



Birmingham Health, Safety & Environment Association

721 Hagley Road West
Quinton, Birmingham B32 1DJ
Email: secretary@bhsea.org.uk
Website: www.bhsea.org.uk
Tel. No. 07802 973795

Registered Charity No.: 255523

Secretary: Andrew Chappell C.Eng., MIET., Dip.E.E., CMIOSH, MCFI

Newsletter

January 2010

Welcome to Our New Members

We wish to extend a warm welcome to the following members, who have recently joined BHSEA: -

- Jonathan Williams, Principal Consultant, Direct Safety Solutions Ltd.
- Christopher Peck, Health and Safety Adviser
- Nigel Billing, Health and Safety Consultant, PES Consulting Ltd.
- Clive Raybould, Fire Safety Consultant, Fire Safety Training Consultancy Ltd.

BHSEA AGM, 11th January 2010

BHSEA Vice-Chairman, Bob Cole, of Morgan EST, opened the meeting by welcoming members and Rosi Edwards, Regional Director, HSE Midlands Region. The Secretary read out apologies from the following: -R.Bush, G.Bridger, H.F.Jakeman and G.Harvey.

The Chairman presented the Minutes of the 2009 AGM, page by page, and asked for any comments on accuracy. He then asked for their approval and this was **proposed by Rob Molsom, seconded by George Allcock and AGREED** by the Members listed in the blue attendance book.



Bob Cole

The Chairman then presented a précis of his written report, which was in the possession of all those present. He firstly acknowledged the untimely death of our late President, Morris Cooke, who had held the post for 32 years, and who would be very much missed. He added that the Council was looking for a successor to Morris and would welcome any suggestion from the Membership.

He went on to say that he was grateful for the

contribution from our speakers throughout the year and commented on our attempts to encourage more of our members to make presentations in “Members Corner”, an informal 10-minute slot before each of our Monthly meetings. He then went on to mention the following special events undertaken throughout the year: -

- The Birmingham Schools Project, for pupils planning work experience, together with HSE and Birmingham City Council Enforcement Team.
- The operation of the Safety Groups UK stand at the H & S Expo in the NEC
- The HM Revenue and Customs Business Open Day at Aston Villa FC.
- The HSE Revitalising Network campaign in the Engineering Sector, which was similar to the WWT campaign in the Construction

He then commented that BHSEA was still trying to recruit new members, as a way of ensuring that we ‘spread the health and safety message’ to more and more employers. He also mentioned the on-going programme of refurbishment and upgrading at our Quinton Advice Centre, to ensure that we fulfilled our own legal obligations. He then paid a special vote of thanks to Mark Hoare, who had transformed our website over the years, so that it now performed an invaluable public service as well as providing useful information to Members. He also mentioned our thanks to the past HSE Regional

Director, Marcia Davies, who had supported BHSEA for so long and had now moved on to a special Injury Reduction Project.



L to R: Liz Chappell and Bob Cole

He concluded by thanking Andy Chappell for his support throughout the year. He gave a special mention to Liz, who worked behind the scenes and presented her with a bouquet of flowers to show that her efforts were not forgotten.

The **Construction Section Chairman, Gerry Mulholland, of Laing O’Rourke**, thanked members for braving the unfavourable conditions and referred to the text of his comments in the Annual Report. He commented that the Construction Industry had been particularly hard-hit by the credit crunch and was the last industry to recover, with profit margins being eroded all over. There was the potential, here, to cut corners and place workers at risk, he warned!

Referring to meetings, he said that the March meeting about falls from vehicles, by Nina Day from the H & S Laboratory was



Gerry Mulholland, Laing O’Rourke

very much about stability of loads in transit and this year we would place more emphasis on construction activities. In October, the Meeting looked at the high priority HSE subject of Refurbishment Construction Activities, with BHSEA Members Andrew Hornby, Geoff Harvey, Tony Hall and Andy Chappell looking at a wide range of planning, design and delivery. This line of speakers showed the benefit of how we have expanded the membership of the Construction Committee to cover Design and CDM-C work.

