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HEALTH AND SAFETY COMMISSION

CONSTRUCTION INDUSTRY ADVISORY COMMITTEE (CONIAC)

Update on the outcome of the HSC discussion of the draft statement of principle on worker involvement in health and safety and the creation of a Workplace Safety Advice Challenge Fund

Issue

1. To update members on the outcome of the Health and Safety Commission discussion, 11th November 2003, on proposals for a draft statement setting out the principles and measures for securing greater worker involvement and consultation on occupational health and safety and proposals for a workplace safety advice challenge fund.

Background

Workplace Safety Advice Challenge Fund:

2. From previous papers and discussions, members are aware of the Workers Safety Advisor pilot being carried forward in a number of industries, including construction, the preliminary findings of the research report and that the report was presented to Ministers accompanied by advice concerning possible options for a way forward.
3. At the Labour Party Conference, 2nd October, Andrew Smith, Secretary of State, Work and Pensions, announced a new Challenge Fund, working with unions and employers, to extend workplace safety advice to small and medium size businesses.
4. The Health and Safety Executive (HSE) will be presenting various options to the HSC for their consideration on the way ahead for securing greater worker

involvement. Proposals include a collective declaration by the social partners on worker involvement. This is appended as Annex A to this paper.

5. The Commission will also be considering how the WSA Challenge Fund should be taken forward.
6. Matthew Holder of HSE Better Working Environment Division will provide an oral update to members.

Action

7. CONIAC members are invited to:
 - Note the opportunity to be informed about outcome of the HSC discussion on the draft statement of principle on worker involvement in health and safety and the creation of a WSA Challenge Fund.

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A Draft Collective Declaration on Worker Involvement

[For HSC/Minister/CBI/TUC/others to agree and sign]

1. Introduction.

The statements below set out why we support getting more workers involved in health and safety and what we agree to do about it. A statement of the challenges ahead motivate us to meet these problems head-on; the statement of principle describes what we believe; the evidence and case studies show why we believe this and the measures we think will deliver improvements are agreed and based on evidence we support.

HSC's strategy for 2004 –2010 and beyond makes it clear: we must develop a greater reliance and trust in others if we are to have a second-to-none health and safety system. We think now is a good time to come together and sign this declaration: successful organizations increasingly encourage the dynamics of trust, innovation, commitment and connectivity between workers and employers and health and safety must be treated in the same manner. Workers must now figure more in the health and safety system and share in the collective responsibility for maintaining Great Britain's world-class health and safety record. We agree to do what we can to make this happen.

2. A statement of the Problem.

Great Britain has changed how it works. Factors such as changes to the labour market and the growth of industries biased towards intellectual capital we believe has led to the following situation:

- There are not enough employers who properly involve and consult their workers on health and safety.
- There are not enough workers who are willing to come forward and take on health and safety responsibilities.
- The 'classic' trade union model of worker involvement through trade union safety representatives is diminishing as the structures of work change.

We recognise that for historical reasons the trade union movement has been the basis for encouraging and supporting workers who want to get involved in health and safety. Regulations have reflected this with the 1977 Regulations giving extensive functions to trade union appointed safety representatives. We support the invaluable contribution they continue to make to health and safety.

However, with changes to work patterns there is now a danger of significant reductions in consultation with workers by employers on health and safety. It is our belief this reduction will eventually undermine a great deal of the work to improve health and safety and stop us from achieving our targets.

3. A statement of the Principle.

All workers have a right to work in conditions that are safe and which do not cause them to suffer any detriment to their health.

Workers who have a voice, influence, discretion and responsibility in health and safety are safer and healthier than those who do not. An involved and consulted workforce would be a major achievement and be the foundation for getting health and safety recognised as a 'cornerstone of a civilised society.'

An actively engaged workforce is the bedrock supporting other interventions on health and safety. It provides a 'reality check' for employers from the shop floor and helps ensure activities on health and safety lead to compliance.

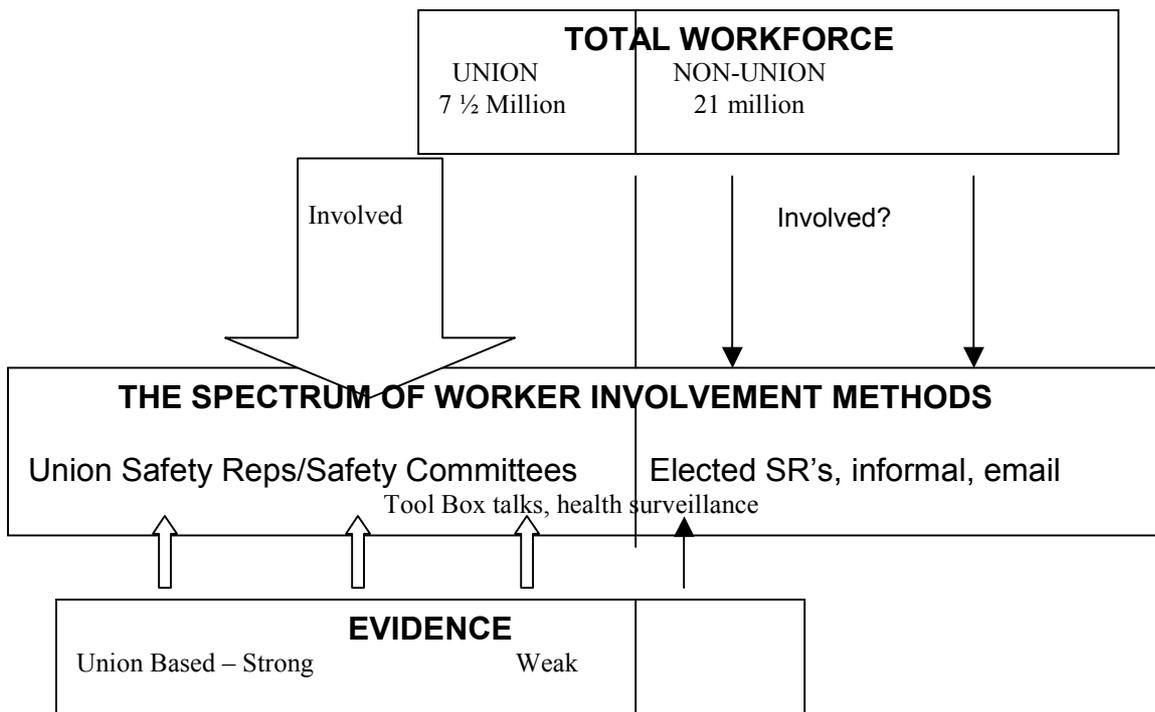
By 'involvement' we specifically mean relationships between workers and employers based on collaboration and trust and nurtured as part of the management of health and safety. Such relationships may be expressed in a variety of joint working arrangements between workers and employers, eg safety representatives (trade union or otherwise), safety committees (trade union or otherwise), work councils and direct involvement between employers and workers.

