

APPENDIX B (To the UK government response)

CBI Response to the Questionnaire

**CBI RESPONSE
TO THE ILO REPORT IV (1) PROMOTIONAL FRAMEWORK FOR
OCCUPATIONAL HEALTH AND SAFETY**

GENERAL COMMENTS

It is important that a global approach to well being at work and the development of a health and safety culture at national level does not undermine innovation and develop a risk aversion culture. National OHS systems must be put in the context of national cultures and priorities and it is necessary that a promotional framework is sufficiently flexible to encourage this whilst maximising international coherence, relevance and impact. We are not looking for harmonisation of all systems but an improvement in the awareness and performance of health and safety at workplaces from the standards currently achieved.

CBI answers to the questions are in bold italics

FORM OF THE INSTRUMENT

1. Do you consider that the International Labour Conference should adopt an instrument to promote occupational safety and health?

Yes - since the consensus conclusion of the general discussion of the International Labour Conference 91st Session (2003) item on the promotion of occupational health and safety called for a new instrument establishing a promotional framework in the area it is important that we build on this discussion and respect the conclusions, however the instrument developed should provide sufficient flexibility to accommodate many differing cultures and a rapidly evolving context.

2. If so, do you consider that the instrument should take the form of
 - a. a Convention;
 - b. a Recommendation;
 - c. a Convention supplemented by a Recommendation (if you choose this alternative please indicate, in your comments on the questions regarding the content of the instrument, which elements of the question concerned should be dealt with by a Convention or a Recommendation); or
 - d. a Declaration?

Since the current initiative for a review of the framework for occupational health and safety has been encouraged because the effectiveness of the current extensive range of conventions and recommendations has reached a plateau then a declaration appears to be the most appropriate instrument to explore.

APPENDIX B (To the UK government response)

PREAMBLE

3. Should the instrument contain a Preamble referring to:
- a. the provision in article III(g) of the Philadelphia Declaration which provides that the International Labour Organization has the solemn obligation to Promotional framework for occupational safety and health further among the nations of the world, programmes which will achieve adequate protection for the life and health of workers in all occupations?
 - b. the pursuit of the objective of a safe and healthy working environment?
 - c. the conclusions on occupational safety and health adopted following the general discussion on ILO standards-related activities in the area of occupational safety and health at the 91st Session (2003) of the International Labour Conference, in particular, the need to ensure that priority is given to occupational safety and health in national agendas?
 - d. the importance of the promotion of a “safety culture”, which is defined as the assembly of beliefs, values, attitudes and patterns of behaviour in organizations and of individuals, wherein prevention is given the highest priority?
 - e. the Occupational Safety and Health Convention, 1981 (No. 155), and the Occupational Safety and Health Recommendation, 1981 (No. 164)?
 - f. other relevant ILO instruments on occupational safety and health?

The CBI would favour a preamble based on the first, second, and third and sixth bullet points and need not necessarily refer to the fourth and fifth. The concept of a safety culture although defined as above, is now a slogan that is a bit dated and nebulous and misses the occupational health dimension and the reference to ‘prevention is given the highest priority’ begs the question of prevention for what and highest priority in relation to what other issues. Reference to the specific ILO convention and recommendation on occupational safety and health reopens the debates on these for many countries.

DEFINITIONS

4. Should the instrument include the following definitions:
- a. “national programme on occupational safety and health” which means timebound national programmes that include set objectives, priorities and means of action in the area of occupational safety and health?
 - b. “national system for occupational safety and health” which means the national infrastructure in the area of occupational safety and health which provides the main framework for the implementation of national programmes on occupational safety and health?
 - c. other definitions? Please specify.

The instrument may include the definitions in the first and second bullet points provided the programmes, objectives, priorities, means of action and framework etc can be finalised at national level from concepts developed by the ILO.

APPENDIX B (To the UK government response)

NATIONAL PROGRAMMES

5. Should the instrument provide that each Member should seek to progressively develop a safer and healthier working environment through national programmes on occupational safety and health with due regard to relevant ILO instruments on occupational safety and health?

Yes

6. Should the instrument provide that each Member should:
- formulate, publicize and implement national programmes on occupational safety and health?
 - seek the endorsement and launching of these national programmes by the highest government authorities?

The instrument should provide for both points whilst seeking the engagement of all those that are party to the delivery at the enterprise level.

7. Should the instrument provide that such national programmes should be formulated and reviewed on the basis of an analysis of the national situation on occupational safety and health, including the national system for occupational safety and health?

Yes

8. Should the instrument provide that such national programmes should be formulated and reviewed:
- in consultation with representative organizations of employers and workers?
 - as appropriate, in consultation with other concerned parties? Please specify.

