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HEALTH AND SAFETY COMMISSION

HSC Workers' Safety Advisor Pilot : Report on effectiveness of the Pilot and examination of feasibility of options for the way forward

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Issue

1. The report examining the effectiveness of HSC's Workers' Safety Advisor (WSA) Pilot is now available for the Commission's consideration. The paper considers the results of the report on the effectiveness of the Pilot and options considered broadly feasible for developing a sustainable WSA scheme.

Timing

2. Routine.

Recommendation

3. That the Commission :
- (a) notes the report findings concerning the effectiveness of the WSA Pilot (summary of report attached at Annex B and full report at Annex C);
 - (b) agrees that the HSE should produce detailed proposals for options considered feasible for developing and extending the WSA scheme for further consideration at the earliest opportunity;
 - (c) informs Nick Brown, Minister for Health and Safety, of the key findings of the report on the effectiveness of the WSA Pilot and its plans to develop detailed proposals on feasible and sustainable options.

Background

4. One of the seven measures announced by the HSC in December 2000 to promote greater worker involvement in health and safety was a Pilot to explore the effectiveness of roving safety advisers. It was intended that representatives participating in the Pilot should operate across a range of industries and workplaces where arrangements for employee involvement and consultation were absent, concentrating in particular on small employers. The WSA Pilot, funded by HSE, was developed as the means of testing the effectiveness of roving safety advisers (see Annex A attached, paras. 1 – 3, for background to this measure). The Pilot was intended to promote greater worker involvement and consultation and to bring improvements in health and safety for workers in workplaces without safety representatives and safety committees.

5. The responsibility for steering the Pilot was given to a group comprising Mike McKiernan, Joyce Edmonds Smith, Owen Tudor and HSE officials. The contract to

administer the Pilot and evaluate its effectiveness was awarded to York Consulting Ltd (YCL) in Summer 2001.

6. The objectives set down by the Steering Group for the Pilot were to :

- Promote greater employee involvement and consultation on health and safety;
- Raise health and safety standards;
- Broaden and increase employers and employees knowledge of health and safety;
- Establish the broad costs and benefits.

The responsibilities assigned to the WSAs are set out at para. 4 of Annex A (attached).

7. The WSA Pilot ran from February to November 2002 – the nine WSAs had a caseload comprising 88 employers operating in 105 workplaces in the construction, hospitality, light engineering and automotive and voluntary sectors (see para. 6 of Annex A for details). The role of trade unions in identifying and selecting the WSAs is set out in para. 8 of Annex A and the work of the Federation of Master Builders and HSE in identifying and recruiting employers is detailed in para. 7 of Annex A.

Argument

8. The WSA Pilot needs to be seen in the context as offering solutions to new, long present and sometimes complex occupational health and safety issues through encouraging and forging social partnerships considered essential to the lasting improvements we are aiming for. HSE would like to place on record its appreciation of the commitment and effort of all those who contributed in the WSA Pilot and in particular the WSAs, FMB, the employers and workers who participated, the sponsoring trade unions and YCL.

9. All the employers (88) and a representative sample of 115 workers were surveyed by YCL at the start of the Pilot but prior to contact by the WSAs to establish a baseline for existing levels of involvement and consultation, to identify perceived risks to health and safety risks and to gauge standards. 63 employers and 102 workers participated in the survey following the conclusion of the Pilot.

10. At a headline level the findings reveal that 89% of employers surveyed saw clear benefits from having participated; 92% of workers surveyed identified clear benefits. We set out the key findings contained in YCLs' report (see Annexes B and C attached) against the Pilot objectives set down by the Steering Group :

(a) To promote greater employee involvement and consultation on health and safety

1/3 of employers surveyed expected the WSAs to represent the interests of the workers – 1/11 of the employers saw this as the most important role of the WSAs. Almost all of the participating employers had arrangements in place for communicating with their workers on health and safety matters. Only three had health and safety committees in place. 5/6 of the employers surveyed identified the involvement of the WSA as resulting in increased discussion and consultation with their workers on health and safety. 1/3 of employers stated that communications with their workers on health and safety had improved with perceived benefits.

2/3 of the workers surveyed at the start of the Pilot had some involvement with health and safety in the preceding six months – most commonly through workplace discussions. 1/9 workers surveyed expected the WSA to contribute to increased worker involvement in health and safety. 3/4 of workers surveyed at the end of the Pilot indicated that they had been involved in health and safety discussions with their employers, a small increase

compared to the baseline survey. One worker noted, *“health and safety is discussed weekly and it on all agendas as a main item for continued discussion and assessment”*. Workers noted a more positive approach to health and safety that was now being taken more seriously, active encouragement of workers to suggest improvements and more regular and open discussion of health and safety. Over ½ of workers surveyed indicated changes in health and safety responsibilities in their organisations flowing from the work of the WSAs – ¼ of workers identified new arrangements including the appointment of safety representatives and the setting up of safety committees, a significant increase on the arrangements in place at the outset of the Pilot.