On the Working Well Together (WWT) activity, BHSEA is used as the vehicle for the Midlands Campaign, which reached its 10th Anniversary last year – a great achievement! We will be working closely with HSE again to deliver locally to the smallest end of the sector. Nationally HSE is using WWT to deliver its strategy for Work at Heights, Vehicle Safety, Back Injuries and Control of Dust and Silicosis. A full programme of events is planned for this year, against signs that audience sizes, nationally, are dropping. The BHSEA Construction Membership, he added, was up 11% on last year, which is a good sign for the future.

In conclusion, Gerry wanted to thank: -

- The HSE for their continued support from the local Principal Inspectors, despite two changes of individuals in the position.
- Our construction Committee who still endeavour to provide the right topics for the members' interests.
- The Members themselves, who continue to take the learning points from BHSEA back into their workplaces.
- Andy and Liz, not only for the general BHSEA work, but also for WWT. I'm sure none of us really appreciate just how much they do to promote the Association!

Although, as an industry, I see another tough year ahead, as a profession we must continue to support our employers and colleagues by providing proactive, supportive risk management solutions.

The Secretary, Andy Chappell, followed with his report on the 2009 Accounts and added that he had not received any written questions about the contents. He confirmed the Chairman's comments about refurbishment of the Quinton premises and pointed out from where these funds were provided in the Development Account. The acceptance of the Accounts was **proposed by David Hughes of Hughes Business Services, seconded by David Lilley of National Grid Metering** and AGREED by the members, listed in the blue attendance book.

The Secretary went on to describe the proposals for election of Honorary Officers and said that the nominations were listed after the Minutes for the 2009 AGM. The nomination of the Management Committee were proposed, en bloc, by **Roger Caleb of National Grid Metering, seconded by David Hughes** and AGREED by the members. At this point **Bob Cole handed over the Chairmanship of the Meeting to Ed Friend and Mark Hoare relinquished his role as Vice-President to Bob Cole**. He also presented Bob with a Past-Chairman's Lapel Badge.



Bob Cole, Ed Friend



Mark Hoare, Bob Cole

The new Chairman closed the Annual General Meeting and the Secretary reminded members about the BS9999 presentation at the February Meeting, described on the last page of this Newsletter. The Chairman then introduced our guest speaker, with whom he had worked over many years in the HSE.

HSE Annual Progress Report & Future Plans

Rosi Edwards, Regional Director, HSE Midlands.



Rosi Edwards

Rosi opened her presentation with a reference to the HSE Strategy, “Be part of the solution” that was launched last year and said that it had been well received, with over a 1000 companies who had signed the Pledge to support it! The Purpose of the Strategy, Rosi added, was

“The prevention of death, injury and ill-health to those at work and those affected by work activities”.

Rosi went on to say that the strategy contained 10 Goals, with the emphasis on the first two as being the two key issues: -

- 1. To encourage strong leadership in championing the importance of, and a common sense approach to, health and safety in the workplace.**
- 2. To promote worker involvement and consultation in health and Safety matters – unionised and non-unionised workplaces, large and small.**

3. To investigate work related accidents and ill-health and take enforcement action to prevent harm and secure justice when appropriate.
4. Get everyone to focus on the really important issues.
5. To encourage an increase in competence so that there is sensible and proportionate risk management.
6. To target key health issues and to identify and work with those bodies best placed to bring about a reduction in the incidence rate and the number of cases of work related ill health.
7. To set priorities and identify which activities reduction in the rate and number of deaths and accidents.
8. To customise approaches to help the increasing numbers of SMEs in different sectors to comply with their health and safety obligations.
9. To reduce the likelihood of low frequency, catastrophic events. *(As an example, Rosi cited COMAH sites, Chemical Plants or the Utilities, that were normally well controlled but could cause a disaster if the process got out of control.)*
10. To take account of the wider issues that affect health and safety – working with others

Dealing with the first goal, Rosi reminded us of the joint HSE/IOD Guidance that recommended “Strong and visible guidance from the top” including: -

- Visible active commitment from managers “walking the job”.
- Being clear what you want and how you expect to get it
- Being clear what you want to know – in order to check if you’re getting what you want.

