



Minutes of the 224th meeting of the organisation

Held on 28th September 2011

Hosted by Manchester Occupational Health & Safety Group MOHSG

Venue: AEC, Manchester

The meeting was chaired by Kerry Ross Chairman of Safety Groups UK.

Attendance list – Annex 1

11/03/01 **Chair, Kerry Ross, Chairman, Safety Groups UK welcomed everyone to the meeting.**

11/03/02 **Apologies**
Annex 2

11/01/03 **SGUK Update**

<p>Funding and Sponsorship</p> <p>Sponsorship had been secured from JSP and Denios, joining DEB Ltd, Haix, Scott Safety and ARCO who were continuing their support of SGUK</p> <p><u>Offers to groups</u></p> <p>All sponsors were offering presentations to Groups. ARCO was also providing a 15% discount for Safety Group members at their trade counters and the offer of venues for Group meetings. Deb was offering advice to Safety Group members on any Skin Care issues.</p> <p>SGUK had received concern from some Groups that the organisation was moving in a commercial direction and the issue was discussed at the meeting.</p> <p>It was agreed that there was a fine balance to be reached and it was suggested that there should be an agreed code of conduct for sponsors.</p> <p>Groups represented at the meeting commented that organisations were generally happy to provide technical presentations that were non commercial.</p> <p>It was explained that, whereas the majority of Safety Groups received funding through membership fees and running events, SGUK, without this fee structure had invited sponsors. Each sponsoring organisation had agreed to pay £2500 annually for three years. As a registered charity, SGUK accounts were transparent.</p> <p>SGUK had chosen the sponsor organisations with care, the companies held health and safety in high regard and were interested and supportive of SGUK and the Safety Groups.</p> <p>Deborah Rogers, on behalf of Deb Ltd, was very positive about the relationship with SGUK. A number of Safety Groups had invited Deb to give a presentation at Group meetings. The presentation included best practice guidelines and was educational.</p> <p>Deb as an organisation was passionate about health and safety and was currently working with the skin cancer charity SKCIN.</p>
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Roger Monaghan who formerly representing HSE on the SGUK Management Committee commented that HSE, in the past, had provided significant support to SGUK in terms of finance and resources for example for the [DERM project](#) and [Moving Goods Safely](#) campaign. This support had diminished considerably (and would continue to diminish) so SGUK needed to find alternative funding to help deliver future projects.

SGUK at events

SGUK continued to raise the profile of the organisation and the Safety Groups at national Health and Safety events.

SGUK encouraged Groups to provide feedback - good or bad.

SGUK Awards

Ian Coombes updated the meeting on the changes to the 2011 awards.

The SGUK 2011 awards were comprised of the Alan Butler Awards and the Maurice Adamson Award.

This year the Alan Butler Awards had been restructured to make the process simpler. The four previous categories, best communication, best recruitment and retainment of members, best programme and best seminar had been amalgamated into one entry form and Groups were being asked to answer five [key performance questions](#).

Entries would be awarded an Alan Butler 'Gold', 'Silver' or 'Bronze' award by the judging panel.

The judging panel would be made up of representatives from SGUK supporting organisations.

'Silver' and 'Bronze' award winners would be invited to receive their award from SGUK President Lord Brougham & Vaux at the annual meeting of SGUK at the House of Lords in January. 'Gold' award winners would receive a cash prize and would be presented with their award at the SGUK luncheon following the meeting.

Nominations were being invited for the Maurice Adamson award for 'Outstanding contributions by individuals to their local Safety Group'. The inaugural winner had been Ann Jones from the Swansea & West Wales Safety Group.

An overall Alan Butler award winner and the winner of the Maurice Adamson award would be announced at the SGUK awards luncheon at the House of Lords on 23rd January 2012, hosted by SGUK President Lord Brougham & Vaux CBE.

The closing date for entries was the 30th November 2011. Entry forms, guidance and information was available at www.safetygroupsuk.org.uk/awards.

New initiative for 2012

Occupational health was a major issue which SGUK wanted to promote. As a new initiative for 2012, SGUK were looking to run the Health Risks at Work – do you know yours? campaign in England and Wales.

A sub-committee had been established and the initial plan would be to develop the project locally before launching the national campaign in the summer 2012.

The resources had already been developed and would be rebranded for England and Wales.