(b) To raise health and safety standards

1/3 of employers identified the investigation of workplace hazards as the key task the WSA would carry out. 2/3 saw improved health and safety compliance as the key benefit the WSA would bring. Employers identified hazardous machinery and equipment, slips, trips and falls and lone working as the three biggest issues affecting the health and safety of their workers. ¾ of employers identified changes that had taken place as a result of the WSA’s work. The majority of changes concerned new approaches to health and safety, including the putting in place and review of health and safety policies, cited by four of ten employers as one of the most useful WSA activities. Over ½ of employers found the carrying out of risk assessments by the WSAs as another of the most useful activities. ½ of the employers identified that the benefits were more or significantly more than they had expected at the outset. 1/9 of employers surveyed (1/4 of the construction employers surveyed) considered that their involvement had not produced any identifiable benefit.

Workers identified electrical safety, manual handling and general housekeeping as three significant issues affecting their health and safety. 1/5 in five workers expected the WSA to ensure appropriate health and safety policies were in place; 1/6 workers were looking to the WSA to contribute to general health and safety improvements. Workers identified other benefits including the carrying out of risk assessments identified by three quarters of workers surveyed. 2/5 of workers identified the workplace inspections that were now taking place. Only 1/10 in ten workers was unable to identify any benefits as result of WSA involvement.

(c) To broaden and increase employers and employees knowledge of health and safety

Only 1/18 of employers cited increased worker awareness as a reason for participating in the Pilot. A similar number expected improved knowledge gained from the WSA to produce business benefits. ¾ of employers surveyed identified the WSA as producing increased awareness of health and safety in the workplace.

¼ workers surveyed expected improvements in health and safety awareness as a result of the WSA’s involvement. A similar number of workers saw the provision of advice as a key responsibility for the WSA. 9/10 workers surveyed saw an increased level of awareness of health and safety issues. 7/10 workers surveyed had met with the WSA during the course of the Pilot. A similar number had health and safety training provided by the WSA.

(d) *To establish the broad costs and benefits*

The report notes that the nine WSAs conducted 380 meetings with the 88 participating employers. The WSAs had a caseload average of 10 employers. Each employer had an average of 3.6 meetings with the WSA. The median time spent on each meeting was some 1.5 hours. The annual full time equivalent cost of a WSA, including salary and administrative on-costs, comes to £25k. It is estimated that the WSA's contact time with their employers amounted to some 15% of hours worked. The rest of the WSA's time was spent on preparation, research, training, report writing and taking forward agreed actions. It is not possible to quantify the full benefits of the work of the WSAs at this time in terms of health and safety improvements.

Feasibility and sustainability of options for delivering a WSA scheme

11. The report from YCL included an exploration of seven possible models for delivering a national WSA scheme, together with an examination of funding sources and an assessment of the capacity needed to deliver such a scheme.

- Option 1 Consultants – free market consultancy approach
- Option 2 Trade union provision of WSAs - open competition
- Option 3 Trade union 'spheres of influence' – coordinated approach
- Option 4 Trade union managed scheme coordinated by TUC
- Option 5 TUC managed scheme built on support of trade unions
- Option 6 Independent national scheme steered by a joint management board comprising HSE, TUC, trade unions and employers organisations
- Option 7 Direct management by HSE

12. The evidence contained in the report shows that for the WSA scheme to work effectively, and get the buy-in of a wide range of key stakeholders including employers, employers' organisations, workers, trade unions and regulatory bodies, it is essential that there is close cooperation and collaboration and a willingness on the part of all to work together in partnership. It is extremely doubtful whether the trade unions would have been able to secure the involvement of many employers in their own WSA schemes. Similarly schemes managed or run by consultants or HSE without the buy-in of key social partners would have, in all possibility, had great difficulty in getting off the ground. Independence too is a major consideration and one that could be ensured through the oversight of the joint management board proposed in Option 6. For these reasons Option 6 appears to be the only feasible option in terms of securing the widespread collaboration of key partners considered essential and should be explore further.

13. For the WSA model to be sustainable it will be necessary for the WSAs to have considerably bigger caseloads than for the Pilot. Caseloads of 48 employers per WSA for six months appears to be the optimum caseload. Each employer and their workers would have a preliminary meeting with the WSA followed by two meetings focusing on actions. On average the WSA would undertake 8 preliminary and 16 action meetings each month. Possible outputs based on caseload of 120 employer per annum employing 20 workers :

Number of WSAs	Number of employers	Number of meetings	Number of workers	Total cost (excluding recruitment costs)
1	96	288	1,880	£25,000
10	960	2,888	18,800	£250,000
100	9,600	28,888	180,000	£2.5m

14. There is one other option the Commission may wish to consider as a possible vehicle for the development of the WSA model namely integrating the work of the WSAs into that of the Occupational Health Advisers for SMEs currently being piloted in Scotland. Promoting greater employee involvement would have a synergy with the aims of the national occupational health service for Scotland, specifically, providing SMEs with access to high quality advice and information and to raise awareness of the importance of occupational health and safety policies among SMEs. The feasibility of this approach is worthy of closer examination.

