Kent Health & Safety Group

**4 June 2015**

**Church Farm Hall**

#### Minutes

# Attendance List

Barry Evans Tonbridge School

Steve Fowler Dover Harbour Board

Colin Norgate J4S

David Nicholson KCC

Dawn Exton Coniston Construction Ltd

Dorothy Cook DJC Health Ltd

Gary Hewitt Gravesham BC

John McNeil AMKW

Gill Wiseman KCC

Mark Curry Ground Control

Lee Gunner Kent Fire & Rescue Service

### Apologies for absence

Greg Buckley, Mike Walters, Richard Pavey, Chris Pike.

## **Welcome to members and visitors**

The Chairman welcomed members and visitors to the June meeting of the Kent Health and Safety Group.

**General health and safety update**

The Chairman introduced David Young, a partner at Eversheds, who began by saying that health and safety from a practical perspective frightens people.

He spoke of an inquest into a case where a woman had taken her life by jumping off a rooftop car park. Before July 2013 the inquest would have happened immediately after death. It would have been adjourned for some considerable time, then resumed and the coroner wouldn’t be able to criticise or blame. Since July 2013 everything has changed. The coroner holds the inquest and the case is concluded within 6 months of the death.

David asked how you train workers to deal with vulnerable people. He suggested that you call the police, however he said that with the case mentioned above, it was when the police arrived with blues and twos, that the woman jumped. Should you then have security staff who watch out for vulnerable people? However in this case, a security person spoke to the woman before she jumped, and he cannot help but blame himself for not doing more.

The new HSE Chief Executive Dr Richard Judge started in November 2014. He is a qualified chartered engineer and has previously worked in science and technology organisations and is the ex-Chief Executive of the Insolvency Service, however he has no experience of health and safety. Health and safety is often driven by insurers and it should not be.

David spoke of the rise of social media:

* Twitter has 225 million active users who collectively send 500 million tweets per day;
* There are over 1.01 billion mobile Facebook users active monthly as of 31 March 2014;
* YouTube is the second largest search engine on the web.

Social media is a reality for all of us and will judge us and measure us. You now have to factor in social media to advice that you give to health and safety practitioners.

There is a new Government, who have a majority. They say that they are going to make changes to health and safety.

Deregulation Act 2015 – changes to HSAW s3 for self-employed.

The HSE have been concentrating on priorities for the last few years, simplifying health and safety law and guidance. It is very good that so much can be downloaded for free from the HSE.

Who is responsible for carrying out occupational health surveillance work? It depends on whether you are an employee of a duty holder, or whether you come from an agency – training is given to employees, but not to agency workers.

Work-related stress

There are six areas that, if poorly managed, are associated with poor health and well-being:

* Demands;
* Control;
* Support;
* Relationships;
* Role;
* Change.
* Implement a step by step risk assessment approach to stress:
* Main risk factors;
* Underlying causes and prevention;
* Provide a yardstick to measure against.
* Assess the current situation using surveys and other techniques.
* Work with employees on improvements.

Work-related stress is genuine, tangible and is being given greater priority by the HSE. However it is not just what is going on in the workplace that can lead to stress, it is also what is going on at home.

There did used to be an old-fashioned view in this country with regards to sentencing for health and safety offences. There is now a definitive guideline for environmental offences “The court should now ‘step back’ and ... review whether the sentence as a whole meets, in a fair way, the objectives of punishment, deterrence and removal of gain derived through the commission of the offence.” Environmental offences include pollution, smoke, smells and waste.

However, the effect of new guidelines of sentencing includes:

* Fines for environmental offences may become higher than those for health and safety offences;
* Businesses may challenge their own ‘culpability’ and ‘harm’ levels;
* Court must consider making a compensation order.

The guidelines for H&S and corporate manslaughter will probably be published this autumn but won’t take effect until early 2016.

The tariff for health and safety fines is based on ‘harm’ and ‘culpability’. Large companies are those with over £50 million turnover. Very large companies would receive even higher fines.

Gill Wiseman asked about local authorities and health service trusts. David replied that they are covered in the consultation. They are still based on culpability and harm, but then the fine has to be moderated according to the assets of the authority or health trust.

David asked how we take the safety messages back to employers. He went on to talk about the awful press that Thomas Cook have had recently. There were criminal investigations resulting in prosecutions in Greece of hotel staff. The holiday reps were cleared. Inquests can’t find fault. Thomas Cook missed the most obvious debate; they had no plan. If you get health and safety wrong, it plays straight into the hands of the press.

The chairman thanked David for his absolutely fascinating presentation which had been greatly appreciated.

##### Minutes of 2014 AGM

The minutes of the 2014 AGM were accepted as a true record.

##### Chairman’s Annual Report

Colin Norgate thanked David Nicholson for his support, Melissa for her work on the website and Chris Pavey for preparing the minutes.

He congratulated the Group on obtaining the Silver Alan Butler award again this year. He went on to say that it would be great if the Group could win the gold award this coming year and the Executive would be looking into this over the summer.

Membership is remaining steady, but not growing and members are asked to publicise the Group everywhere they go.

Members are also asked to complete and return the questionnaire on the programme.

Colin finished his report by reminding members that he had originally taken the role of chairman on for 3 years and therefore gave one year’s notice that he would be retiring at the AGM 2016.

##### General Secretary’s Report

David Nicholson started his report by saying that it had been another good year with informative presentations. Not only those that were given by external speakers who are prepared to give their time and share their knowledge free of charge, but also those given by the Group’s members.

