



**Birmingham Health, Safety & Environment Association**

721 Hagley Road West  
Quinton, Birmingham B32 1DJ  
Email: [secretary@bhsea.org.uk](mailto:secretary@bhsea.org.uk)  
Website: [www.bhsea.org.uk](http://www.bhsea.org.uk)  
Tel. No. 07881 290238

Registered Charity No.: 255523

Secretary: Liz Prohett., CMIOSH

**Newsletter**

**January 2013**

## **Annual General Meeting 14<sup>th</sup> January 2013**



**Dally and Rosi**

Chair, Dally Masaun welcomed to the meeting our Speaker, Rosi Edwards from the H.S.E., and Members. The Chair explained that the meeting would begin with the AGM, followed by Rosi's presentation. Time does not allow for a Members' Corner this month. The Minutes of the AGM are as follows:

## 1. Present:

Mr.D.Masaun, Chair, and Mr.T.Prestage, Vice-Chair. Members present at the AGM are recorded in the Meeting Attendance Book.

## Apologies:

Apologies had been received from Gerry Mulholland, Chris Hopkins, Gordon Self and Bill Parker. There were no apologies from the floor.

## 2. Minutes of the AGM held on Monday 9<sup>th</sup> January 2012:

Members had already received the minutes of the 2012 AGM and, as there were no comments on accuracy, it was proposed by **D Hughes**, seconded by **G.Allcock** and agreed by the Members that they should be signed as an accurate record.

## 3. Matters Arising:

There were no matters arising.

## 4. Chair's Report for 2012:

The Chair said he would only give a Report summary since his written Report had been sent electronically to Members.

### Annual Programme:

The Annual Programme has run throughout the year and the Chair thanked the speakers (including Members' Corner speakers), who had made valuable and informative presentations and had helped to maintain the excellent standards that BHSEA always strives to achieve and maintain. The Annual Symposium planned for June had unfortunately been cancelled due to low numbers. However, the principle of a BHSEA 'annual event' has not been abandoned and plans are underway for 2013 and for future years.

### Partnership Working:

The Chair recognised the support that partner organisations had given to BHSEA over the year including, HSE, Local Authorities, RoSPA and SGUK, West Midlands Fire Service and so on. Not forgetting the members of Groups within BHSEA including BHSEA Council, Management Committee, Construction Committee and the Sub-Groups. Finally, the Chair thanked Members for the commitment and support given to BHSEA throughout the year. Without the Members and their dedication, BHSEA would have no purpose or value.

### BHSEA Staff:

There was a staff change in March when Andy Chappell and his wife Liz retired after 16 years of service, and Liz Prophett joined BHSEA as the new Secretary.

### Membership:

BHSEA membership has remained fairly stable, with the largest Group being the General Members, followed closely by Construction Members. Two small Management Committee sub-groups have been established, one of which is examining ways of attracting new BHSEA members.

### Communication:

The BHSEA website continues to attract compliments ([www.bhsea.org](http://www.bhsea.org)). Managed by our Web Master (aka Mark Hoare), the website is kept up to date with health and safety news and views. The Newsletter also proves popular particularly with Members who find it difficult to attend meetings.

### Finance:

The Chair invited Tim Prestage, Vice-Chair and who leads a small Management Committee Sub-Group, to update Members on the situation with regard to BHSEA premises at 22, Summer Road, Acocks Green. In September, BHSEA appointed a firm of Chartered Surveyors to act on its behalf in the sale or lease of the premises following the notice to quit submitted by our long-term tenant. An offer to purchase came through fairly quickly and the Sub-Group of Management Committee agreed that it was in the best interests of BHSEA and the Members to sell the premises at Acocks Green. The sale of the premises is underway and the Sub-Group are considering the options open to BHSEA once the sale is completed.

## **5. Construction Chair's Report for 2012:**

It was noted that this Report had also been circulated to Members. In the absence of the Construction Chair, Gerry Mulholland, the Secretary presented the Report:

The economic downturn continues to affect the construction industry and this is scheduled to continue at least until 2015. The two meetings in the Programme dedicated to construction activities/topics included the (ever present) issue of asbestos and waste/recycling. Funding (or less of it), has impacted upon the work of the 'Working Well Together' (WWT) Campaign. Nationally, targets have been met however, reduced funding has led to an increasing reliance upon volunteers. This presents us with a challenge in organising events for the coming year. The support of our construction partners is acknowledged including Jo Anderson and her Team from the local HSE Construction Sector. It was pleasing to note that, despite the recession, the number of Construction Members has remained stable.

## **6. Adoption of Accounts and Balance Sheet for 2012:**

The Chair presented the Annual Accounts and Balance Sheet for 2012 and reported that no written questions had been received from Members about the Financial Report. He confirmed that the Association's financial position was still sound and that there will be an impact in 2013 due to the sale of BHSEA premises at Acocks Green. There were no questions from the floor. The Chair confirmed that the Financial Report is scrutinised by the BHSEA Management Committee and independently audited by BHSEA's Accountants.

