative / Helpful Description and reason for choice – a cost analysis if relevant	20
c) A time scale should be set for each topic according to the duration of the seminar / workshop (AM only or AM + PM) and time allocated for Q&A.	c) Was sufficient time allowed for discussion and feedback. If you think not what changes would you make on any future programme.	5
d) Was the subject matter logically presented and designed to attract maximum attention and offer something for both Safety professionals and others less qualified.	d) General comment to be made from the feedback on the comment sheet issued after the event.	5
e) Were the handouts issued clear, informative and designed to promote maximum interest in the seminar / workshop.	e) From comments made by attendees had you achieved the desired outcome	5
f) Give reasons for your choice of subject matter and include: Details of the proposed: Venue, Location, Size, Cost	f) Were you satisfied with the outcomes e.g. did you make a profit	5
g) A thumbnail sketch of the speakers must be provided. They should be knowledgeable of the subject and well practiced in the topic giving their professional qualifications (as applicable)	g) Names / Qualifications / Experience How did you choose these speakers Were they a success	10
h) Target Population – Did the programme have general appeal i.e. something for everyone both safety professional and those less qualified and consider those organisations in partnership with SGUK. Was a booking form included with your invitation to attend the seminar. Was it well designed to attract maximum attention.	h) Identify those organisations included in your target population. e.g. local SMEs. Did feedback indicate delegates were satisfied that the objectives had been achieved. Include a copy of the booking form. Was this form well received and widely publicised.	15
i) Did your programme support HSE priorities, if so then: 1. Did you invite the HSE to assist in the setting up of the programme 2. Did a Consultative Document need relevant issues to be communicated to interested parties – Name these parties	i) Only general comments needed	5
j) Was help available from local industry; in terms of Speakers, Specialised equipment etc. Did you have a local database made available to advertise the Event. e.g from the Environmental Health Office	j) Which type(s) of organisation offered assistance – Was specialised equipment and speakers made available.	10
k) Describe the methods used to advertise the event, by invitation or other method e.g Newspaper, Invitation, Other local Safety Groups	k) Newspaper adverts – Local Radio, Person invitation etc	5
l) Mark to be awarded by the judges on their impression of all the presentations submitted and the success of the outcome(s) of the work submitted for the Award. This may also be useful to select a winning entry where two equal marks have been awarded.	l) Judges final comments on: A good presentation and successful outcome(s) for the project. The Best Seminar / Workshop of all presented for the award. And in their opinion the design of which attracted maximum attention.	15
		Total 100

Safety Groups UK – Alan Butler Awards

Category 2 – Best Seminar / Workshop

Group Name:

Topic	Total Marks Awarded (Max 100)				COMMENTS
	Mark	1	2	3	
a) Optional	---				
b) Range of topics and reasons for choices made. Topics / Importance / Relevance / Informative / helpful	20				
c) Was sufficient time allocated for discussion and feedback – If not what future changes would you consider making.	5				
d) General comments made by attendees after the event	5				
e) Did attendees feel the event had achieved their expectations	5				
f) Were you satisfied with all the outcomes e.g. did you make a profit	5				
g) Names / Qualifications / Experience. How did you choose these speakers – were they a success	10				
h) Identify those organisations included in your target population and those who showed interest in the work of your group – Include a copy of your booking form. Was this well received and widely published.	15				
i) Only general comments needed	5				
j) Identify the types of organisations who showed an interest and offered assistance. Was specialised equipment and / or speakers made available.	10				
k) Local Radio – Newspaper adverts – Personal invitation	5				
l) The Judges final comments on for e.g. A good presentation and successful outcome(s) for the whole project i.e. Logical The best Seminar / Workshop of all those submitted for the Award. Also in their opinion the design which attracted maximum attention.	15				
TOTAL	100				

No of Members:

Nos Attending meeting:

Comments:

Final Mark:

Safety Groups UK – Alan Butler Awards

Category 3 – Best Communication

Group Name:

CRITERIA	Max Mark 100	1	2	3	COMMENTS
Relevant Topics a) Group Communication (This should not consist of one single mode of communication e.g. Our best web site. It should refer to the way a Group communicates with; Individual group members Showing the location, dates and times of meetings etc	15				
The minutes of the last meeting and comments regarding matters raised at the last Executive meeting.	5				
Votes and comments on recently discussed HSE Consultative Documents (CDs)	5-				
All information relating to both past and future programmes etc.	5				
If e-mail is used to communicate, is sufficient consideration to those members without e-mail, or even a computer. What opinions do such members have on this matter	10				
Describe how you communicate with External Organisations (when, how, why). These could be local retail outlets, Retirements homes, and other Groups e.g. FPA, Environment groups, SMEs and the HSE. If factory visits are to be included in your program of events – How do you communicate with the organisations you consider visiting.	10 5				
Target Population. Was the information communicated to all relevant members / parties concerned. How is this achieved. Reaching to outside parties i.e. keeping other local groups informed.	10				
Do you extend your topic / H&S knowledge to other local groups / SGUK partners. Eg. IOSH, NeBOSH and local industry	5				
Do you have a website, if so how is this used in conjunction with other means of communication at your disposal.	5				
Was all the above information Well Presented, Accurate and Informative. How do you confirm this is the case.	10				
Judges final comments on: Your overall presentation and successful outcome(s) of the methods of communication presented for the Award. E.g. Did the design and factual presentation attract Maximum / Minimum attention etc.	15				
TOTAL	100				

