

TMA HEALTH AND SAFETY CONFERENCE 25/06/09

Presentation by Louise Norman on the work of the Theatre Safety Committee

Thank you, Howard.

Good afternoon.

For those of you who don't know me, I'm Louise Norman, the Legal Officer of TMA. One of my roles is to provide support to the TSC. I'm not a member of the committee, but please forgive me if I sometimes say "we" when referring to it – it's just easier!

So, what has the TSC done and what's it doing?

Range of Topics: TSC has discussed and exchanged information on a wide range of health and safety topics over the years. Everything from pit nets to noise at work, from firearms and edged weapons to driving, from theatrical smoke to insurance, and from tallescopes to the Licensing Act, and many more topics in-between.

In some cases the discussions have led to the committee's members passing information on to their own members or gathering information from them. An example of the latter is the pit net survey we carried out. From that we found that how pit nets are used and what people expect them to do vary considerably, and that the reliance placed on them is often misguided. In other cases, the discussions have led to the production of guidance and other papers.

Slide

Incident Enquiry Form: the committee has recently produced an incident enquiry form. This form is central to the scheme for collecting information on accidents and near-misses launched by the Committee earlier this year. This was a significant departure since, until then, there had been no centralised system for gathering data specifically on the theatre industry.

The purpose of the scheme is to establish the type and number of accidents and near-misses in the industry in order to learn from what has happened in the past and avoid repeats in the future. The purpose is absolutely not to attribute blame. We are looking for trends. The Committee hopes that the information will also help to prevent inappropriate enforcement action by local authority and HSE officers who do not understand the industry's working methods and, ultimately, perhaps convince insurers to reduce premiums on the grounds that the industry is a safe one.

Administration of the scheme is being handled by the ABTT who will collate the information and pass it to the TSC for discussion and possible recommendations.

I'm going to make a plea now. In the unfortunate event of there being a near-miss or an accident in your organisation, do please fill in the form and send it to the ABTT. Please also raise awareness of the scheme among your colleagues. The form is anonymous and will be treated as confidential. It's not, of course, a substitute for statutory, contractual or in-house reporting and record-keeping, but if you can add submission of the form to your existing procedures, that would greatly assist the success of the TSC's scheme.

The scheme also, of course, ties in neatly with the TMA/BECTU Code of Conduct on get-ins and get-outs, something in which the TSC is taking a close interest.

Guidelines for the Use of Rakes in Theatrical Productions: In 2007, the TSC published Guidelines for the Use of Rakes in Theatrical Productions. These cover the need for a risk assessment when a rake is to be used and look at the elements which should be taken into account in the risk assessment, such as the kind of movement performers will be doing, the surface of the rake, the footwear of the performers, costumes and props, access to the rake, breaks, and warming up and cooling down.

Code of Practice for Health and Safety Demonstrations for Performers and Stage Management: The Committee has also produced a Code of Practice for Health and Safety Demonstrations for Performers and Stage Management. This advocates a health and safety demonstration of the set for all performers and stage management at the first rehearsal on the stage set, and the need for this to be repeated if there are cast changes, changes to the set, or similar events.

Copies of all these documents are available today. You can also find them on the TMA website.

So, what does the future hold? The committee has other work in the pipeline. In fact, Howard will be launching a campaign [slips 'n' trips poster campaign] later in this session, and Hilary will be mentioning another piece of work which the committee is starting work on. [Guidelines for managements and performers on the standards – in health and safety terms – of rehearsal rooms.]

Looking ahead, issues which will be on the TSC's agenda in the near future are:

- the implementation of the Artificial Optical Radiation Directive – as discussed this morning; and
- Musculoskeletal disorders – MSDs - eg back pain and repetitive strain injury. The European Commission has for some time been looking at MSDs as they are the most common work-related health problem in Europe.

MSDs are currently covered by various Directives, but only in relation to a limited number of work situations. The Commission considers that further regulation might be necessary to improve the prevention of work-related MSDs.

A proposal is expected in the next few months on this, although there is no information at present on what its content might be.

Recent incidents: I'd like to mention one of the items which is always on the TSC's agenda: "Recent Incidents". This is where we go round the table reporting any health and safety incidents we've heard about in the industry. And this is where you can be a great help to the committee. Often, we only have scant information about an incident and sometimes it is just hearsay. So usually the way forward is us to contact the relevant management for the details. This can be quite a challenge!

Managements tend to be reluctant to provide information until investigations have been carried out and liability determined. I would stress that the Committee is not interested in whose fault it was. What the Committee is after is

whether there is a safety issue out there which should be brought to the attention of the industry so that it can be prevented from happening again and best practice can be recommended. For example, was the incident caused by faulty equipment, incorrect use of equipment, failure to follow appropriate procedures? And what has happened as a consequence of the incident – have new equipment or procedures been introduced? Are there lessons to be learned? Of course, there's no obligation on managements to give any information to the TSC, but incident information of this kind can be of great benefit to the industry as a whole in ensuring that it is a safe one. So, if we do approach you for information about an incident, your cooperation would be very much appreciated.

HSE's Joint Advisory Committee for Entertainment (JACE): So far has concentrated on the way the TSC feeds into the theatre industry and vice versa. So, to finish, I'm going to say a little about how the TSC feeds into the bigger picture, through JACE. This is the **HSE's Joint Advisory Committee for Entertainment.**

JACE is principally the interface between the entertainment industry and the HSE, and provides a three-way flow of information:

- it enables the industry to advise the HSE on health, safety and welfare matters relating to entertainment;
- it enables the HSE to inform and consult members of proposed and forthcoming legislation, and best practice;
- it enables members to exchange information with each other.

JACE's membership comprises employer associations, unions and other industry bodies from the film, broadcasting, performing arts, and journalism sectors. It also includes large organisations such as the BBC and ITV. The TSC is a member of JACE, as are a number of TSC members. It meets twice a year.

JACE – through working groups - produces industry specific guidance, eg, the 'Theatre Essentials' booklet, which identifies who has responsibilities for health and safety in the production process.

JACE has its limitations, particularly as it is a large group and is dominated by the film and TV sectors. The HSE tends to lump theatre in with film and TV so the small minority of us representing theatre have to fight our corner quite hard to educate the HSE to realise that theatre operates in a different way – which we do fairly successfully.

However, JACE is useful in terms of alerting us to what's on the agenda in terms of health and safety legislation. It also provides a means of raising concerns of the industry with the government and enforcing authorities. The tallescopes "debate" is a prime example of this. Through JACE, the TSC has also recently succeeded in obtaining theatre-related accident statistics on a regular basis.

I hope I've given you a useful picture of what the TSC has done and is doing as a cross-industry body contributing to the improvement of health and safety in theatre. I will now hand over to Hilary Hadley from Equity.