

Health and Safety Executive Senior Management Team Paper		HSE/SMT/09/27	
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HEALTH AND SAFETY EXECUTIVE

Senior Management Team

Reinforcing the promotion of worker involvement and improving the competence of the key players

A Paper by Keith Wiley

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Cleared by Giles Denham on 20 March 2009

Issue

1. To provide the Board with an opportunity to consider activities to reinforce the promotion of worker involvement.

Timing

2. To be discussed on 1 April 2009.

Recommendation

3. The SMT is invited to:
 - approve the attached paper for submission to HSE's Board;
 - consider the synergy with future activities especially those in sectors with higher risks and in OSD; and
 - consider the involvement of FOD and LA visiting staff in the proposed activities

Background

4. See the attached Board paper.

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REINFORCING THE PROMOTION OF WORKER INVOLVEMENT AND IMPROVING THE COMPETENCE OF THE KEY PLAYERS			

Purpose of the paper

1. To propose new work to drive forward the strategy goal of promoting worker involvement and consultation.

Background

2. HSE's new strategy identifies the goals of promoting worker involvement and consultation in h&s matters and the need to have competent people in an organisation to properly manage health and safety risks as priorities. More and better trained, and thereby competent, h&s representatives should lead to safer and healthier workplaces. The strategy recognises the need to promote the fundamental right of worker involvement across the full range of modern GB workplaces whether unionised, non-unionised or 'mixed' workplaces.
3. We know from our own survey evidence that high levels of employee consultation are associated with lower levels of injuries and near misses and stress and MSD symptoms. However, whilst nine out of ten employers state they involve their employees in the management of h&s only about four out of ten employers achieve what HSE sees as good practice. In addition employees perceive that consultation on h&s has weakened since 2006.
4. Consultation in non-unionised and smaller organisations is more likely to be directly with workers (1996 regulations allow employers in non-unionised workplaces to decide whether to consult directly or through elected representatives). Whilst this is likely to be effective for a small team (if the workers have reasonable knowledge of h&s), once an organisation reaches 20 to 25 workers it will become more difficult to deliver good consultation and involvement without representatives, and would suggest the main target audience for interventions or initiatives should be companies that employ between 20 to 100 staff.

Argument

5. The justification for HSE interventions arise in a number of areas, including
 - o employers' lack of information about and failure to recognise the full benefits of h&s representatives and their training; and
 - o a failure to engender a cooperative and proactive approach between safety representatives and managers

6. As part of the delivery of the new Strategy HSE proposes to develop new training modules which would build upon the existing good practice of safety rep training.
7. A package with four elements could help to improve the cooperative approach to h&s management and increase the number of businesses with good worker involvement:
 - i) a **campaign** under a wider 'leadership' banner to emphasise the place of worker engagement and involvement and the benefits of a cooperative approach – estimated cost over two years £1m;
 - ii) enabling **action to provide h&s representatives' with the necessary soft skills and competences** of working with managers and workers to joint problem solve. This would involve establishing with training providers an enhanced course content and providing seed-corn funding for them to develop courses to deliver this - estimated cost of £250k;
 - iii) a scheme for **part-funding training** of h&s representatives particularly in non-unionised workplaces where there has been no training - estimated cost over two years £2.0m; and
 - iv) **piloting and evaluation of joint first line manager and h&s representatives training** to investigate whether this improved competence and cooperative approaches to managing h&s – estimated cost over two years £0.75m.
8. Delivery of element (i), an advertising campaign to engage businesses and motivate them to improve the quality of their consultation arrangements would need a creative approach. This advertising campaign could be linked to the three essential leadership principles¹ and would be run an external contractor. This could also be reinforced by activity from HSE inspectors, HSAO's and LA visiting staff for which support material would be developed such as visiting staff good practice case studies. The proposed availability of enhanced training and part-funded training could be used to secure employer interest.
9. For element (ii), HSE would put together a project team to agree learning goals for enhanced training on the softer skills necessary for negotiating solutions and engendering productive working with managers and workers to joint problem solve. It is envisaged that this would be a short piece of work involving employers and TUs that would be followed by seed-corn funding to challenge training providers² to develop and market training courses that reflect this enhanced content.
10. Delivery of elements 7iii) and 7iv) above would both be contracted out with HSE maintaining an arms-length management role. Delivery of 7iii) would be a simple management contract, whilst the contracting out of 7iv) would benefit from the innovative approaches that might be gained from a competitive exercise with external organisations forming useful partnerships to assist delivery. It is envisaged that the focus of this joint first line manager and h&s representatives training would be to ensure the participating businesses

¹ Strong and active leadership from the top; worker involvement; and assessment and review.

² For example: Unionlearn, RoSPA, BSC, IOSH, EEF.

enjoyed a future cooperative approach to h&s management. The use of external contractors would also ensure that this work would not increase HSE commitments beyond 2010/11.

11. Further consideration will need to be given as to the targeting of interventions and care would be needed to keep deadweight to a minimum especially in targeting larger organisations. The aim of the part-funded training (7iii) would be to reach organisations that **never** trained staff in h&s; and even with the more innovative offer at 7iv) to focus on those companies without the capability to commission or deliver such joint events as part of their current business improvement. Options for consideration include:

- i) targeting at high risk industries (for example construction, waste management and aspect of manufacturing) as this might result in the greatest benefits being realised;
- ii) targeting smaller companies, mainly those with between 20-100 staff;
- iii) running the schemes in parts of the countries or to one area in each of England, Scotland and Wales;
- iv) targeting by visiting staff of hard to motivate duty holders to encourage their uptake of the interventions.

Recommendation

12. The Board is invited to agree the setting up of a project steering team and the outline spending on this package of four elements listed in paragraph 7 over the period 2009 to 2011, and consider whether the interventions should be targeted as described in paragraph 11.

Costs and benefits to business

13. The benefits to business are hard to quantify and more likely to be realised in high risk industries in the short to medium term. The costs are principally opportunity costs associated with good practice consultation through h&s representatives. Although part funding of h&s representatives training would off-set some of the opportunity costs and provide an incentive especially to smaller organisations and could be welcome in the current economic climate. An impact assessment is being developed, which will cover costs and benefits to the whole health and safety system, not just those to business, and will be helpful in making decisions about the scheme's targeting.

Financial resource implications for HSE

14. A commitment of up to £4m in total over 24 months is estimated to be sufficient to fund a package of the following elements:

- o a campaign under a wider 'leadership' banner to emphasise the place of worker engagement and involvement and the benefits of a cooperative approach (campaigns of this nature could cost around £1m);

- enabling action to provide h&s representatives with the necessary soft skills and competences by establishing with training providers an enhanced course content and providing seed-corn funding for them to develop courses to deliver this - estimated cost in the first year only of £250k;
- the outsourced management of a scheme to part fund h&s representatives' training and the cost of that part funding of training to be delivered by existing training providers (£2m over two years might support the training of 5000 h&s representatives and the cost of managing this);
- the contracting of an external organisation to pilot the running and independently evaluate the joint training of h&s representatives and first line managers (£0.75m might enable this to be piloted and evaluated).

In addition, HSE staff costs in PG, CD, CSAG and PEFD for two years are estimated at £674k (full economic cost, 2008/09 ready reckoner)

Action

15. If recommendation in paragraph 12 above is supported officers will work up a detailed project plan and timetable with the aim of the project starting in Q1 of 2009/2010.

Clearance

16. Cleared by Geoffrey Podger on 17/03/2009.

Contact

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