No of Members:

Nos Attending meeting:


Comments:

Final Mark:

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The Corporate Manslaughter and Corporate Homicide Act 2007

Paddy Roche
Partner




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- Introduction
- Law of Gross Negligence Manslaughter
- Corporate Manslaughter and Corporate Homicide Act 2007
- Individual and Corporate accountability under the Act 1974
- Investigation of Work Related Deaths



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The Common Law

Prosecution must secure the conviction of an **individual** for gross negligence manslaughter

- Did the individual, and therefore the corporate body, owe a duty of care to the deceased?
- Did the individual, and therefore the corporate body, breach that duty of care?
- Did the breach cause or contribute to the death?
- If so, should the breach be categorised as gross negligence and, therefore, a crime?
- **R v Adomako**



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The Old Law

Doctrine of Identification

- A corporation "acts through the human agency of its Directors, managers and staff"
- "directing mind and will of the company"/ "controlling mind"
- Must be a causal link between the grossly negligent act or omission by the controlling mind and the immediate cause of death.

P&O European Ferries (Dover) Ltd; Attorney General's Reference No 2 of 1999[2000]



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The Old Law

Doctrine of Identification

- Unworkable and unfair
- Difficult to identify the controlling mind in large organisations with diffuse managements systems e.g. NHS trusts, Local Authorities
- Small organisations more vulnerable to prosecution and conviction for manslaughter by gross negligence
- To date all convictions for 'corporate manslaughter' have been against small organisations – 7 with 24 convictions against directors
- Many high profile failures to convict despite evidence of high level systemic failure – 11 acquittals with 24 acquittals for directors



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Zeebrugge Disaster 1987

"All concerned in management, from the Members of the Board of Directors down to the Junior Superintendents, were guilty of fault... from the top to the bottom the body corporate was infected with the disease of sloppiness."


But there was no individual who was the "embodiment of the company itself" whose culpability amounted to:

- "Reckless disregard of human life" or
- "Gross negligence"




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Southall Rail Crash

- 125 mph Swansea to Paddington train allowed to run with a faulty automatic warning system. Train went through red light and collided with freight train.
- Caused by "a serious fault of Senior Management"
- Failure to satisfy doctrine of identification
- Manslaughter charges dropped against train driver
- GWT successfully prosecuted under section 3(1) HSWA 1974. Fined £1.5m



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Hatfield Rail Crash

- Derailment at 117mph caused by cracked section of the track
- Backlog of essential work had accumulated and rail identified for repair 21 months earlier. Replacement rail sat beside track for 6 months
- "Worst case of sustained industrial negligence in a high risk industry"
- Failure of doctrine of identification
- Trial Judge ordered that manslaughter charges be dropped against Network Rail, Balfour Beatty and 5 executives
- Successful prosecution under Section 3(1) HSWA 1974. Fined £3.5 million and £10 million fine respectively (reduced to £7.4 million on Appeal)

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Contrast - Successful Prosecution

- Defendants:
 - Peter Kite and
 - OLL Outdoor Activity Centre
- Canoeing disaster involving the deaths of four children in Lyme Bay on 22 March 1993
- Peter Kite was convicted of manslaughter
- Custodial sentence imposed
- "smoking gun"


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Pathway to Reform

- Report of Law Commission in 1996
- Home Office Consultation Paper 2000
- Draft Corporate Manslaughter Bill in March 2005
- Home Affairs and Work and Pensions Committee Joint Report
- Bill received Royal Assent in July 2007
- Corporate Manslaughter Act 2007 came into force on 6th April 2008
- Not retrospective
- Guidance

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Corporate Manslaughter Act 2007

Section 1 : The New Offence

"An organisation to which this section applies is guilty of an offence if the way in which its activities are managed or organised -

(a) **causes a person's death and**

(b) **amounts to a gross breach of a relevant duty of care owed by the organisation to the deceased"**

"An organisation is guilty of an offence under this section only if the way in which its activities are managed or organised by its senior management is a substantial element in the breach"

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Corporate Manslaughter Act 2007

The organisations to which Section 1 applies include:

- a Corporations e.g. - a Local Authority
 - an NHS Trust
- Government department or other body listed in Schedule 1 e.g.
 - Department of Health
 - Welsh Assembly Government
 - D.T.I.
- Police force
- Partnership that is an employer e.g. GP partnerships, a Trade Union


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Relevant Duty of Care

Section 2

- Matter of fact
- Duty owed by employer to employee
- Duty owed as occupier of premises
- Duty owed in connection with the supply by the organisation of goods or services
- The carrying on of construction/maintenance operations



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Relevant Duty of Care

Section 3


Any duty of care owed by a public authority in respect of a decision as to public policy is not a "relevant duty of care"

- allocation of public resources
- weighting of competing public interests

e.g. NHS Trust Board prioritising certain categories of patient



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Has there been Gross Breach of Relevant Duty of Care?


