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| **Minutes of the London Health & Safety Forum** |

**Date of Meeting: 4 June 2013**

**Time:** 10:00 to 12:30

**Held at:** London Councils Offices - Southwark

**Room:** Committee Room 2

**Present were:**

Trevor Webster Westminster (Chair)

Gary Mann RB of Kensington & Chelsea (Vice Chair)

Melanie Farrow Barking & Dagenham

Sue Emery Brent

Robin Hope Enfield

Lynne Thorburn Hackney

David Pullen Hackney

Michael Galt Hammersmith & Fulham

Fabrice Terrochaire Haringey

Billy Cassidy Haringey

Sue Wilks Havering

Bill Hazleton HSE

Caroline Woodliffe Kingston Upon Thames

Gary Fisher Newham

Lian Winge Redbridge

Chris Rackley Southwark

Peter Dempsey Westminster

Shila Agnew Waltham Forest

Trevor Batt Corgi

James Finley IOSH

**Apologies Received:**

Adam Viccari Merton

Gary Frost Barking & Dagenham

Charles New Whitgift Foundation

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| **Item** | **Details and/or action agreed** | **Action for and date** |
| 1 | **Presentation 1:**  **CORGI GSR 1998 Overview**  **Trevor Batt Corgi Services Ltd**  Presentation providing details on the duties of landlords in the management of the gas regulations  Details of the presentation can be found upon the London Health and Safety Network – website through the London Councils at [www.londoncouncils.gov.uk](http://www.londoncouncils.gov.uk) | All |
| 2 | **Presentation 2:**  **CPD Requirements for IOSH Members**  **James Findley (apologies - Kimberley Bruce) IOSH**  Following a comment from Liz Johnston of Croydon at a previous meeting, suggesting that they may be possible changes to the way the CPD for IOSH works, to clarify this GM and TW invited James Findley from the IOSH membership recruitment team along to the meeting.  The following points were raised:   * There has been no real change apart from the three year cycle, where an individual attains 30 points and then at the end of the three years it restarted. * Now it is a continuous cycle, where you set up targets and development aims/objectives and update with your areas of knowledge and experiences attained. * IOSH have set out five steps (see presentation slides on website) * [www.londoncouncils.gov.uk](http://www.londoncouncils.gov.uk) * The suggestion is that you go onto the site quarterly to update your CPD * Goals used, should be short, medium and long term * The goals and knowledge attained, does not specifically need to be attributed to health and safety subjects, as long as it demonstrates how you have developed * The credits you award yourself are down to you and are only used as a guideline now.   Questions raised by a couple of members of the meeting:   1. Can you explain why it is that for example a member of IOSH who has a masters/diploma and they demonstrate maintaining CPD through IOSH, that they must take a management paper for the construction certificate, when it is outside the five year period?  Response:  JF could not provide a response to this, but would take this back to IOSH to look at contacting NEBOSH, to put forward the question raised. 2. Could IOSH put forward the idea of a PASSPORT type system  Response:  JF would again take this question back to IOSH 3. We hear that the points system is going to be abolished, is this the case?  Response:  This is something that IOSH is considering, but it looks like it will remain, but is to be used more as a tool for members and cannot foresee any changes to this in the near future  * IOSH are now to change the title of Technician to Technical at the request of an number of members.   . |  |
| 3. | Minutes of the last meeting 05 March 2013  TW could not see anything specific requiring action apart from the appeals form still needs to respond to regards to Ruth Sleighs discussion around ideas of engagement with stakeholders. TW will speak to JD  It was noted that Bradley Paris and Margaret Beavor had been missed off the attendance from the last meeting. Apologies to both and they shall be added.  Minutes confirmed as accurate. | All |
| 4. | **Matters arising**  No matters arising |  |
| 5. | **HSE – legal and recent prosecutions update – Bill Hazleton**  The first item to be discussed shows the way the government is controlling the health and safety agenda around the nation and local authority enforcement code which is now with us.  Recent headline on the government website ‘ New code curbs unnecessary health and safety checks’, where Mark Oben says that we need health and safety that protects people where there are real risks by businesses and there are too many examples of local Councils enforcing unnecessary burden by inspecting low risk businesses.  The new code puts into words, a code in which the HSE have been operating for some time now, by focusing their attention on ‘High’ risk industry and poor performance.  There are no proactive inspections now without justification. The code may be of more interest to the HSE’s colleagues within Environmental Health but can be found upon the HSE website.  Health and Safety Laboratories (HSL) are again advertising safety climate.  The HSE are offering free online demonstrations for a tool which is often used on a periodic basis to gauge how well you are doing on health and safety, and how well you have embedded it into your organisational culture.  