Mike Walters has attended nearly every meeting and given his regular updates, and delivered two of the presentations this year. He has also represented the Group twice and been quite active in his role as Honorary President. The Group still has his support even though he can’t attend so many meetings now.

Mark Curry has put in a lot of work for the Group this year, giving two presentations. He has also been strengthening links with Safety Groups UK.

David thanked Colin for all his work leading the Group.

Planning for the coming year has still to take place, but it will be good if it is anything like this year.

##### Hon Treasurer’s Report

The report had been circulated to members before the meeting. Colin reported that Greg had dipped into the reserve fund with the agreement of the Executive Committee and members in order to promote the Group and also to provide equipment needed for the group to function effectively.

**Addendum to Hon Treasurer's Report**

Following the meeting, the Executive met and agreed to support the recommendation of the Hon Treasurer that there be a slight increase in the annual subscription fee to £27.50 for the year 2015/16, given that the Group will need to stop any possible erosion to its reserves.

**Publicity Officer’s Report**

Mark Curry reported that he had recently attended the Safety Groups UK AGM. He said that he would like KHSG to get the Gold Award next year and so had been looking closely at the submission made by the Isle of Wight who had won the Gold Award this year. He explained that the Isle of Wight had based much of their programme on SGUK campaigns and he suggested that KHSG should look at the various SGUK campaigns for next year and focus on these. They also work with their local Chamber of Commerce.

Mark was thanked for taking the time to go to the SGUK AGM.

It was suggested that if any member was doing anything particular for safety at work week next week, it could be included in the award application.

Steve Fowler informed members that on Tuesday 14 July, a safety day would be taking place at Port of Dover. He would be happy to have KHSG leaflets on display. The safety day would be from approx 10 am to 4 pm. Any member wishing to attend should contact Steve at [steve.fowler@doverport.co.uk](mailto:steve.fowler@doverport.co.uk)

Dorothy Cook informed members of the Breathe Freely Campaign. The link is [www.breathefreely.org.uk](http://www.breathefreely.org.uk)

##### Election of Officers and Executive Committee for 2015/16

All officers were happy to continue for a further year, so Colin Norgate will continue as Chairman, David Nicholson will continue as General Secretary, Greg Buckley as Hon Treasurer and Mark Curry as Publicity Officer.

Gill Wiseman, Chris Pike and Barry Evans will continue with the officers to form the Executive Committee. It was agreed that Steve Fowler will join the Executive.

This concluded the business of the AGM.

**General Business**

* **Minutes of previous meeting**

The minutes of the May meeting were agreed.

* **Correspondence**

There was nothing to report.

* **HSE update**

Mike Walters had sent some updates which included:

Safety alert on earth moving machinery and visibility: <http://www.hse.gov.uk/safetybulletins/earth-moving-machinery.htm>

A short guide for clients on CDM 2015: <http://www.hse.gov.uk/pubns/indg411.htm>

COSHE tool gives ideas on precautions need to take if you know the chemicals involved.

There are two HSL seminars taking place on 7 July in London:

Site transport and safety;

Display screen equipment risk management.

Next week is Health & Safety Week. Members should let the Group know if they are doing anything special.

* **Update from other organisations**

There was nothing to report.

* **Help! / Learning experiences**

Barry Evans reported on the follow-up to a visit by the fire officer to the school where Barry works. The fire officer returned after 6 months, a lot of work had been done on compartmentalisation etc. A total of £50,000 had been spent. There had been electronic door guards on the base of the doors, these had been upgraded to a wireless version which after some discussion the fire officer had passed. The school had received a relatively clean bill of health. It had been a good wake-up call.

Colin Norgate reported on a client who has stables with polo ponies and 50 grooms, the majority of which are Argentinean. All health & safety documentation / management systems had needed to be translated into Argentine Spanish including safety signage in the stables block. The net result had shown a significant improvement in overall safety standards and awareness among the grooms.

Steve Fowler provided an update on the incident at the Port of Dover reported on at the previous meeting. The scaffolding hadn’t been put up correctly. It had also come to light that the gentleman concerned had an existing medical condition and shouldn’t have been working at height. His shoulder had been dislocated, his ankle had been pinned and he is in a wheelchair. Steve said that checks need to be made that those working at height are competent to do so and are not there purely on account of having grandfather’s rights.

* **Accidents and dangerous occurrences**

Mark Curry reported on an incident where strimming had been taking place on an A road. A stone flew up and went through a windscreen. There is an ongoing investigation.

He also reported that Skanska now drug-wipe all contractors and sub-contractors.

**Any other business**

Mark Curry reported that at Ground Control there is a monthly internal newsletter and a monthly external newsletter. He will be getting Safety Groups UK and KHSG into both.

Colin Norgate explained that he is a member (through his business) of the local (Kent Invicta) Chamber of Commerce and felt that there could be an opportunity for the Group to be promoted amongst the other Chamber of Commerce members to attract new members for the Group. It was agreed that the Group should join Kent Invicta Chamber of Commerce (as long as the annual fee is not too excessive and that there are realistic expectations for the Group to gain new members), as part of the strategy to try and achieve the Alan Butler Gold Award this coming year. Colin will approach his contact at the C of C and report back findings to the Executive in the first instance.

**Next meeting**

The Chair wished all members a good summer break. The date for the next meeting is 1 October 2015. The new programme will be put on the website once it is available.