



Minutes of the NERS Provider Forum

Microsoft Teams Meeting on 12th November 2024 10:00am

Attendees:

Paul Costelloe	Stephen Hindle	Musiliyu Hammed
Dave Ellis	Martyn Park-Carpenter	Willie Bryce
Mel Swift	Gareth Williams	Ben Webb
Graham Commons	Chris Woodward	Julie Tyrrell
Karl Miller	Jamie Berry	Rob Peters
Bob Fearnley	Adrian Foster	Dave Morgan
Nigel Evans	James Barker	Gary Hopkins
Andy Billings	Arun Karunakaran	Jake Pariente
Davie Callaghan	Charmaine Boddington	
Nichola Robert	Ephie Chalakateva	
Paul Phelps	David Daniels	
Peter Salmon	Jevan Laxen	
Russell Davis	Clare Maynard	
Steve Harvey	Gareth Wilson	
Bill Robertson	Kevin Bergin	
Jason Everall	Paul Banyard	
Paul Wragg	Michael Waller	
Mal Hazel	Paul Swift	
Jonathan Clark	Stevie Mitchell	
Chris Swinson	Zoe Close	
Vicky Meredith	Tom Farmery	
Brian Cutler	Robert Vernon	
Paul Thomas	Steven Reid	
David Butler	Paul Vaughan	
Alan Marshall	David Tong	
Philip Henderson	Zach Bullock	
Mick Beeby	Sarah Cannon	
Richard Connaughton	James Burnett	
Alison Silva	Natalie Birch	
Huw Crocombe	Rupinder Sandhu	
Stirron Seaborn	Divyesh Jansari	
Daniel Miller	Bill Jones	

1. Introductions

Paul Costelloe (PC) of LRQA introduced himself and thanked everyone for their attendance and reiterated that due to the number of attendees, formal introductions were foregone. The agenda was reviewed and the arrangements for this Teams Meeting were described. PC advised that the meeting was being recorded on Microsoft Teams for the purposes of accurately capturing discussions for the meeting minutes.

2. Apologies

As this was a Teams meeting and there were no restrictions to numbers, over 400 invitations had been sent and there had been 72 acceptances and 25 declined. With 72 attending on the day, due to the nature of the open invitation, only attendees are identified in the minutes.

3. Review of Minutes & Actions from NERS Providers Forum Meeting of 16th July 2024

The minutes were accepted as a true record of that meeting and a brief overview of the various topics documented in the minutes was provided and the actions discussed below:

3.1 Version 10 of the NERS requirements document.

PC advised that this would be issued 1st December 2024.

3.2 New Deputy Chairperson of NERSAP

PC advised that Clare Roberts had been appointed as Deputy Chairperson.

3.3 Timeliness of Handover of 'As-Laid's'

PC advised that NPG had provided a list of ICPs that they were concerned about in terms of the timeliness and quality of 'as-laid's' and that SSE were to provide a list also.

Following receipt of this LRQA are intending to write to each ICP appearing on these lists, asking them to co-operate with the adopting networks.

3.4 CoC Identifying Contestable and Non-Contestable Competencies

PC advised that a template had been produced by LRQA. DE provided an overview of this and advised that this has been sent out for review. This would be available to any ICP upon request via their respective NERS assessor.

4. Review of Minutes & Actions from NERSAP Meeting of 30th July 2024

A brief overview of the various topics documented in the minutes was provided and the actions discussed below.

.4.1 Format of Future Meetings

Divyesh Jansari stated that he would like to attend future meetings 'in-person' as a networking opportunity. Graham Commons agreed and stated that whilst Teams meetings work very well for this forum, it would be good to have at least one face to face meeting per year. Divyesh thought that he may be able to use his good offices to arrange with a

venue at one of the universities. Mel Swift reminded the meeting that there was a possibility of sponsors being involved in order to cover some of the costs.

4.2 HSE Position on Live Working

PC advised that the guidance outlined in the ENA document SHE01 was not acceptable to HSE. Huw Crocombe asked if this document was publicly available and MEL Swift advised that it was currently for ENA members only but that once the document had been re-issued it would be publicly available, likely in 2025. Mel Swift further advised that an expert from Loughborough University was involved in working with the ENA on this as regards re-visiting the content and justification for live working. Each live working operation must be individually justified in writing.

4.3 Robustness in Applying NERS Requirements

Graham Commons confirmed that sanctions should be applied to ICPs not complying with the NERS Requirements. PC confirmed that a new NERS Assessor had been appointed and his training includes applying the NERS Requirements stringently.

4.4 'Right Card' Scheme Being Introduced by EUSR

Karl Miller advised that the CSCS logo would disappear from the SHEA Power/Gas/Water cards and that the respective SHEA card would be a pre-requisite for applying for the appropriate CSCS card which EUSR would issue as a CSCS Alliance Partner. Bill Jones advised that the construction industry was standardising on a CSCS affiliated card and an exercise was underway to identify all of the roles within construction including the utilities sector. Mel Swift advised that his personal understanding was that discussions were still ongoing about the future direction of CSCS cards. Stirron Seaborn asked if the NERS safety passports fulfilled competency evidence requirements and PC advised that this was not CSCS affiliated and therefore would not be the primary source of safety competence evidence. Paul Swift suggested that the new arrangements might be more complicated if a CSCS equivalent to SHEA Power would be required. Mick Beeby commented that the discontinued Power Skills Scheme might have fulfilled the aims of the 'right card' scheme, but in any case he questioned the site manager's ability to understand what exactly is the 'right card' as long as a CSCS logo appears on the card produced by an operative when accessing site. Some sort of briefing to the industry is required.

