

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

**Date of Meeting: 5<sup>th</sup> March 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)
John Kempster	Barnet
Liz Johnston	Croydon
Robin Hope	Ealing
Bill Hazleton	HSE
Gino Di Franco	Islington
Caroline Woodliffe	Kingston Upon Thames
David Liddell	Newham
Chris Rackley	Southwark
Shila Agnew	Waltham Forest
John Throssell	Wandsworth
Peter Dempsey	Westminster

**Apologies Received:**

Mike Koumi	Barnet
Sue Emery	Brent
Graham Courtney	Ealing
Garry Saunders	Hackney Homes
Fabrice Terrochaire	Haringey
Sue Wilks	Havering
Oliver Sanandres	City of London
Sue Wilks	Havering
Ian Wringe	Redbridge
John Doherty	Westminster

Item	Details and/or action agreed	Action for and date
1	<p><b>Presentation:</b></p> <p><b>Lead – A ‘Whole Life’ issue</b></p> <p><b>Presented by: Tristan Olivier and Tony Putsman</b></p> <p><b>Tristan@lipsa.org.uk</b></p> <p>The presentation explored the hazardous nature of Lead in both the workplace and our everyday environment and where it can typically be found.</p> <p>An outline of the health risks to young people was highlighted.</p> <p>It captured the reality of ensuring we meet legislative requirements for conducting surveys prior to work commencing in for example refurbishments, utilising the ‘PALS’ process.</p> <p>Details of the presentation can be found upon the London Health and Safety Network – website through the London Councils at <a href="http://www.londoncouncils.gov.uk">www.londoncouncils.gov.uk</a></p> <p>Group members encouraged to down load and share with property professionals within their boroughs</p>	All
2	<p><b>Minutes of the last meeting.</b></p> <p>Approved as an accurate record</p> <ul style="list-style-type: none"> <li>- copy of these and previous minutes are available on the London Councils website – Health and safety networks</li> </ul>	Trevor Webster
3’.	<p><b>Matters arising</b></p> <p>TW – Following the presentation from Ruth Sleight HSE Public Service Sector on how we communicate with the HSE both ways with regards to the bigger issues and how a two way communication between key stakeholders in health and safety can be maintained.</p> <p>GM has produced a spreadsheet, which allows us to communicate with the HSE PSS National group, information and topics that we feel require to be given attention to, or describe ways in which we can communicate a positive message to those requiring them.</p> <p>GM has provided a number of ideas from the previous meeting within the spreadsheet. We need to provide a ‘Time limit’ to allow you to provide information and topics that we can as a group can feedback to the national group in the future.</p>	Trevor Webster

	<p>If all ideas can be passed to GM <a href="mailto:gary.mann@rbkc.gov.uk">gary.mann@rbkc.gov.uk</a> by Friday March 29<sup>th</sup> 2013, he will ensure that the information is collated and passed to John Doherty of WCC, who will take the information to the National Group.</p>	
Item	Details and/or action agreed	Action for and date
4. cont	<p><b>HSE – Legal and Recent Prosecutions update – Bill Hazleton</b></p> <p><b>Prosecutions:</b></p> <p>Two examples of prosecutions of LA'S</p> <p><b>Case 1:</b> London Borough following burns to a pupil on the 'Duke of Edinburgh' scheme. Part of the expedition allowed the participants to carry out the cooking of the evening meal, when the stove they were using run out of Mentholated spirits. So they went to get more and were handed a 5ltr container which she went to refill the stove, but the stove still being hot created a flashback, and she was badly burnt.</p> <p>HSE investigated and decided to prosecute under section 3 HASAW .</p> <p>The case went to the Crown court and the LA pleaded guilty. LA were fined £15k and £17k costs</p> <p>BH wanted to stress that they are not saying you have to wrap children in cotton wool or that they are anti out of school activities, or children going away on expeditions etc. However you need to look at the specific circumstances of the event and injuries that took place.</p> <p><b>Case 2:</b> Thurrock Council in Essex who were fined for ignoring the asbestos regulations in schools.</p> <p>In 2004 they had a specialist contractor carry out an asbestos survey and they found asbestos within the plant/boiler room of the school and recommended this be removed immediately by A competent contractor.</p> <p>2010 the HSE had a asbestos campaign and carried out planned inspections particularly around schools and this school came under one of these inspections, where the HSE looked into the management of asbestos.</p> <p>They looked at the recommendation and still found that no action had been taken. So the inspectors served a prohibition notice to prevent access to plant and issued improvement notices to show how they can improve the management of</p>	