It was proposed by David Hughes, seconded by George Allcock and agreed by the Members that the Accounts and Balance Sheet should be approved.

## 7 Election of Officers:

No Officers are due for election this year. The Honorary Officers and Elected Members of Council continue as follows for 2013:

Vice-President:	Ed Friend
Chair:	Dalvinder Masaun, H&S Manager, Sandwell & Birmingham Hospitals NHS Trust
Vice-Chair:	Tim Prestage, Managing Director, Tim Prestage Ltd.
Construction Committee Chair:	Gerry Mulholland, Head of HS&E, British Gas, Business and New Energy.

### Elected Council Members:

George Allcock:	Consultant
Malcolm Copson:	Health and Safety Manager, Geopost
Eric Hickman:	Consultant
David Hughes:	Director, David Hughes Business Services
Mark Hoare:	H&S Manager, University of Birmingham
John Jones:	Managing Director, John K. Jones Ltd
Steve Parton:	Risk Control Surveyor, AXA Insurance
Chris Hopkins:	Associate, Barrister, Pinsent Masons LLP
Mike Morton:	H & S Adviser, Dudley MBC

## 8 Alan Butler Award:

Mark Hoare was pleased to announce news that has just come in.... BHSEA has been awarded an Alan Butler Gold Award for 2012, by Safety Groups UK. Below is a photograph of Mark and Ed receiving the Award on the 21<sup>st</sup> January on behalf of BHSEA:



L to R: Mark Hoare, Lord Brougham & Vaux CBE, Ed Friend, Vice-President

## 9 Close of Business.

As there was no further business, the Chair closed the AGM and introduced the speaker, Rosi Edwards, HSE Regional Director, Wales, Midlands and South West, to give her presentation on 'HSE –The Year Ahead 2013/14.'

# *HSE – The Year Ahead*

## *2013/14*

*Rosi Edwards, HSE Regional Director, Wales, Midlands and South West*

**R**osi began by reflecting on Fee For Intervention (FFI), which came into force at the beginning of October 2012, and reminded Members that FFI does not apply to Local Authorities and neither does it apply to all H&S legislation, but only the HASAW Act and the legislation made under it. Rosi also reminded us that we should be looking at the HSE website for information, not just about FFI, but any H&S plans and activities. [www.hse.gov.uk](http://www.hse.gov.uk)



Rosi Edwards

- **Fee For Intervention (FFI):**

The *Enforcement Management Model (EMM)* was developed by the HSE to try to secure consistency in the application of FFI. Rosi explained the appeal process and went on to point out the main points which came out of the Lofstedt Review. Lofstedt carried out important work in reviewing legislation such as that covering mines and explosives, which are complex and there is clearly a case for tidying up/simplification. The Lofstedt Review has reinforced the focus on high risk areas.

*Challenge Panels* have been developed to make sure that inspectors are being proportionate in their application of FFI. The Panel verdicts are published on the HSE website, and Rosi went on to give a couple of examples, for example, a case in which there was a suggestion that there be ‘special’ training for carrying a tray of drinks; another case where it was suggested that people need to be over 16 years of age to use a Jacuzzi or a steam room.

- **The HSE ‘Brand’:**

Rosi commented that the HSE is keen to get back ‘control’ of the H&S ‘Brand’, it has been used ‘in vain’, and it’s too important for that. The focus must be on reducing the burden of H&S. Inspections were capped by the previous Minister at 22,000, and that means that the HSE are unable (even if they wanted to), to carry out numerous visits for income generation purposes. Again, a sharp focus on higher risks/poorer performers, is paramount.

- **Stats:**

These are well known (see HSE website and Rosi’s presentation notes on the BHSEA website [www.bhsea.org.uk](http://www.bhsea.org.uk)). Rosi commented that the Labour Force Survey tells us that the recorded accident figures can, in reality, be doubled. In the West Midlands area, the figures are higher due to the prevalence of manufacturing businesses. Our attention was drawn to another high risk activity/employment area, that of fruit and vegetable pickers. This work has



already been targeted by the HSE, and attention to the group of workers will continue and extend to other areas.

- **Legionella:**

Work in this area has been prompted by large outbreaks in Scotland and the Midlands. The HSE will look at other sources such as Jacuzzis which is thought to be the source of the Stoke outbreak. HSE is looking at the management of cooling towers, evaporative condensers etc.

- **The Big Issues April '13/'14:**

The target will be high risk industries and closely considering where the problems actually are. Waste and recycling will remain an important area of work. Recycling carbon fibre has not yet been looked at and so this will be another area of interest/attention for the HSE.

Rosi finished by telling us that she will be retiring at the end of June this year, after joining the HSE in 1974. Sadly, this is Rosi's last presentation to BHSEA. Rosi has commented in the past on the good that BHSEA does, and the practical work pursued in the interests of health and safety not only in the Midlands, but also nationally. Rosi wished BHSEA the very best for the future.

**Remember to check the BHSEA website for Rosi's Power Point presentation slides [www.bhsea.org.uk](http://www.bhsea.org.uk)**

Members were unanimous in wishing Rosi well in her retirement from the HSE.