The second goal of involving workers gives innumerable benefits to a company, in addition to health and safety improvements: -

- It is a legal duty
- There are clear business benefits: -
 - Knowledge of what is really going on in the organisation
 - Knowledge about what actually works – and what doesn’t!
 - Joint problem solving that reinforces industrial relations

This applies to all sizes of firm and all types of employee relationships – including Agency Workers and Contractors.

Continuing on this theme, Rosi also included HSE Working with other bodies such as :

-

- Local Government – to promote joined up working
- Other Regulators – to ensure consistency and effectiveness
- Employers and supply chains
- Trades Unions
- Employer Groups
- Health and Safety organisations

More recently, HSE had made all written guidance freely available on-line and also launched the “Sign the Pledge” initiative for firms who wanted to make a formal

commitment to support the strategy. Supporting this was an on-line Pledge Forum to join at www.hse.gov.uk/pledge

Regarding evidence of any progress, Rosi said that in 2008/09 there were 180 workers killed (0.6 per 100,000 workers), with 28,692 injured in major accidents (94.8 per 100,000 workers). Although the results had seemed to be levelling off, the timeline showed an encouraging downward trend. The RIDDOR statistics, however, were distorted by 58% under reporting, which prompted **Tim Prestage of Tim Prestage Ltd.** to say that there was a variance of 1000 deaths between RiddOR and UK Coroners' returns. Rosi did not have a specific answer for this, other than to say that the Coroners' figures probably included other categories of fatality. Ed Friend suggested that maybe road accidents were included.

Rosi then singled out the following industries with the highest numbers and rates of fatality: -

- Construction – 53 deaths (2.5 per 100,000 – down from 3.4 in 2007/08)
- Agriculture – 26 deaths (5.7 per 100,000 – down from 9.1 in 2007/08)

Although it was customary to home in on accident statistics, diseases from Asbestos exposure were still a problem and were the target of the high profile Hidden Killer Campaign featured in the HSE video screened before the meeting and on UK TV Channels. there were about 4,000 deaths each year from past exposure and in 2007 there were 96 from asbestosis and 1812 from mesothelioma. The predicted peak in deaths will occur in about 2016, after which the effect of the reduced use and better controls will start to show.

The Labour Force Statistics (LFS) figures for Health show, Rosi continued, that 1.2 million people suffered from the following ill health that they thought was work related: -

- Musculo-skeletal 538,000
- Stress 415,000
- Breathing or lung problems 39,000

This data seems to be confirmed by information from GPs for proportion and prevalence.

Dealing with the enforcement side of HSE activities, Rosi said that

- 600 companies and individuals were prosecuted by HSE, of which 548 were convicted of one or more breaches.
- Total offences prosecuted were 1104, with 860 convictions
- Local Authorities prosecuted 329 offences, with 309 convictions.
- Notices HSE 8,054 LAs 6340

The Accident Statistics for the West Midlands were as follows: -

- 12 workers killed
- 2,553 major injuries
- 119 prosecutions by HSE – 98 convictions
- 38 prosecutions by LAs – 35 convictions

In answer to her own question “Are things getting better?”, Rosi said: -

- Ill-health figures probably not on track to meet the 20% cut in the revitalising targets, although the trend was improving.
- There had been a significant fall in MSD and Stress cases.
- Fatal and Major injuries were well on track, with a 19% fall against a target of 10%.
- Construction: number of fatalities lowest on record; 36% reduction in major injuries since 1999/00.

In an interesting diversion, Rosi mentioned an EU attitude survey of 1000 people in each of the 27 Member countries, which revealed: -

- 85% Of UK sample said they felt very or fairly well informed about health and safety risks (the highest in EU)
- 75% of UK sample said Occupation Health and Safety had got better or much better over the last five years(3rd highest in EU, after Eire and Denmark)

The HSE’s own research shows some interesting results, relative to the Strategy: -

- 78% of business leaders think good H&S is beneficial to their business
- 87% think leadership is most effective way to improve H&S
- 36% think more inspections work
- 69% agree that the cost of H&S is less than the cost of accidents
- 36% think costs of H&S are onerous
- 47% of business leaders think that H&S is at the centre of their business
- 20% say it isn’t
- 26% think they will cut their H&S budget
- 42% say theirs won’t
- 82% of business leaders and 85% of employees agree a safe and healthy workplace matters
- 90% of business leaders and 81% of workers feel safe in the workplace.