	<p>asbestos.</p> <p>The HSE also decided to prosecute the Council, this being £35k with costs of £15k in breach of regulation 10 of the asbestos regulations.</p>	
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4. cont	<p>The final prosecution BH wished to share with the group was a prosecution of a private organisation who were conducting lift maintenance, which involved a fatality through electrocution.</p> <p>The HSE did not prosecute due to the fatality but the investigation identified severe weaknesses in the way in which the company managed its field force, which was a significant aspect of this case.</p> <p>This highlights the need to look how our workforce operates in the field, as on the face of it you have what seemed to be competent engineers. The company had some good systems in place, training of staff, but let the individuals then go out into the field, often on their own to work, without any management or supervision.</p> <p>What they found was that the systems and procedures, policies were outdated and that the way in which they kept their staff up to date with latest technical data was inconsistent and there were severe weaknesses in the way that they monitored and supervised their workforce.</p> <p>The HSE are not saying the manager has been out in the workplace all the time, but often experts can be their own worst enemy and from time to time you need to go out and monitor them, for example how are they working, are they working safely, are they working to the required procedures, are they communicating with the client etc.</p> <p>This company failed to do this and HSE proceeded to prosecute through the magistrates court, but the district judge said he took onboard the facts but felt that this was of such a serious nature it warranted going to Crown Court for prosecution. The date is to be confirmed and BH will keep the members updated.</p> <p><b>Arboriculture/Waste updates</b></p> <p><b>Arboriculture</b></p> <p>Not much to say as this was a key driver during the Olympics and on the Arboriculture side there was only one notice served, but a couple of key points came out of the HSE visits, which were</p> <ul style="list-style-type: none"> <li>• They were surprised that the Health and Safety experts of the Councils were not involved at the tender stage;</li> </ul>	

	<p>and</p> <ul style="list-style-type: none"> <li>Neither were they involved during the monitoring of performance of contractors.</li> </ul>	
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4. cont	<p><b>Waste Management</b></p> <p>Waste management continues to be conducted by the HSE and all visits should be complete by the summer, with full completion of reports etc. by October 2013.</p> <p>A similar message is coming out of these visits as mentioned above two bullet points. However there were more improvement notices served on Councils during these visits, but BH was unable to give accurate numbers.</p> <p><b>Fee For Intervention - FFI</b></p> <p>The FFI has now seen a run of the first number of invoices, which amounted to 1,418, of which 40 were queried and only 5 appeals were upheld.</p> <p><b>Myth busters challenge panel</b></p> <ul style="list-style-type: none"> <li>Judith Hackitt has been heavily involved in the good publicity of health and safety</li> <li>There were 100+ challenges, which a lot were to do with using health and safety to avoid carry out work/events etc.</li> <li>Many of these were quashed by the HSE.</li> </ul> <p><b>HSE Recruitment drive</b></p> <p>The HSE subject to approval aim to carry out a recruitment programme for trained inspectors of around 24 officers, further information as it becomes approved.</p> <p><b>Future Event</b></p> <p>The Employee Engagement – How to improve your safety culture</p> <p>Tuesday 21 May 2013, MWB Business Exchange, 10 Greycoat Place, London, SW1P 1SB – further details can be found upon the London Health and Safety Network – website through the London Councils at <a href="http://www.londoncouncils.gov.uk">www.londoncouncils.gov.uk</a></p>	

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5.	<p><b>AOB</b></p> <p><b>Bradley Paris – Barking and Dagenham</b></p> <p><i><b>LBBB's Director of Housing has received a letter from the London Fire Brigade requesting that serious consideration be given to installing sprinkler systems to residential properties, including individual flats. The letter indicates that it has been sent to all London LAs?</b></i></p> <p><i><b>BP Requested if any members had any thoughts around this.</b></i></p> <p>PD (WCC) – Already responded to BP following email and found also that on contacting the LFB for copies of risk assessments in this area that they had refused.</p> <p>LJ (Croydon) – Special housing and sheltered housing would be considered on a risk basis.</p> <p>CR (Southwark) – Currently looking at the suggestions with Directors, but not decision has been made</p> <p>BH (HSE) – Asked whether this was a National approach or just to London Councils, confirmed this was London Councils only.</p> <p>GM (RBKC) – Commented that this is only recommended guidance and a sensible approach should be taken to reviewing this and not a knee jerk reaction to panic. Where there are suitable early warning devices in place this would be felt warrant sufficient systems, though agrees there may need to be a risk analysis carried out in more specialised housing.</p> <p>TW (WCC) – The concerns are that some London Councils will react to this and implement sprinkler systems and therefore there will then be inconsistencies in approaches across the regions.</p> <p><b><u>Next Meeting – TW:</u></b></p> <p>Presentations on Gas Register a repeat of an earlier presentation from last year, where there was minimal turnout due to sudden changes in venue.</p> <p>TW is also looking to get someone from IOSH to provide an update on the changes to CPD.</p>	All
8.	<p><b>Next Meeting:</b></p> <p><b>04 June 2013</b></p> <p>10 September 2013</p> <p>03 December 2013</p>	<p><b>All meetings are held at:</b></p> <p><b>London Councils Offices, 59<sup>1</sup>/<sub>2</sub> Southwark Street, London, SE1 0AL</b></p>