15. Further work needs to be done by HSE to develop proposals on the setting up of an independent body to direct and administer such a scheme and to identify funding options.

Consultation

16. The report from YCL, which has been considered by the HSC Steering Group, reflects discussions with a wide range of stakeholders, including trade unions, employers' organisations and Government Departments, on the feasibility of the models for taking the WSA scheme forward.

Presentation

17. DWP Ministers have been regularly briefed on the progress of the Pilot and will be keen to hear the Commission's views on the feasibility of taking the WSA model forward. The Commission may wish to consider issuing a Press Release to accompany the publication of the WSA Pilot report. The Pilot has attracted considerable Press interest.

Costs and Benefits

18. See para. 13 (d) above.

Financial/Resource Implications for HSE

19. Further work needs to be done to identify possible sources of funding including from employers, trade unions, Government and other stakeholders. Consideration is currently being given to whether extension of the WSA scheme meets the criteria for funding under HSE's Small Firms Programme. Funding of WSAs would promote good practice in SMEs through innovative interventions already proved to be effective. We could fund intermediaries to set up and administer the WSA scheme. From the evidence already available the expectations of small firms are realistic and can be met through the work of the WSAs. Such an approach could include targeting of particular sectors in most need of WSA intervention and help.

20. The resources used by HSE in identifying and recruiting employers were met by diverting staff from other areas of work. Should the scheme get the go ahead the work of recruiting employers should be borne by the scheme administrators rather than by HSE staff.

Environmental Implications

21. None.

Other Implications

22. None

Action

23. HSC to agree the recommendations set out at para. 3 above.

Background

1. In 1998 Ministers asked HSC to seek ideas for promoting and encouraging greater employee involvement and consultation on health and safety including enhancing the role of safety representatives. HSC published a Discussion Document, *Employee consultation and involvement in health and safety* (DDE12) in November 1999 to promote debate and seek ideas on regulatory and non-regulatory measures needed to achieve the goal of greater employee involvement. The discussion document attracted considerable interest – 848 individuals and organisations responded.
2. Having considered the results of consultation Government and the HSC agreed a number of measures that were considered a valuable contribution to promoting greater employee involvement and developing partnership on health and safety in the workplace.
3. One of these measures was a Pilot to explore the effectiveness of roving safety representatives.

The responsibilities of the Workers' Safety Advisors

4. At the outset of the WSA Pilot the following responsibilities were identified by the HSC Steering Group as appropriate to the work of the WSA's:

- Consult with employees on health and safety matters;
- Facilitate and improve employer-employee communications on health and safety;
- Provide information to employees and employers on health and safety;
- Work with employers and employees to identify risks, assess how to control the risks and put in place appropriate measures;
- Carry out health and safety inspections with employers and employees.

5. The WSA Pilot was a voluntary scheme. The WSAs carried out their responsibilities in agreement with the participating employers and their employees – they did not exercise functions under the 1977 or the 1996 Regulations.

6. The WSA Pilot ran from February to November 2002 – the nine WSAs had a caseload comprising 88 employers operating in 105 workplaces in the construction, hospitality, light engineering and automotive and voluntary sectors (see para. 6 of Annex A for details). 1/3 of employers participating in the Pilot employed up to 25 workers. 1/6 of employers employed between 26 and 50 and 1/6 employed over 50 workers.

The appointment of the WSAs and recruitment of employers

7. The construction sector employers were identified by their trade association, the Federation of Master Builders (FMB), and encouraged to participate. The cooperation and active support of trade associations is invaluable in securing agreement of employers to participate. But trade association support is not a given. A number of trade associations contacted by HSE chose not to become involved. The 63 employers in the non-construction sectors were almost all identified and recruited by HSE. Considerable resources were used by HSE to secure their participation – over 230 employers were contacted followed by lengthy discussions and many face-to-face meetings. HSE

estimated a full economic cost of approximately £1,000 to secure the participation of each of the 63 employers it recruited.

8. The responsibility for identifying, selecting and training the nine WSAs was given to the TUC and trade unions. WSAs were expected to have considerable health and safety skills, aptitude for the new role and experience as a safety representative. Amicus, TGWU, UCATT and Unison had a leading role in the selection of the WSAs given their influence, understanding and involvement in the four sectors chosen for the Pilot. It was originally intended that the trade unions would employ and fund the WSAs. In the event this proved impossible due to time constraints and the need to move speedily to complete recruitment and get the Pilot up and running.

The WSAs, industry sectors and geographical areas

9. The nine WSAs operated in the following industries and geographical areas :

Construction (25 employers)

Billy Baldwin	North West
George Kane	Scotland
Chris Tiff	London and the South East

Hospitality (20 employers)

Ray Anjolaia	London
Bernard Jones	South Wales

Light Engineering & automotive (9 employers)

Bob Gallagher	West Midlands
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Voluntary (34 employers)

Janice Bentham	Merseyside
John Milne	South West London and Surrey
George Partridge	North East