5 Comments Following HSE Presentation on Live Working

Paul Costelloe gave a brief resume of the HSE presentation at the last ICP Forum and invited comments.

Huw Crocombe made the point that the comment about progress not having been made since EAWR 1989 was supported by the fact that fatalities are still happening.

Mick Beeby asked that in relation to the four fatalities mentioned in the HSE presentation - was live working justifiable following investigation into these incidents? Paul Costelloe said that enough information was not yet available since there may be civil cases still pending.

Bob Fearnley stated that his understanding was that procedural and/or behavioural failings and not solely the issue of live working might need to be considered.

Mel Swift commented that the recording of live working justification would be essential.

Bob Fearnley asked if anyone on the call was involved in anything other than plastic to plastic cable jointing and the general consensus was that ICPs would be involved in for example point of connection work involving cables other than plastic.

Dave Ellis commented that LRQA look for a live working justification document when attending site, but that even before getting to the site could a desk-top justification be considered. Mel Swift responded that at the planning stage a risk assessment would be completed by a Project Manager in order to establish if live working would be necessary before an LV Operations Request would be approved. This is before the joiner's justification being necessary.

Paul Swift asked if an incident were to happen, is it an acceptable defence that this subject is still being discussed. Mel Swift responded that this would not be an adequate defence since the law is still current. The HSE will not endorse whatever is issued by ENA so it is incumbent on the industry to cater for compliance with Reg 14 of EAWR 1989.

Bob Fearnley asked if GTC have their own jointers or if they use ICPs. Mel Swift responded that GTC utilises a combination of both.

Paul Swift asked if design for safety should be considered e.g. more link boxes against a background of remaining competitive. Mel Swift suggested that other hazards associated with link box failures might be introduced, so there are challenges in mitigating safety of one type of activity while introducing others.

Paul Costelloe suggested everyone revisit their live working justification.

6 Update on NERSAP Strategic Working Group

6.1 Level 2 Apprenticeship Scheme

Mel Swift described a shorter duration apprenticeship which is mid-way through development and would mean that if implemented, would recognise that more level 2 apprenticeships would enable participants to draw down on government levies.

6.2 Governance of Design Competency

A request that a link to this document be shown in these minutes and this is below:

<https://www.eusr.co.uk/schemes-programmes/our-industries/power/>

7 LRQA Report

Paul Costelloe gave an overview of LRQA data concerned with surveillance visits and this data is contained in the slides attached herewith.

Huw Crocombe commented that deficiencies being identified on surveillance visits could all relate to potential lack of robustness in live working management which further underlines the HSE's point that the present situation is not acceptable.

8 NERS Requirements Document v10

Paul Costelloe confirmed that this is due for issue on 1st December 2024 and that compliance with this would be expected after no more than 3 months.

It was also requested that any proposals for v11 be forwarded to Paul Costelloe.

9 Any Other Business

9.1 Fire Suppression in Cupboards Containing Electrical equipment (e.g. meter cupboards)

Mel Swift raised the issue that had recently come to his attention concerning a site where GTC were intending to install an MSDB and a company were installing a fire sprinkler system where the MSDB was to be connected. Some British Standards (BS5306 and BS9251) applied to this which were in contradiction with BS7671 which requires a physical barrier between water and electrical equipment. This is raised for awareness and discussions are ongoing.

Bob Fearnley advised that fire-fighters use water on fires where LV is present without isolating first.

Mick Beeby asked if this specifically stated the use of water fire suppression and Mel Swift responded that it does include the use of water and re-iterated the requirement in BS7671 to install barriers between electrical equipment and water.

Stirron Seaborn suggested that the fire safety regulations recognise that water and electricity should be separated and water is not an appropriate fire safety precaution in those circumstances. However Mel Swift suggested that the HSE have provided statistical information to suggest that this is not an issue.

9.2 Other matters Arising

Mick Beeby re-iterated that ICPs are responsible when developer ground-workers do excavations for cable routes.

Bob Fearnley asked if there was a policy document outlining LRQA's requirements for drawings and the issue discussed was concerning the timeliness of drawing submission only. Paul Costelloe re-iterated the inclusion of words in v10 concerning network operators' right to investigate as-laid information themselves at the ICP's expense. NERS surveillance visits do not include the ability to revisit issues at a date shortly after the visit although lists of offending ICPs are in the possession of LRQA.

Bob Fearnley asked if he could do a strict straw poll on how many ICPs do live work (14 of 43 who responded), how many have APs (11 of 43), and SAPs (11 of 43).

Dave Ellis re-iterated the need to utilise live working techniques in all circumstances except where the whole cable was exposed and could be definitely confirmed as dead.

10 Dates of Next Meetings

Dates for 2025 Meetings

- NERS Provider Forum 11th March , 15th July, 11th November
- NERSAP 25th March, 29th July, 25th November