Rosi continued by looking at one or two significant cases to hit the headlines in the past year. For the HSE, the outcome of the ICL Plastics explosion in Glasgow, where nine people died, had far reaching effects. It has caused a major rethink in the way HSE approaches risk profiles and a massive survey of LPG systems has been undertaken in the UK. Last year also saw the first prosecution under the new Corporate Manslaughter and Corporate Homicide Act, with the Cotswold Geotechnical Holdings case after the collapse of an excavation. In the Midlands, there have been high profile cases involving asbestos, gas safety, machinery guarding, contact with overhead electric lines and scaffolding collapse.

Looking ahead, the big issues for the HSE are going to be: -

- Promoting leadership, within individual firms and industry sectors. Two-day Leadership Course in construction.
- Addressing vulnerable Groups, migrant workers and agency staff. (BHSEA had a short presentation from Janine Tickle on this project in September)

- Worker involvement – part-funding training in manufacturing, construction and road haulage. Inspectors to monitor levels of involvement
- Inspection and enforcement – during management inspections, post enforcement senior reviews
- Asbestos – Duty to Manage (DTM) – Awareness raising, enforcement. in addition to work done by construction inspectors, more visits to notified sites planned.
- Construction – Three times more visits planned by Richard Lockwood’s team to saturate sites. The focus will be on clients to select competent contractors, ensure they have competent advice and provide necessary information.
- LPG Systems. Inspection Campaign of > 100,000 premises to survey buried metallic pipes and safe installation of tanks. Identifying high risk sites by soil type for increased corrosion risk and ownership of tanks/pipes etc.
- Maintenance. 30% of manufacturing fatalities are maintenance related because of failure to isolate and lock off.
- Respiratory Disease. Effectiveness of Local Exhaust Ventilation with visits to factories using MbOCA.
- Motor Vehicle Repairs. Safe Use of chemicals
- Industries/Activities
 - Waste industry – Briefing for LAs end of January.
 - Farming – “Make the Promise “ campaign
 - Quarries – New national quarries team
 - Fairgrounds
- Midlands Regional Activities
 - Stress – helping managers in public sector use stress standards. Enforcement is not a panacea in this field of risk control!
 - NHS Trusts – selecting a small number for management audit.
- Local Authorities.
 - LPG Pipework and installations
 - Asbestos DTM
 - Violence
 - Asthma in bakeries
 - Sunbeds
 - Dermatitis in Catering and Hairdressing
 - Noise and Entertainment Industry MSDs – Retail checkouts.

Members' Questions

Liz Prohett of Sandwell MBC asked if Rosi had any view on the impact of the proposed “Fit for Work Note”. Rosi answered that she did not have any information on this proposal and that it would take time for this to become apparent. Liz then asked what the likelihood of a change in Government would be, in the light of David Cameron’s remarks on reducing regulation. Rosi said that Geoffrey Podger, HSE Chief Executive, was optimistic about the prospect and that the published media statement had been given an unintended interpretation. HSE and CBI were agreed on the approach to light touch regulation.

Rob Molson, of Radway Ltd, asked about downloaded guidance from the HSE Website being out of date. Rosi said that this problem had been reported to her by **Andy Chappell** some months previously and that this was an ongoing problem that HSE was addressing. The Secretary confirmed the problem and said that the two leaflets he had reported were now being rewritten as a combined document. However, at the time, he added, the errors could have been remedied in less than five minutes, with no detriment to printed stocks, because they were out of print!