Section 1 (4) b

"...conduct falling far below what can reasonably be expected of the organisation in the circumstances."


Section 8

Jury must consider whether the evidence shows that the organisation failed to comply with any health and safety legislation that relates to the breach and if so:

- How serious that failure was
- How much of a risk of death it posed




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Has there been a Gross Breach of a Relevant Duty of Care?

Jury may consider:

- "attitudes, policies, systems or accepted practices" within the organisation that were likely to have encouraged any such failure or to have produced tolerance of it
- Health & Safety guidance that relates to the alleged breach
 - codes
 - guidance
 - manuals
- Other relevant matters



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Who will be included in "Senior Management" ?

Section 1 (4) c


"Senior management, in relation to an organisation, means the persons who play significant roles in:

- the making of decisions about how the whole or a substantial part of its activities are to be managed or organised; or*
- the actual managing or organising of the whole or a substantial part of those activities."*

Persons falling within this category will have their **collective** conduct scrutinised with a view to identifying whether managerial or organisational failings contributed to the organisation's breach of its duty of care




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Position of Individuals

- No new offences
- An individual **cannot** be prosecuted or convicted for aiding and abetting corporate manslaughter
- Individuals remain liable for their personal conduct
- The existing law of manslaughter by gross negligence will continue to apply to individuals
- Individual liability under Section 7 Health & Safety at Work etc Act 1974




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Alternative Verdicts –Health & Safety at Work (Etc) Act 1974

- **Section 2**
 - Duty of employer to ensure so far as reasonably practicable the health, safety and welfare of its employees.
- **Section 3**
 - Duty of employer to persons who are not in its employ but who may be affected by its undertaking e.g. road users




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Health & Safety at Work (etc) Act 1974

Section 7:

- Employee's duty to take reasonable care for his/her own health and safety and for others affected by his/her act
- Employee to co-operate with the employer; adhere to training and instruction; inform the employer of serious risks
- *HSE Guidance* – HSE will prosecute where an employee has shown "...a reckless or wilful disregard for Health and Safety and a serious risk has resulted..." or "...there has been a deliberate act or omission..."



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Individual Accountability

Section 37:


a "director, manager, secretary or other similar officer" can be prosecuted where :

- The Company has committed an offence **and** the offence was as a result of "consent", "connivance", or "neglect" on the part of that individual
- "Those who are in a position of real authority, the decision makers with the Company who have both the power and responsibility to decide corporate policy and strategy" - *R v Boal*




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Criminal Prosecution

- Indictable offence
- Magistrates Court
- Crown Court
- Lengthy
- Expensive
- Publicity



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Sentencing – Issues Taken into Account

Aggravating v Mitigating i.e. *R v Howe* factors

- Seriousness of breach
- Length of time of breach
- Failure to heed warnings
- Risk run to save money
- Prompt remedial action
- Early acknowledgement of fault




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Penalties

- Unlimited fines
- Fine to be proportionate
- Fines to be paid out of public funds will reduce funds available for patient care
- Victim impact statements



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Judicial Orders

Section 9


- Power to make an order requiring the organisation to remedy deficiencies e.g. policies, procedures
- Failure to comply is a criminal offence

Section 10


- Power to require an organisation within a specified time to publicise the conviction
- Failure to comply is a criminal offence




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Investigation




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Your Challenge - Under Investigation

- Are you prepared for an investigation by the Police/HSE?
- "an investigation conducted with a view to it being ascertained:
 - whether a person should be charged with an offence; or
 - whether a person charged with an offence is guilty of it"
- Will your systems and procedures stand up to the scrutiny of the Investigators




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What will the Police/Regulators be looking for?

- Failure to heed warnings
- Profit before safety
- Failure to assess risks
- Inadequate communication
- Poor Leadership
- Enforcement
- Monitoring and review




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Interviews Under Caution


- Questioning of a suspect to be carried out under caution
- PACE Codes of Practice
- HSE can only invite cannot compel
- Gross negligence manslaughter is an arrestable offence – Police can arrest a suspect and compel him to attend for interview
- Tape recorded
- Refusal to answer questions – adverse inference
- Right to legal advice
- Separate legal representation for employees




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Conclusion




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Conclusion

- Investigations undertaken by the Police/HSE following a fatality will be continue to become complex, invasive and lengthy
- Prosecution of an organisation for Corporate Manslaughter will be easier
- To successfully defend a prosecution for Corporate Manslaughter an organisation will need to demonstrate:
 - an appropriately structured health and safety management system
 - which is actively enforced and monitored/reviewed on an ongoing basis
- Health and Safety **must** be ingrained in every aspect of your business

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