The campaign in Scotland had received support from the [Scottish Centre for Healthy Working Lives](#). SGUK would be talking to BOHS to ask if they might be prepared to provide similar support including technical advice and expertise.

Groups represented at the meeting asked that they be kept informed of progress and for an update by April/May for potential inclusion in their 2013 Group programmes.

Neal Davis suggested the sub-committee contacted the charities who dealt with the consequences of bad practice in occupational health as potential partners in the campaign, for example; [Sue Ryder](#) and [Macmillan](#).

11/03/04 **Presentation: Measuring Compliance** – specifically to key property related safety issues, **by Bob Harris, AEC**
ANNEX 3

Bob Harris recommended members sign up for [HSE ebulletins](#) to keep updated on changes to guidelines and regulations.

11/03/05 **SGUK Treasurers overview**

Mike Nixon, Treasurer reported that SGUK had a healthy bank balance thanks to sponsorship monies received.

Funds would be used to promote health and safety, for example to support the new initiative – the Health Risks at Work campaign.

SGUK did receive an annual contribution from the Lea & Ouse Valley Safety Association which was very gratefully received.

Date of Next meeting:

Monday 23rd January 2012, London (House of Lords, London)


The MOHSG invited all delegates to attend their Group meeting following lunch - [View minutes](#)

SGUK Meeting 28/09/11**Apologies**

Management Committee	
Roger	Bibbings
John	Cairns
Ian	Cooke
Phil	Grundy
Hazel	Harvey
Gill	McElvogue
Bob	Rajan

MOHSG Members	
Lorraine	Fleming
Pam	Martin
Steve	Slavin


Safety Groups
Avon Occupational Safety & Health Group
Ayrshire Occupational Health & Safety Group
East Anglia Construction Safety Group
Humberside Occupational Health & Safety Group
NESHEP
North Lincs Health & Safety Group
North Staffs Health & Safety Group
Northern Ireland Safety Group
Nottinghamshire Occupational Safety & Health Association
Sunderland District Safety Group




Measuring Safety Compliance

KEY PROPERTY-RELATED SAFETY ISSUES


Bob Harris
AEC





Safety Announcements

- Fire procedures
- Fire alarm tests
- No smoking in the building
- Designated smoking area at rear of building
- Toilet facilities
- Mobile phones



Seminar Contents

- Introduction
- Compliance standards
- Prioritising compliance
- Measuring compliance
- Acceptability
- Maintaining compliance
- Common approaches
- Common failings
- Questions and Answers



AEC – The Company

Formed in 1997 Offices in Trafford Park, Liverpool, Cheshire & London (Dartford)

Independent environmental consultant

UKAS accredited in-house laboratory

Health, Safety and Environmental Consultants

Asbestos Management Specialists


UK & Worldwide 80 + consultants









Health, Safety & Environmental Consultants



Introduction

- Health & safety highly regulated in most developed countries, including UK
- Many benefits associated with compliance
 - Safer & healthier workforce
 - Increased productivity (reduction in lost time)
- Failure to comply has its implications
 - Lost time
 - Claims / prosecution / prison



Introduction

- Levels of compliance are difficult and sometimes impossible to gauge
- Perceptions of compliance can be subjective
- Dangers of looking at the issue 2-dimensionally
- Compliance levels can improve and reduce with time – constant need for vigilance
- Compliance can be expensive and take a great deal of effort – influenced by risk appetite (current economic climate having an effect)
- Compliance requires determination of what is 'reasonable'

ANNEX 3

Areas to be considered for building-related safety



- Varies widely according to the building and undertaking in question but will include
- **Most commonly;**
 - Fire
 - Legionella
 - Asbestos
 - Workplace regulations requirements
- **May also include;**
 - PUWER
 - LOLER
 - DSEAR
 - Electricity at work
 - Etc etc.

Other safety provisions



- **Dependant upon the nature of the undertaking there will be a vast array of health, safety and welfare requirements**
- **These will include such regulatory elements as;**
 - Noise, COSHH, DSE, manual handling, Lead, etc. etc.
 - There will also be monitoring requirements such as in L8, Fire Order provisions, etc. etc.

