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HEALTH AND SAFETY EXECUTIVE

The HSE Board

Review of HSE/LA Approach to Health and safety Management - Update

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Issue

1. OMT Review of the HSE/LA approach to influencing dutyholders in their management of health and safety.

Timing

2. Routine

Recommendation

3. That the Board agree the actions at para 20.

Background

4. This project was instigated by the Operations Management Team (OMT) following a preliminary review of operational health and safety management (HSM) policy in HID. Evidence from the HID review identified a number of lacunae that were a barrier to developing effective accident and ill health prevention strategies. Key concerns included the lack of clarity about compliance standards and the absence of benchmarks. It also revealed insufficient understanding about health and human factors concerns. This had ramifications for HSE/LAs as regulators and for dutyholder's ability to comply.
5. OMT recognised that resolving these issues was fundamental to HSE's operational effectiveness and that the HID analysis had considerable read-across with the work of other operating and policy divisions. OMT therefore commissioned this project as a broad based review of current practice and guidance to establish more precisely where these gaps are and how they might possibly be plugged. The work is led by a multi-

disciplined cross-HSE Project Team. A Project Board has been established to advise on strategic issues. Local Authorities are represented in both fora. The close collaboration across policy and operational directorates has allowed the Project Team to maintain a strategic oversight of cross-organisational developments and hone the project accordingly.

6. The first stage of the project involves two phases. First, an examination of the regulators' perspective (HSE/LAs) carried out by HSL through a series of focus groups. This is now complete and a report available. Second, an examination of the perspectives of selected stakeholders and businesses across a range of sectors through external research. This is currently underway through a series of interviews conducted by Bomel Consultancy. A report is expected in March 2005.
7. Phase II, is potentially very broad and attempts to span the full spectrum of work activity across all industry sectors and all sizes of firm. In this respect the sample size (approximately 60) is relatively small. However given the nature of the information sought, resource and time constraints the study has been developed with a strong qualitative focus. This will allow for more in-depth analysis and can be balanced against other more quantitative-based findings from HSE's research.
8. The ultimate aim of the project is to refresh the principles of occupational health and safety management and identify a suite of possible measures as a toolkit to promote these principles honed closely to delivering the HSC Strategy. This includes:
 - supporting a renewed impetus in the context of Revitalising H & S;
 - raising the operational profile of health concerns and human factors;
 - integrating key policy concerns such as worker involvement, rehabilitation, communication, migrant workers and diversity into operational activity
 - embracing issues of corporate governance (Turnbull report) and contributing to the delivery of a cross-Government agenda;
 - developing and integrating policy and operational initiatives including communications and guidance more cohesively
9. A range of options will be presented to HSC/E based on an analysis of the Stage 1 findings. Stage 2 of the Project will be the implementation of any recommendations including the development of any measures agreed by HSC/E.

Argument and key findings of initial analysis

10. Although Stage 1 of the Project has not been completed, the impending retirement of Chris Willby the Project Director, presents a timely opportunity to take stock of early findings and for the Board to take a view on future direction. Development of the project to date has highlighted some key issues that it may be opportune to address in parallel to the continuation of the review viz :

A. Policy focus

- The principles of occupational health and safety and management are fundamental to our raison d'être and underpin all organisational work streams. However although this philosophy implicitly underpins our activities the overarching policy has not been explicitly formulated or articulated.
- HSE's seminal guidance, HSG 65 'Successful health and safety management systems' is the closest attempt to encapsulate and articulate health and safety management principles and has consequently served as an important focus for the review. It has clearly been influential and has formed the basis for BS/ISO standards. However the nature of the holistic approach it aims to adopt means that it does not necessarily fit the needs of all types and size of organisation and needs to be reviewed in that context alongside other available guidance.
- Without a clear policy focus the emerging picture suggests we are continuing to develop components of a management framework based on post Robens custom and practice rather than a robust re-evaluation of conventional wisdom against rapidly changing working environments.

