

KP3 Review project report on workforce involvement

The Offshore Industry Advisory Committee (OIAC)
Workforce Involvement Group

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The OIAC Workforce Involvement Group

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Executive summary

The terms of reference for the Workforce Involvement Group's (WIG's) role in the KP3 Review required the group to examine the role of the offshore workforce in contributing to the effective management of safety in their workplace.

The group explored the wide range of existing mechanisms for offshore workforce involvement as outlined in the HSE *Play your part* booklet (see Further reading). Specifically, this takes place through safety representatives and committees, as well as the skills and competencies required by offshore workers to enable them to participate in the effective safety management of their workplaces.

All WIG members fully contributed to and were involved in the production of this report. Oil & Gas UK and Step Change provided information relating to the progress made by the industry against the outcomes of the original KP3 report, with regard to workforce involvement and, in particular, competence and training. Workforce engagement has been identified as an issue and is being actively worked on by Step Change through one of its workgroups.

Many examples of effective involvement of the workforce in asset integrity and process safety were identified, although room for further improvement still exists. It is also clear that industry leadership is taking control of the asset integrity agenda through their active participation in workshops aimed at enhancing senior management understanding of major hazard risk control.

Knowledgeable leadership is fundamental for effective workforce involvement and there is evidence to show that worker engagement on asset integrity has increased. In addition, the Oil & Gas Academy has been in place since 2007, providing a focal point for skills, learning and workforce development.

The gathering, publication and sharing of the many examples of existing good practice is a workstream that the WIG would like to develop.

The 2009 Offshore Workforce Survey gathered 3813 responses about communication, major hazard awareness and workforce involvement in the offshore industry. This has provided an insight into workforce attitudes and behaviours, many of which are positive, especially in the area of major hazard awareness, involvement of the workforce and acknowledgement that senior management value workforce involvement.

Central to the success of workforce involvement is the role of elected safety representatives, OIMs (offshore installation managers) and supervisors. However, the performance of safety representatives in relation to their functions and use of powers detailed in the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 (SI 971) is patchy and their role was sometimes found to be unclear.

Overall, the WIG found encouraging evidence of workforce involvement but identified areas in need of attention and the next steps to address these are outlined below.

Communication

While there is evidence of commitment by senior managers to workforce involvement and a willingness on the part of many of the workforce to play a greater role in effective health and safety management, two-way communication between senior management and the workforce could be more effective.

Managers, OIMs and supervisors have a crucial role to play in meaningful communication and in the implementation of senior management commitment. It is important that work should be undertaken to increase managers' and supervisors' awareness of:

- the powers and functions of safety representatives and safety committees; and
- how to achieve workforce involvement in the control of major hazard risk.

This could be assisted by:

- the dissemination and sharing of good practice across the industry;
- training for managers, OIMs and supervisors, possibly undertaken together, in SI 971 provisions and the functions and powers of safety representatives and the functions of safety committees.

SI 971 Regulations

The application and effectiveness of SI 971 should be reviewed by:

- an HSE inspection project involving safety representatives, the offshore workforce and management;
- research into the role of safety representatives in the offshore industry;
- building on the 2009 Offshore Workforce Survey through focus groups and/or further surveys;

with the aim of:

- enabling and encouraging elected safety representatives to undertake their functions and exercise their powers; and
- informing a fundamental review of SI 971.

Training

There should be a review of the adequacy of training requirements for safety representatives which should determine the extent of training required.

Research

Consideration should be given to commissioning research into the offshore industry to:

- determine what are the most effective arrangements for worker representation;
- improve consultation in health and safety arrangements and performance related to major hazard risk control;
- investigate which elements of workforce participation most successfully improve health and safety at work; and
- identify the main factors that support or constrain representative worker participation in health and safety.

Foreword

The Workforce Involvement Group (WIG) is a subcommittee of OIAC which looks specifically at ways to increase worker involvement in health and safety matters offshore – it is chaired by HSE. In 2007 its membership was extended to ensure that the interests of key players across the industry were represented. In addition to HSE, offshore trade unions and trade associations, the group also includes individual volunteer workforce representatives from different grades and work areas of the offshore industry.

Since 2007, the WIG has renewed its efforts in engaging the offshore workforce, produced guidance, organised worker participation events and in 2008 was asked by the Chair of OIAC, the Head of HSE Offshore Division, to contribute to the KP3 Review through a report on workforce involvement. This is the report produced by the WIG and all members have contributed. I would like to thank them for their work and their time in completing this task in addition to their full-time jobs and their other duties.