New guidance is available on the website for health surveillance, providing a useful guide on what is required to be in place. Example case studies are available with the inclusion of types of records to be kept.  Update on rider operator assist truck guidance.  Two prosecutions of note:   1. Lewisham Homes – Meter reader fell into a flood pit, meter was in the pit, whilst at a property to read the meter. No warning signs were in place, lights did not work in area, the latch on the door did not operate properly and they were not informed. Individual broke their jaw.  Lewisham homes had taken control of the premises; they were completely unaware of the flood pit. Ordered to pay £20,000 and £5,000 pounds in costs. 2. European Metal Recycling (EMR) – Accident occurred at their Willesden plant during a shut down period, where they were cleaning/maintaining conveyor plant. However during the shut down there were more people operating in the area, with some heavy plant operating around them. A loading shunter was being used to take away waste from the site, and an employee was struck and killed.  There was a need to look at what the risk assessment controls were for this type of activity and in particular the movement of other vehicles around the area. Looking at what is different around the shutdown period.   They had not considered that others would be working around the area and effects this may have on the operation. There was a clear need for improved planning and risk management to ensure all necessary control measures were in place.  Prosecuted under section 2(1) of the health and safety at work act, fined £300.00 and costs of £72,000. The reasoning for such high costs, is that it looks like there were previous recommendations to improve systems, of which had not been adhered to. | All |
| 6. | **London Councils – FFI Proposal**  **Garry Fisher – Newham Council**  GF has put forward a paper for the group to consider with regards to lobbying the HSE on the application of the Fees for Intervention (FFE).  GF continued to provide a summary of the paper to the group, stating that whilst Newham Council have no argument against the principal of putting a cost for the intervention on those that have broken the law, in the case of a for example a fee being placed upon a Council, this is just moving the public purse around.  If you look at the guidance that came out in October 2012, it looks at placing the costs of HSE involvement onto those that have broken the law and it also argues that it discourages those businesses that undercut their competitors, but by in large Councils cannot make a profit and therefore it does not apply.  Another example expressed by GF is an investigation carried out on a school, the fee for maintained schools would be presented to the Chief Executive of the Council who would then decide who’s budget this would come out of. It is likely that this would be the children’s services budget as opposed to the schools.  Finally GF commented that the charges prior to FFI were sixty three pounds per hour, but have now under FFI increased to one hundred and twenty four pounds. Again Newhams argument is that that it is not appropriate for Councils or public sector bodies.  TW Thank you GF, does anyone have any questions?  IW Whilst I understand that there the focus on the cost element, it is the purpose behind this, which is that it acts as a deterrent.  GF Agrees, but as a Council we still pay the cost plus the additional for administration etc.  BH (HSE), agreed with the comments and the paper that was being brought forward and provided comments to back the FFI process and believes that the process is one that is here to stay, but if the group wish to lobby the HSE then by all means do so.  TW commented that this is a quite a serious step to take in lobbying against the HSE and was conscious of the fact not all Councils were represented at the meeting today, therefore;   * GM & TW will put together a form and send it out to all members and request only one response per Council (this is not for non-council members). This will give you the opportunity to say you wish to back or do not wish to back the proposal.  1. If the outcome is that the majority of responses returned to GM & TW back the proposal then we need to look at number of options;  - Representation from London Health & Safety Forum to HSE  - Representation to London Councils Organisation for support - Representation to National Health & Safety Forum for support; or 2. The forms submitted where the majority vote against the proposal.   Details will be shared with the group |  |
| 7. | AOB  MF They are looking at creating ‘Personal Resilience Training contract’ within the London Borough of Barking and Dagenham, which is not dealing with the personal stress management issues, but looking to build resilience before it gets to a stress level. MF asked the members if there were any provders that anyone could recommend, either on-line or through face to face delivery. Could members of the group please respond to [melanie.farrow@lbbd.gov.uk](mailto:melanie.farrow@lbbd.gov.uk) |  |
| 8. | **Next Meeting:**  **10 September 2013**  **03 December 2013** | **All meetings are held at London Councils Offices, 591/2 Southwark Street, London, SE1 0AL** |