



Chartered
Institute of
Environmental
Health

HSE consultation on the revised version of HSG195 'The event safety guide, A guide to health, safety and welfare at music and similar events'

Response by the
Chartered Institute of Environmental Health
to the review by
the Health & Safety Executive

November 2011

The Chartered Institute of Environmental Health

As a **professional body**, we set standards and accredit courses and qualifications for the education of our professional members and other environmental health practitioners.

As a **knowledge centre**, we provide information, evidence and policy advice to local and national government, environmental and public health practitioners, industry and other stakeholders. We publish books and magazines, run educational events and commission research.

As an **awarding body**, we provide qualifications, events, and trainer and candidate support materials on topics relevant to health, wellbeing and safety to develop workplace skills and best practice in volunteers, employees, business managers and business owners.

As a **campaigning organisation**, we work to push environmental health further up the public agenda and to promote improvements in environmental and public health policy.

We are a **registered charity** with over 10,500 members in the UK and increasingly in countries outside the UK.

The CIEH was originally established in 1883 and was at the forefront of the drive to improve public health in the 19th century through the control of the spread of disease. The role and philosophy of the CIEH remains the same today despite vast changes in technology and social conditions which have brought new challenges.

1. Introduction

- 1.1. The CIEH welcomes the revision to the guide and recognises and understands the need for the introduction of a sharper focus on risk assessment. However, as the guide is now clearly less prescriptive and is more about risk assessment, it is less helpful to event organisers. The previous edition of the guide better encompassed how to run an event safely. This edition rigidly sticks to how events can comply with the Health and Safety at Work Act.
- 1.2. For example Chapter 13 on welfare provision states that the Act only considers welfare provision for employees but there is no guidance for organisers on suitable and sufficient welfare and sanitary provision for all users of the site.
- 1.3. Although the new draft guidance is clear about its aims, it provides less guidance to prospective events organisers than its predecessor and fails to build on the informative, useful, practical guide valued by promoters and enforcers alike.
- 1.4. The CIEH is willing to continue to work with HSE to help produce a guide that is up to date and relevant to the needs of both event organisers and regulators.

2. Chapter 1 – Health and safety legislation

- 2.1. Para 21 — This will confuse readers as the guidance conflicts with the 'main activity' concept i.e. whilst construction as an activity is clearly the responsibility of HSE, an outdoor music event is leisure/ recreation and therefore dealt with by local authorities. At a concert, work activities such as erection/dismantling of temporary structures are ancillary to the main work activity. Para 21 is therefore considered unnecessary and confusing.
- 2.2. In practice it is likely that under reg 5 of the Health and Safety (Enforcing Authority) Regulations, transfer by HSE to local authorities of the construction work activity would be appropriate. This is referred to in Para 23 and probably should be incorporated into Para 20.

3. Chapter 5 – Venue and site design

- 3.1. Para 172 – A major omission in previous events guide relates to bacteriological ground conditions, especially dual use of grazing pasture for picnics and country shows. The revised guide does not explicitly address the issues associated with E.coli 0157:H7 i.e. the need for land to be cleared of animals and faeces 21 days before the event (on car parks) and 'complete exclusion' for eating zones (i.e. min 80 days clearance).

4. Chapter 16 – Noise

- 4.1. Apart from one passing reference, Ch 16 confines itself to consideration of the impact and control of noise on workers, including performers, in particular by way of the NAW Regs (see para 555) but whereas the Introduction to the document says the measures proposed in the Guide are to 'help event organisers and others satisfy the requirements of the Health and Safety at Work etc Act...', Ch 1, in para 12, dismisses the relevance of s 3 to noise from amplified music too easily as just a nuisance or amenity.

- 4.2. Inasmuch as paras 560 and 561 are headed 'Audience', their 'guidance' is unhelpful: whereas 560 notes there is no specific (ie numerical) limit on sound levels to which audiences can be subjected, and refers only to 'general practice' in the industry, that might be read as encouraging, or at least condoning, higher levels; in fact, the levels quoted (if they are general practice at all) are a rough approximation to the NAW threshold based on an exposure of 2 hrs, once per month for ten years. Leaving aside that event-goers are unlikely to ration themselves to their music to that extent, that exposure alone is likely to cause temporary hearing impairment. For completeness, a time period needs to be appended to the Leq (presumably 15 mins) and a weighting (presumably 'A') to the Lmax.
- 4.3. To suggest, as para 561 does, that printing warnings on tickets can absolve operators of responsibility is also of questionable effect. The HSE does not appear prepared to adopt that principle elsewhere. Advice should also be given to operators about preventing ticket forgery.
- 4.4. Para 562 mentions the Noise Council Code of Practice. That code is obsolete and under revision by CIEH. If HSG195 is expected to be published in final form in the next 6 months, the best reference would be " 'Guidelines for environmental noise control at concerts', CIEH (in preparation)"
- 4.5. Para 569 in the first bullet point appears to say that the needs of the performance are over-riding; whereas para 568 refers to measures...to reduce exposure of...others...', volume controls may be the only way to provide protection.
- 4.6. Para 586 refers to a Noise Management Plan which it refers to as a 'comprehensive strategy' but then limits to the benefit of all 'site users'. If that term includes audiences, it is welcome (though at odds with their exclusion elsewhere) but a comprehensive NMP must also take account of anyone off-site who may be affected by the noise.