Mark Hoare of the University of Birmingham asked if any organisations would be considered to be self-regulating, as a result of satisfactory inspections. Rosi answered that there were no specific proposals. **Andy Chappell** commented that one BHSEA member had recently been inspected by a Local Authority and, as a result of a highly favourable report, had been informed in writing that they were considered to be “self regulation”

Ed Friend, of Ed Friend Ltd., asked what percentage of HSE Resources were committed to Preventative Inspections. Rosi answered that it was a small percentage and that they had some training to do before increasing that activity.

As there were no more questions, Ed closed the meeting and thanked Rosi for a very interesting and informative presentation. He then made a rather unexpected presentation *to* Rosi, in the form of a bouquet of flowers, to add to the traditional round of applause from the members.

Membership Recruitment

I know from many of the enquiries that I receive on our free Helpline from members of the public that there is still a lot out there that needs to be improved. I also know that our Helpline has been invaluable to many callers so it is obvious that wider BHSEA Membership would have an even greater beneficial effect.

Throughout 2009, the Construction Section experienced a massive 11% increase in membership, whilst the overall BHSEA Membership increased by only one member! This means that there have been sustained membership losses in our other business sectors, due to many reasons, including the obvious culprit, the dreaded credit crunch!

So this is where, I hope, you come in! We need to make up these losses and to bring more organisations into the Safety Community so, we must recruit more members. We are appealing to all our members to think about this proactively and to make an effort to recruit more members. There are some of you that have done this very successfully over the years and others who are continuing to do so, as I write.

Why not start by bringing organisations in your supply chain to our meetings, or show them our website, to explain what we do. You know it makes sense!

Overdue Membership Subscriptions

I know I have just been ranting on about membership recruitment and that this will bring more money into our piggy bank, but it reminded me that some members have still not paid their subscription for 2009/10.

At the moment, according to our records, some 67 members are in arrears, owing a total of £2230. If you are not in possession of a Membership Certificate for 2009/10, then that is a fairly good indication that you have not paid. Don't forget, the 2009/10 subscription is still a bargain at the 15% VAT level, so don't hesitate to 'make my day' and send me a cheque! Alternatively, you can arrange the payment by BACS and avoid me having to soil my hands on your tear-sodden cheques!

If you think you have paid already, please send me a quick email, or give me a quick call on the phone, so that I can sort out our records.

BOGUS LETTER CORPORATE MANSLAUGHTER

HSE Construction Division has been made aware of a bogus letter claiming to be from HSE, which has been sent to several construction companies in East Anglia and the Home Counties. The letter concerns director's duties under the Corporate Manslaughter and Corporate Homicide Act 2007. The letter is headed with an old HSE Logo, is unsigned, and contains no HSE address details. The correct HSE Logo can be seen at the top of the HSE website homepage.

Whilst HSE does make contact by letter with individuals and/or companies in the course of its business, we would not send out information in this manner. Organisational procedures require HSE staff to remain professional at all times and require them to be able to provide clear contact details including contact numbers and line manager details on request.

If you receive a similar letter and have concerns, please contact HSE to check its validity. Further information:-

Corporate Manslaughter - Frequently asked questions

<http://www.hse.gov.uk/corpmanslaughter/faqs.htm?ebul=cons/jan10&cr=2>

Date of the next Meeting

**2.00 pm on Monday 8th February 2010
at the Birmingham Medical Institute**

***BS9999:2008, Code of Practice for Fire Safety in
the Design, Use and Management of Buildings***

by

Mick Leadbetter, Fire Safety Officer, Sandwell MBC

From the **6th April 2009**, the BS5588 series for fire safety in buildings will be withdrawn (except for Part 1 – Residential Buildings) and the above single document will replace these as one of the most significant changes to fire safety design guidance in buildings in recent times.

The Guidance provided within the document gives a more transparent and flexible approach to fire safety design through the structured approach to **risk profile** based design where design can take account of varying physical and human factors likely to be present in the building upon occupation. Accordingly it gives maximum design flexibility and enables buildings to be designed more cost effectively.

The code can be applied to both new buildings and existing although, if applied to existing, buildings a full appreciation of the existing structure and any fire safety facilities provided within it will need to be known.

This will be a most important piece of CPD information for all of us!

Don't forget the buffet lunch at 1.15 pm!