The instrument should provide that national programmes be formulated and reviewed(a) in consultation with representative organizations of employers and workers and (b) as appropriate, in consultation with other concerned parties. Some description of other concerned parties may be proposed but these should not be specified at international level as those organisations that are influential and can deliver health and safety improvements at the workplace vary significantly from Member countries.

9. Should the instrument provide that such national programmes should:
- seek to promote the development of a safety culture?
 - include targets and indicators of progress?
 - when applicable, be associated with other national programmes and plans, such as those relating to economic development?

The instrument should provide that national programmes should seek to promote the development of a safety culture and develop robust data and information to be able to consider the setting of targets and indicators of

APPENDIX B (To the UK government response)

progress and when applicable, be associated with other national programmes and plans, such as those relating to economic development.

NATIONAL SYSTEM

10. Should the instrument provide that each Member should establish and develop a national system for occupational safety and health?

Yes

11. Should the instrument provide that such a national system should be established and developed:

- a. in consultation with representative organizations of employers and workers?
- b. as appropriate, in consultation with other concerned parties? 2 Please specify.

See 7 above

12. Should the instrument provide that such a national system should include, as appropriate:

- a. legislation on occupational safety and health?
- b. designated authority or authorities for occupational safety and health?
- c. mechanisms for ensuring compliance with legislation on occupational safety and health, including systems of inspection?
- d. information and advisory services on occupational safety and health?
- e. occupational safety and health training?
- f. occupational safety and health services?
- g. a mechanism for the collection and analysis of data on occupational accidents and diseases?
- h. collaboration with (an) employment injury insurance scheme(s)?

The instrument should suggest that elements of a national scheme could include the above but should not specify designation or delivery mechanisms.

AWARENESS RAISING

13. Should the instrument provide that each Member should, in the promotion of a safety culture, seek to raise public awareness on occupational safety and health through national campaigns linked to international initiatives?

The instrument could provide that each Member should, in the promotion of a safety culture, seek to raise public awareness on occupational safety and health through national campaigns but these need not necessarily be linked to international initiatives.

14. Should the instrument provide that each Member should, in the promotion of a safety culture, seek to introduce hazard, risk and prevention concepts in basic education and vocational training curricula?

APPENDIX B (To the UK government response)

Yes

PROMOTIONAL FRAMEWORK FOR OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT SYSTEMS APPROACH

15. Should the instrument provide that each Member should promote the management systems approach to occupational safety and health based on the ILO Guidelines on occupational safety and health management systems, ILO-OSH 2001?

The instrument should provide that each Member could suggest the management systems approach to occupational safety and health as one approach and could suggest the ILO Guidelines on occupational safety and health management systems, ILO-OSH 2001 as one source of inspiration.

NATIONAL PROFILE

16. Should the instrument provide that national programmes should be formulated and reviewed on the basis of current information of the national situation (see question 7, above) collected in the form of a national profile on occupational safety and health?

Yes

17. Should the instrument provide guidance on the information on the national situation that a national profile could contain? Please specify.

The instrument could provide illustrative and non-exhaustive guidance on the type of information on the national situation that a national profile could contain. The sort of information that may be included would be national and sector economic and industrial performance profiles, national and sector risk, accident, ill health and incident profiles.

EXCHANGE OF INFORMATION

18. Should the instruments provide that the International Labour Organization should facilitate an international exchange of information on national programmes on occupational safety and health, including good practices and innovative approaches thereto?

Yes. It would be useful that the ILO set up a forward thinking risk observatory linking with that at European level. The ILO should facilitate the international exchange of information by mapping the current provider organisations, coordinating information provided by them, seeking to identify the gaps and facilitate them to complete the picture. It should not duplicate the role and activity of other organisations at multinational level.

SPECIAL CONSIDERATIONS

19. Are there any particularities of national law or practice which are liable to create difficulties in the practical application of the instrument as conceived in this

MISC/04/26 ANNEX D

ILO QUESTIONNAIRE – PROMOTIONAL FRAMEWORK FOR OCCUPATIONAL SAFETY & HEALTH

APPENDIX B (To the UK government response)

questionnaire? If so, please state the difficulties and suggest how they might be resolved.

The variety of legislative arrangements, legal systems and enforcing arrangements will mean that a variety of approaches may produce different systems for motivation but harmonisation of these systems is not the object of this exercise. Improving awareness and health and safety performance at workplaces from the current state is the objective to be achieved.

20. Are there any other issues not addressed in this questionnaire which ought to be taken into consideration in the preparation of the instrument? Please specify.