These 'trust' relationships will build a shared vision on health and safety and if enough organisations encourage them together they will reduce the overall need for state regulation.

4. A statement of evidence.

We believe the statement of principle is based on evidence. We also believe there is a 'spectrum' of methods for how workers can be actively involved and consulted on health and safety. It may be by email, attendance of toolbox talks, workers engaged in health surveillance activities or be represented by a safety representative and sit on safety committees. Organisations need to assess the goals it needs to achieve to ensure good occupational health and safety and deploy the appropriate methods and techniques for worker involvement and consultation to achieve them.

However, there is an imbalance in the evidence showing the impact of these range of methods and can be summarised diagrammatically:



There is strong evidence of the positive impact trade unions have on health and safety performance, “revealing that unions gravitate to accident-prone workplaces and react by reducing injury rates”¹. There is further evidence that safety representatives, through their empowered role in consultation “shows the strongest relationship with safety compliance”².

On the other end of the scale there is less evidence for methods of involvement and consultation in small businesses where trade unions are not recognised and are without safety representatives. Historically research has not penetrated in these areas and our understanding of what works is limited here. Of course this is the business environment for most businesses and about half the workforce. We need to improve our understanding of what works best for small businesses and produce appropriate solutions that are soundly based on the evidence.

However, we believe evidence exists of initiatives that can inspire and be adopted by many different kinds of organisations. Though with the invaluable support and involvement of trade unions and their representatives, initiatives to reduce injury and fatalities in the paper industry used a variety of methods for improving the management of health and safety. “Central to the initiative was the production of action plans by individual UK paper mills. These were implemented and monitored through the participation of both management and employees”³. The organisations that were by far the most successful and delivered the most dramatic reductions to

¹ Trade Unions and Industrial Injury in Great Britain, Adam Seth Litwin, LSE, Centre for Economic Performance, 2000.

² Safety Behaviour in the Construction Sector, HAS/HSE Northern Ireland by Nick McDonald and Victor Hrymak.

³ The effectiveness and impact of the PABIAC initiative in reducing accidents in the paper industry. Greenstreet Berman Ltd, HSE, CRR 452/2002.

injuries were those where workers discussed, contributed and took ownership of these action plans. We believe these lessons can be translated into many kinds of business environment.

The Worker Safety Adviser (WSA) Pilot was another good example of where partnerships between trade unions, employers and workers can lead to improvements. “Over 75% of employers reported that they had made changes to their approach to health and safety as a result of the pilot, including joint training for managers and workers, involving workers in risk assessments and controls and producing new or revised policies and procedures”⁴.

The available evidence and case studies, we believe, show the health and safety, social and business benefits of involving and consulting with the workforce. These are in the appendix.

5. A statement of activities

There are number of activities that we will contribute to and that we believe will help us to achieve our goal of getting more workers and employers working in partnership on health and safety:

- We support the Worker Safety Adviser (WSA) approach for levering in improved consultation and partnership between workers and employers in small and medium sized organisations. We will find the resources to fund and support similar projects to deliver increased and improved worker involvement including access to information and third party advice.
- We will not spend more time on trying to ‘harmonise’ the regulations dealing with safety representatives. Our view is that we cannot mandate for consultation between unwilling partners and so the amount of work to produce effective regulations agreeable by all would far outweigh the impact they would have.
- We will focus on campaigns to bring the importance of involvement and consultation home to millions of workers and employers, making it relevant to them and giving them ideas for achieving it.
- We want an informed and knowledgeable workforce. We will work to ensure sufficient channels for training and development of workers to give as many workers as possible the opportunity to get the ‘competence’ and skills required for involvement in health and safety.
- We will discuss with HSE and LA’s, including enforcement colleagues, about practical steps that could be taken to help move this agenda forward.
- We will work with all stakeholders to deliver the changes we are seeking.

⁴ The Worker Safety Adviser (WSA) Pilot. York Consulting with Fife College of Further Education, HSE CRR 144/2003.

- We will undertake research that is useful for helping us identify innovative solutions for some of the difficult issues we have set out.