## *Members' Questions*

**Mike Wilkinson from Marsh Ltd.** asked Rosi to confirm which industries in particular are regarded as being high risk? Rosi replied that they would include foundries; steelworks; ship builders; boat builders (particularly where fibreglass is used); 'metal bashers' including activities such as surface finishing and plating where there is a high potential for accidents. As far as the food industry goes, the areas for attention are meat processors and fruit/veg pickers. Woodworking and the control of the health risks from dust is still important. Farming in general won't be a targeted area although any accidents reported will be investigated. Moreover, significant work has already been carried out in this area, including an information campaign carried out in conjunction with the farmers unions. Safety and Health Awareness Days will stay on the agenda, and the agricultural SHADs will continue to pick up this valuable work.

**One of the Members** asked about silicosis, and Rosi commented that although silicosis isn't a form of cancer, HSE construction colleagues are looking at it, particularly in the light of new research in the Netherlands which points to surface grinding as being an issue in terms of silicosis.

**Mike Morton, Dudley MBC** queried the asbestos review and whether it is being targeted? Rosi confirmed that it was and that it was concentrating on asbestos management. Important for Mike, is the management of asbestos in schools. Rosi added that there are "lots of holes" with regard to schools, and issues like

asbestos management can fall through these holes. Rosi noted that a couple of campaigns have looked at schools, and inspectors will continue with their regime of visits. The challenges coming with the changing nature of schools is important and those schools that now exist outside of Local Authority control, such as Voluntary Aided Schools, Grant Maintained Schools and so on.

**Doug Hunter from GF Tomlinson** queried the figures given on mesothelioma and lung cancers. Rosi referred Members to the HSE website for further details. Doug went on to ask about the 'Notification of Contravention', and whether the HSE will collate the figures and details of these notifications? (A Notification of Contravention (NOC) is issued when, in the opinion of the HSE Inspector, there is or has been a contravention of H&S law that requires them to issue notice in writing of that opinion to the duty holder). Rosi said that she was not able to give a definitive answer at this stage because no decision has yet been made. Rosi added that the NOC isn't a legal document in the same way as an Enforcement Notice, and therefore no precedent is set.

**Ed Friend** queried the limit of 22,000 visits and whether this figure is made up of actual visits and/or 'contact'. Rosi confirmed that it means an actual proactive inspection visit. Ed went on to ask what is the number of days devoted by Inspectors to carrying out inspections will be. Rosi said that there will be 130 days of productive works (inspections), and days training will be deducted from the 130. As far as income generation arising from FFI is concerned, reports covering this aspect have not been agreed and Rosi commented that any reports covering targets and the effectiveness of visits etc. would be welcome as far as she was concerned.

**Jim Curran from Curran Webb Ltd.** asked about the income generated from fees, and Rosi replied that the income will go back to the Treasury and in return, the Treasury will give a little bit extra back to the HSE than originally forecast.

**Mark Hoare, University of Birmingham** asked Rosi to imagine the scenario post retirement.....a small company asks her to give advice about what the company should be focussing on? Rosi responded "fit for purpose risk assessments". She explained that she meant risk assessments that are relevant to the activities being carried out and being followed through with checks to find out why employees sometimes don't do what the risk assessment asks for.

**Tim Prestage, BHSEA Vice-Chair** commented that he supported the idea of operatives doing more of their own risk assessment, with managers taking on an audit role. Rosi said that she too believed it was good practice provided that the operatives knew what they were doing.

**Ralph Weaver of Arrelle** commented that organisations should be looking at the HSE website for NOC's and learning from the mistakes others have made.

**David Hitchen of Parkstone Group Ltd.** asked whether the Principle Contractor should share responsibility in terms of FFI rather than sites having to be micro-managed? Rosi said that responsibilities are often not clear cut and that consequently the responsibilities of various involved parties have to be taken into account.

Dally thanked Rosi for her presentation and for the support that she had given to BHSEA over the years.

**Hot off the Press.....Job Opportunity:**

Steve Youngman of Croft Building and Conservation Limited has an opening for a Health and Safety Manager. Croft Ltd. is involved in the refurbishment of Churches, Cathedrals, National Trust homes etc. Steve is looking to employ a qualified person on a part-time basis who will work alongside the Company in making sure that it complies with current H&S legislation and relevant codes of practice and guidance. The Secretary has some further information however, if you are interested best to contact Steve direct on 07985 652654. Good luck!

**FIREX International 2013...**

FIREX International is at the NEC 13<sup>th</sup> – 16<sup>th</sup> May 2013. Registration has opened. Book your free place at FIREX on their new website

**and finally.....don't miss this.....**

***Date of the next Meeting***

**2.00 pm on Monday 11<sup>th</sup> February 2013  
at the Birmingham Medical Institute**

***GKN 'thinkSAFE!' Programme***

***Martin Smith of GKN***

***An approach to making employees aware of key hazards and actions to take, enabled by topic e-brochures, animations, sharing best practice and access to GKN 'real' incidents.***

***Don't forget the buffet lunch at 1.15 pm!***