As part of this exercise, the WIG worked with the Communications Manager of HSE's Hazardous Installations Directorate (HID) and HSE's Social Sciences Unit to develop a survey of the views of the offshore workforce on a range of issues. The results of this survey have informed this report and provided a useful insight into attitudes to health and safety. Key elements are included in the body of the report.

The WIG has organised this report in four parts: the first dealing with background and general information; the second with KP3-specific issues; the third examining the statutory framework for offshore workforce representation through elected safety representatives and safety committees; and the fourth detailing the findings of the 2009 Offshore Workforce Survey.

Julie Voce
Chair of the OIAC Workforce Involvement Group

Part 1 Introduction

Background to the KP3 Review

1 In 2004 the Offshore Division of the Health and Safety Executive started Key Programme 3 (KP3). This was a resource-intensive project involving some 100 co-ordinated, targeted inspections over three years. Its objective was to ensure that offshore dutyholders adequately maintained safety-critical elements (SCEs) of their installations.

2 The findings of KP3 were published in November 2007. Although raising significant concerns as well as setting challenges, the report (see Further reading) was well received by the UK offshore industry.

3 At the Parliamentary debate called by Frank Doran MP on 2 July 2008 to mark the 20th anniversary of the Piper Alpha disaster, the Government announced that the Secretary of State had commissioned HSE to review progress made by the offshore industry in tackling issues identified in the KP3 report. Parliamentary Under-Secretary of State for Work and Pensions Anne McGuire said:

'Increased workforce involvement in safety-critical issues is vital if the offshore industry is to improve its health and safety record. Incident statistics have plateaued over the past few years, and the UK is now reported to rank in the middle on an international basis, yet we have always aimed to be the best with regard to health and safety.'

'Taking account of those and other factors, I am pleased to advise my Honourable Friend the Member for Aberdeen North, and other Honourable Members, that the Secretary of State has commissioned the HSE to review the industry's progress on the issues identified by the KP3 programme. The issues include focusing on industry leadership to create a stronger safety culture in which the involvement of the workforce, including the industry's trade unions, will be critical.'

4 When asked by Mr Frank Doran MP if the review would also consider the structure and operation of the safety committees and safety representative system, Mrs McGuire responded:

*'That is why, in the last element, I particularly emphasised the involvement of workers and trade unions. In any of the conversations that I have had, both with the unions and with the industry, there was a strong recognition that workers, either through their organised trade unions or in other ways, must be totally involved in managing safety issues. After all, they have the most intimate knowledge of some of the issues that impact on this.'*¹

2009 Offshore Workforce Survey

Background to the survey

5 The Workforce Involvement Group (WIG) worked with HSE's Hazardous Installation Directorate's (HID's) Communications Manager and the Social Sciences Unit to develop a survey of the views of the offshore workforce on a range of issues. These ranged from the effectiveness of HSE communications to workforce involvement.

¹ Hansard July 2008

<http://www.publications.parliament.uk/pa/cm200708/cmhansrd/cm080702/halltext/80702h0001.htm#08070259000034>

6 An independent company, GfK NOP Social Research, was commissioned by HSE to carry out a quantitative survey among the near 26 500 offshore workers based on installations in the North Sea. The key objectives of the research were to assess the views of both direct employees and contractors with regard to:

- gaining an insight into how health and safety is managed, especially as far as asset integrity and major hazard potential is concerned, and what role the workforce play in health and safety management, if any; and
- the lines of communication that work best for HSE in trying to access the offshore workforce (and vice versa).

7 Interviewers were based at the heliports at Dyce Airport in Aberdeen and in Norwich. A total of 3813 questionnaires were collected – 3664 from Aberdeen and 149 from Norwich. Interviewing was carried out between 4 and 20 March 2009.

8 Just over three-quarters of the sample (77%) were contractors, while the others (23%) were directly employed by oil or gas companies. Managers and supervisors were relatively more likely to be employees (35%), while almost all scaffolders and caterers (98% and 88% respectively) were contractors.

9 Some qualitative interviewing was used to supplement the quantitative data.

10 The overall sample represents well over 10% of the offshore workforce at North Sea installations – anecdotal reports from interviewers reflected a high level of co-operation among those approached to take part in the survey. The assistance and co-operation of the helicopter companies Bond, Bristows and CHC in this exercise is gratefully acknowledged.