General theme today



- **Building safety**
- **Will use examples for;**
 - Asbestos
 - Fire
 - Legionella

Key Requirements



- **Fire, Legionella and asbestos are addressed similarly in terms of legislative requirements**
- **All have a requirement for risk assessment**
- **All have supporting ACoP's and/or technical guidance**
- **All have ongoing requirements for management, monitoring and review**

Compliance standards




- **In the UK a tiered safety structure introduces requirements at different levels**
 - Health and Safety at Work Act – implicit duties
 - Regulatory requirements
 - Approved codes of practice
 - Guidance
 - Others (e.g. British Standards, industry good practice etc.)
- **All are potentially interlinked in terms of demonstrating 'compliance'.**

Example - Asbestos




- **CAR, Regulation 4, requires that identified asbestos containing materials have their condition monitored**
- **ACOP L127 (guidance) requires that these checks be undertaken on a 6 to 12 monthly basis**
- **Guidance in HSG227 discusses how and what should be included in an assessment of condition and what actions may follow**
 - A failure to undertake the reinspection at 6 to 12 monthly intervals may be taken as a failure to meet part of Reg 4
 - A failure to follow the guidance in HSG227 may lead to the conclusion that the review was inadequate
 - The severity of any incident arising from failure to meet any of the above may be taken as a failure to meet the regulation and the implicit duties under the Health and Safety at Work Act




Example - Legionella

- A Legionella risk assessment is required for all buildings with associated water systems (COSHH, MHSAWR, HSAWA)
- ACoP- L8 specifies that the assessment addresses any appropriate procedures/controls required to control the risk from Legionella
- The guidance to the ACoP gives details of typical test and monitoring regimes that should be considered as part of a written scheme of control




Area coverage and depth

- Regulations and ACOP's have specific regulatory (and related) requirements
- Each is likely to require some form of compliance action
- To be compliant we need to achieve 'coverage and depth'
- Failure to address a regulatory requirement could, in some circumstances, be as bad as addressing it badly (e.g. specifying incorrect operating conditions following a risk assessment)



What level is acceptable?


- Almost unquantifiable
- Who are the judges of acceptability
 - Judge in court of law
 - Inspectors (HSE, L.A.)
 - Business owners / safety advisers / risk assessors
 - Customers
 - Employees, the public & others






What do I need to do to comply?

- Competent advice (in-house or outsourced)
- Policy, procedure & key documentation
- Analysis of undertaking for potential to cause harm (risk assessment)
- Implement appropriate controls
- Consultation and training
- Safe workplace & arrangements
- Manage, monitor and review
- Keep up to date




Prioritising Compliance


- Critical process if resource is limited
- Must be undertaken by informed individual or group
- Should involve management as significant decisions will include policy, financial and logistical resource issues
- Should be clearly recorded, including thought processes behind decisions
- Risk level should be the primary consideration



Measuring Compliance

- Measuring compliance to legal requirements can be complex
- Qualitative auditing can say 'Yes I have it' or 'No I don't' - but won't tell you if it is good enough
- Will need some form of quantitative analysis also. Is what I've done adequate?
- Does it conform to (or exceed) any published ACoP or guidance?






Approaches Available


- **Traditional – pen and paper**
 - Works better for small organisations
 - Impractical for larger companies
 - Relies on individuals to assess needs
 - May miss something
- **Software systems**
 - Can be very sophisticated (complicated?)
 - Offers reporting, prompts actions, tracks activity, 'measures' performance
 - Expensive, more applicable to larger organisations
 - As good as the mind(s) behind it
- **Consultancy support**
 - Needs to be competent & work with and understand your organisation
 - Can be expensive






Beware the numbers

- **Many compliance systems offer performance standards, quotients, percentages & scores**
- **Numbers may not tell the full story**
 - 83% of properties have an asbestos survey report and reinspection (the other 17% were built after 2000 and don't need one)
 - 96.4% of our outstanding fire actions arising from the risk assessments have been completed (the final 3.6% include expensive but critical sprinkler installs to high rise blocks)
- **Always interrogate data and use expert advice**




What Level is Acceptable?

