

Health and Safety Executive		Sector Information Minute	
		SIM 05/2006/07	
Cancellation Date	01/05/2010	Open Government Status	Fully Open
Version No & Date	1: 27/04/2006	Author Unit/Section	Bus Transportation

To
FOD Inspectors

REDUCING SICKNESS ABSENCE AND PROMOTING RETURN TO WORK AT BUS COMPANIES: PROJECT FOR 2006/07

This SIM outlines an inspection project in Yorkshire and North East Division for 2006/07 intended to reduce injuries and working time lost in the bus transport industry from work-related violence to bus drivers. The project is sponsored by the Transportation Section of CACTUS, and contributes to the overall programme to reduce days lost. The SIM will be updated with further guidance in the near future.

INTRODUCTION

- 1 Bus drivers are particularly vulnerable to assaults: they are peripatetic, normally work alone and are in constant contact with members of the public. Over 30% of RIDDOR reports from the bus transportation industry concern violence to staff (a far higher proportion than that for health services), and working days lost among operational staff at bus companies are around twice the all-industry average.
- 2 Underlying these reports is a constant stream of 'low-level' incidents, such as verbal abuse, spitting and assaults, which may not be RIDDOR-reportable, but nonetheless cause distress and, potentially, work-related stress.
- 3 Department for Transport (DfT) have produced information and statistics on bus related crime and links with other crimes, and guidance on good practice in tackling bus related crime which are listed in Appendix 1. Many of the 376 Crime and Disorder Partnerships in England and Wales have audits and strategies relating to public transport.
- 4 This project will build on the guidance on preventing assaults ¹ published under the banner of the industry and DfT Safer Travel on Buses and Coaches Panel (STOP). Because the project is primarily concerned with reducing days lost to incidents and ill health, the Public Services Programme have released one staff-year of their resource allocation across FOD to enable the project to proceed.
- 5 Although produced sometime ago, the information in SIM 05/2001/16 *Passenger Road Transport* remains broadly sound, and provides an overview of the structure of the industry. Transportation Section will update this SIM should resources allow.

WORK ACTIVITY FOR 06/07

- 6 A pilot project is to be undertaken in YNE with Arriva. It is intended that information and experience from this pilot will feed into improved guidance for other regions.
- 7 The pilot will explore how HSE can intervene in the industry to achieve two objectives:

¹ Protecting Bus and Coach Crews and A Quick Reference Guide, DfT 2003

- To assess and improve compliance with health and safety law, and standards, relating to controlling the risks from work-related violence;
 - To gather information on current sickness absence management and return to work policies in the industry, and to make recommendations to bus companies, where appropriate.
- 8 Subject to discussion with YNE, the intervention should consist of an audit and report on the company's response to violence to bus drivers (and other staff, if sensible) and examination of their sickness absence management and return to work policies based on a short questionnaire (to follow).
- 9 Transportation Section is willing to assist with any training and familiarisation of inspectors in the issues relating to violence to staff and/or sickness absence management and return to work policies.
- 10 This SIM will be updated in due course with additional material on preventing violence, sickness absence management and return to work.

REPORTING AND RECORDING

- 11 Work recording should follow standard instructions relating to COIN as appropriate.
- 12 We will discuss with YNE the preparation of a brief report of the audit findings for the bus company concerned. Transportation Section has not set a particular format, but recommends that report contain at least:
- An overview of the company's response to relevant sections of the STOP guidance.
 - Any key areas for improvement
 - Any proposed HSE action
 - An overview of the company's sickness absence management and return to work policies and systems.
 - Recommendations for action to bring these closer to recently published DWP and HSE guidance in this area.
- 13 The report should make clear that sickness absence management and return to work are not areas in which HSE proposes to take any enforcement action. Transportation Section will produce material to assist inspectors to draft the reports, including key points from HSE and DWP guidance and material on the business case for policies in this area. This SIM will be amended once this material is ready.

ENFORCEMENT

- 14 Much of the DfT guidance is best practice and, therefore, not enforceable. The same applies to sickness absence management and return to work policies.
- 15 However, assessing the risks of violence to staff, and implementing the control measures suggested by the assessment is enforceable under the legal provisions below. One particularly important control measure is adequate training, information and instruction.
- 16 Transportation Section suggests that the Initial Enforcement Expectations are:
- Missing or inadequate risk assessment: IN to be considered
 - Failure to implement reasonably practicable controls identified by the risk assessment: IN to be considered

- Failure to implement adequate training of staff on preventing work-related violence (if identified in risk assessment): IN to be considered.

17 Any risk assessment that fails to identify “training” as a control measure is, *prima facie*, inadequate.

FURTHER INFORMATION

18 Transportation Section will provide further guidance on the enforceable aspects of the STOP guidance and guidance on return to work/sickness absence management in the near future, probably through a revised version of this SIM.

ACTION BY INSPECTORS

19 Inspectors are asked to:

- Note the pilot interventions sought by this SIM
- Contact Transportation Section in relation to any problems found during the intervention, or with wider issues not covered by this SIM.

CONTACT

20 Chris Barringer, CACTUS Transportation Section, 503 4261 (01342 334261) christine.barringer@hse.gsi.gov.uk

Date first issued: 27/04/2006

Appendix 1

Useful references

Protecting bus and coach crews – A practical guide - January 2004

http://www.dft.gov.uk/stellent/groups/dft_mobility/documents/page/dft_mobility_032638.hcsp

Protecting bus and coach crews: Quick reference guide – December 2003

http://www.dft.gov.uk/stellent/groups/dft_localtrans/documents/downloadable/dft_localtrans_026076.pdf

Links between bus related crime and other crimes: A briefing paper November 2004

http://www.dft.gov.uk/stellent/groups/dft_mobility/documents/page/dft_mobility_032638.hcsp

Get on board – an agenda for improving personal security: Guidance 2002

http://www.dft.gov.uk/stellent/groups/dft_mobility/documents/page/dft_mobility_503809.hcsp

Get on board – an agenda for improving personal security: case studies

http://www.dft.gov.uk/stellent/groups/dft_mobility/documents/page/dft_mobility_503807.hcsp

Crime and disorder on public transport – November 2001

http://www.dft.gov.uk/stellent/groups/dft_mobility/documents/page/dft_mobility_503806.hcsp

Managing work related violence – National Occupational Standards

<http://intranet/technical/ento-wrv/background.htm>

OC213/2rev Work Related Violence

<http://intranet/technical/ento-wrv/background.htm>

SIM 05/2001/16 Passenger Road Transport

http://intranet/operational/sims/cactus/5_01_16/index.htm