B. Corporate knowledge and new ways of working

- The crosscutting nature of the review has identified its close linkages to a range of disparate projects, programmes and initiatives being planned or underway at all levels of the organisation. Attempts to track, coordinate and integrate these activities laterally has proved challenging and exposed some real weaknesses in corporate knowledge and working practice.
- For example many of these links have only come to light through informal networking in HID and the development of this project. This led to the establishment of a Community of Practice and Interest (COPI) as a forum for generating ideas and exchanging experience. However, this approach has been ad hoc, subject specific and is not comprehensive. A more systematic method for establishing a strategic overview of work in hand, state of play and dependencies would allow greater cohesion and more effective synchronisation.
- It will be important to ensure that current initiatives are able to take account of any new knowledge or ideas that may emerge from this project. In the case of Early Deliverables from the Strategy synchronisation may raise serious concerns. In this respect it would be beneficial to align the Project more closely against HSC's Strategic Plan and other corporate activity. (Annex 1 lists possible cross-linking activity of which the Project Team is currently aware.)

C. Corporate learning and development

- HSL's research into regulators' approaches revealed a number of gaps and inconsistencies in HSE's corporate understanding and awareness around the concepts of effective health and safety management in different circumstances. In particular there was a tendency for inspectors to focus on the control of single elements and specific hazards with insufficient understanding of the dependencies within the overall management system. This may point to some

radical thinking about the focus of our training and development strategy if we are to secure effective and consistent delivery of our overall objectives.

- The Phase I research also showed some differences in the perspectives of HSE and LA inspectors where more effective communication and sharing of experience could pay dividends. For example Local Authority inspectors demonstrated a greater reliance on and adeptness at partnership working. In the context of their public health responsibilities their approach appeared more holistic within the management framework.

11. The results of Phase II stakeholder research will further inform our thinking on these aspects. It will also help segment the various stakeholders to identify whether there are clear groupings/clusters that would respond to particular approaches and what tangible outputs and communication are required.

12. Key points from the emerging findings of the Phase II study suggest that:

- organisations want more face-to-face contact;
- the cost burden of regulation is not just limited to small firms;
- the ethnic mix of organisations has ramifications for HSE's diversity agenda.

At the same time feedback on HSG65 has been positive. The research also suggests that up to a third of companies take health issues into account. Around half of these address them explicitly for example through occupational health departments and absence management.

13. The final analysis will consider a range of issues including worker participation, human factors, integrated management systems and a cross-Government agenda. The results will be presented to the Project Board in April 2005 and will form the basis of developing options for the HSE Board to consider. A broad timetable for the programme of work is attached at Annex 2.

Consultation

14. Cross HSE Project Team.

Presentation

15. Presentational aspects are not significant at this stage and will depend on the different outputs for different audiences. However as the options are developed it will be important to start communicating with key stakeholders in the health and safety system to ensure they have confidence in the direction proposed

Costs and Benefits

16. No proposals costed at present.

Financial/Resource Implications for HSE

17. The Phase I and II research costs to date are £120K. Current staff allocation for the Secretariat is 1 x Band 2, 0.8 x Band 3 and 0.2 x Band 6. Resource implication for Project Team and Board members has not been calculated. Stage 2 (implementation) of the project will also have resource implication but this will depend on the options selected. These will be costed during development.

Environmental Implications

18. None

Other Implications

19. None at present.

Action

20. On the basis of the initial analysis at para 10 the Board is asked to :
- Agree the need to establish a policy focus for overarching issues of health and safety management and consider how this might be implemented and resourced;
 - Note the linkages across disparate HSE workstreams and consider the need to develop mechanisms for effective co-ordination;
 - Note the inconsistencies in corporate understanding and awareness and consider how this can inform staff development strategies
 - Note the strategic nature of the Project and consider how it could be more closely aligned against HSC's Strategic Plan;
 - Note and agree the forward workplan at Annex 2
 - Note the impending retirement of the Project Director and consider how this should be managed

Attachments : Annex 1 – Table of cross cutting initiatives
Annex 2 - Project Workplan

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