- **100% is obviously acceptable, but is it achievable?**
- **In reality, all organisations are aspiring to 100% compliance but rarely achieve it**
- **The goal posts are constantly moving!**
 - Regulations & requirements change
 - Your business changes (do they tell you about it?)
- **Arriving at the balanced viewpoint is difficult and relies on understanding the perspective of the enforcing authorities in the first instance**
- **While this is uncertain, it is not surprising some organisations will not do enough to comply**
- **Some will go OTT.**




Significance of non-compliance

- **Failure in statutory duty**
 - No regard at all for H&S, no safety provisions
- **Failure to meet regulations**
 - Not knowing a set of regulations exists (e.g. HAV)
 - Not meeting a specific regulatory requirement
- **Failure to comply with ACoP requirements**
 - Undertaking work but not to the recommended standards
- **Failure to meet guidance standards**
 - Undertaking works but not to the standards in published guidance




Enforcement Attitude


- **The law is mainly black and white – attitudes of enforcers can be grey**
- **Inspectors are highly trained but they are also human beings, so decisions can be subjective**
- **From experience, if organisation is seen to be serious and putting in effort to achieve compliance – more flexible attitude**
- **If serious breach of regulations (imminent risk to persons) and/or organisation not seriously addressing compliance, much more likely to receive enforcement action**



What is acceptable?


- **From experience, for smaller organisations, some allowances are made**
- **For larger organisations, less leeway is provided (more is expected)**
- **Some enforcement action appears draconian and has developed (in some organisations) a 'cover my backside' attitude to H&S**
- **At odds with HSE aim for H&S to be straightforward**
- **Hence references to 'Health and Safety gone mad'.**






What is acceptable?

- In my opinion, the following is the minimum;
 - A good quality assessment of hazards presented by the undertaking with supporting risk assessments
 - A coherent policy, plan and procedures to minimise the risks posed
 - A programme in place and being monitored to implement the identified remedial measures
 - Procedures for monitoring and reviewing H&S
 - Procedures for identifying and implementing specific and statutory requirements
 - A demonstrable will for continuous improvement in safety performance
- Advice is available on the HSE website




Key requirements - Asbestos

- Asbestos management plan
- Adequate survey information
- Programme to fix any problems
- Reinspection programme
- Good communication of asbestos info
- Training for key personnel
- Up to date records
- Review systems




Key Requirements - Legionella

- Good quality risk assessment & 2-yearly reviews
- Programme to fix any remedials
- A 'Written Scheme' – plan for monitoring and control of water systems
- Up to date monitoring and treatment records
- Training for key personnel




Key Requirements - Fire


- Good quality fore risk assessment & periodic review
- Programme to fix any remedials
- Fire procedures/log book to record testing, monitoring and maintenance of fire precautions
- Appropriate training for staff



Maintaining Compliance


- Pointless doing the hard work of achieving compliance only to let it lapse
- Regular monitoring and review (use the information wisely)
- Keep up to date on regulatory and in-house developments (HSE have several services for free)
- Team approach – keep fresh
- A second pair of eyes (external consultant)
- Accredited systems such as OHSAS18001 (incorporates annual procedural audits – expensive for small organisations)
- Increase H&S profile and training and allow internal scrutiny of performance





Audit

- Audits are a good way to assess area coverage and adequacy
- Also good for monitoring ongoing performance and benchmarking improvement
- Must be undertaken by a competent person
- Beware 2-dimensional approach
- Should incorporate findings, recommended improvements and these should be acted upon



Common Failings



- Don't do anything (ignorance and/or culpable negligence)
- Carry out risk assessments but don't action ('the signed confession')
- Cover the obvious but miss out critical issues (safety knowledge)
- Assessments not in sufficient depth (training or competence)
- Fix it and forget about it (review problems)
- Don't document what you do
- Not accommodating changes – building, work and regulations
- Decisions based on cost/resource rather than safety benefit

Good practice



- Establish the regulatory requirements placed on your business
- Audit your key regulatory requirements as a matter of urgency (e.g. risk assessment, action its findings – if significant, programme the works)
- Audit against all regulatory requirements assessing adequacy of response - expertise
- Implement ongoing management procedures to ensure compliance levels are maintained
- Review regularly to ensure still on track – think of what could effect your compliance status, its not always obvious
- If not sure, seek expert advice

Observations from the field



- General levels of compliance are good but with some alarming exceptions
- Organisations are looking for lower cost safety solutions – sometimes not the best quality
- Risk appetite is increasing – certainly non-statutory safety actions are being delayed or cancelled
- Move to bring safety resource/work in-house, not always accompanied by appropriate training
- Procurement drive to test pricing – poorly informed and specified tender requirements

A final thought



- PACE interviews
- One of the standard questions put forward is;
 - 'is there anything else that you could have done that might have prevented the incident from occurring?'

Thank you

Any Questions?