11 The results of the survey are used throughout this report but a summary of the main findings, and a fuller description of the methodology, are in Part 4. The questionnaire can be found in Appendix 3.

12 For the purposes of this survey, people interviewed included offshore installation managers, supervisors and other people who described themselves as ‘managers’. Some results are expressed to show the breakdown of respondents as managers and other worker grades where this is appropriate.

Offshore training and training standards

OPITO – the Oil & Gas Academy

13 The Offshore Petroleum Industry Training Organisation – OPITO, now known as the ‘Oil & Gas Academy’ – was launched in December 2007 having evolved from the original Petroleum Industry Training Board, created in 1979. It is ‘owned’ by equal industry partners Oil & Gas UK, the International Association of Drilling Contractors (IADC) and the Inter Union Offshore Oil Committee (IUOOC). OPITO develops standards based on industry demand. These standards are not mandatory but are held to be examples of good practice advised by the offshore industry. The industry funds OPITO for the provision of services, it does not receive government funding. More information on OPITO can be found at www.opito.com.

14 Standards are maintained and designed through the involvement of industry workgroups which involve all relevant interested parties – employers, employees, technical specialists and HSE representatives. OPITO does not own any standards but acts as custodian on behalf of the industry.

Vantage

15 Each person trained to OPITO standards has their personal training details recorded within the Vantage Central register, which is maintained by OPITO.

A registration fee is charged for each registration, which funds the management of data, quality assurance of training provision, maintenance and development of standards.

16 The driver for the registration and quality assurance system emanated from Lord Cullen's recommendation for the industry to have an independent central registration system of all emergency response training.

Modern apprenticeship

17 The Upstream Oil and Gas Industry Technician Training Scheme (UOGITTS) is the industry response to addressing the need for a competent, stable and flexible technician workforce. The need to replenish the workforce has never been greater as operators and contractors experience skills shortages. The four-year programme equips motivated incomers to the offshore industry with the skills and knowledge to work as process operations technicians or maintenance technicians in electrical, instrumentation and mechanical disciplines. The scheme consists of a two-year training period at college, studying full time, with a further two years on a worksite placement. This placement will either be at an offshore installation, floating production storage and offloading unit (FPSO) or onshore gas plant. This apprenticeship scheme is fully funded by industry.

18 This is the leading apprentice scheme in the UK, with a successful completion rate in excess of 90%. Average recruitment is around 120 per year. Quality is managed by OPITO from recruitment, interview, aptitude testing, college placement, and welfare to workplace placement. To date, 960 apprentices have been recruited. Overarching stewardship is provided by an industry steering group.

19 Expanded information about OPITO can be found in Appendix 1.

Step Change in Safety

20 Step Change is an offshore industry initiative aimed at improving health and safety in the offshore industry. Launched in 1997 by the International Association of Drilling Contractors, UK Offshore Operators Association (UKOOA) and the Offshore Contractors Association, its stated aim is to make the UK the safest place to work in the worldwide oil and gas industry. The Step Change vision is endorsed by PILOT, a high-level forum led by DECC – the Government Department for Energy and Climate Change, chaired by the Secretary of State and made up of senior government officials and leaders from the offshore oil and gas industry.

21 Membership is open to all companies active in the UK Continental Shelf, including offshore contractors and operators.² Step Change sets out to achieve its vision through the sharing of safety information and good practice across the industry.

22 The work of Step Change is overseen by a leadership team, responsible for setting direction and monitoring progress against objectives. This team is made up of senior managers from companies active in the offshore industry as well as representatives from trade unions, and other trade associations. HSE is represented on this leadership team by the Head of the Offshore Division.

² Step Change currently has 80 member companies, both operators and contractors. Trade associations represented include: Marine Safety Forum; Catering Organisations Trade Association; International Marine Contractors Association; International Association of Drilling Contractors; Offshore Contractors Association. Unions represented include UNITE/TGWU and RMT/OILC

23 Step Change engages with the workforce directly through the Elected Safety Representatives (ESR) network and Site Leaders network. The ESR network seeks to engage elected safety representatives and the Site Leaders network engages those at the manager/supervisory levels – engagement is via the Step Change website and through regular network meetings.

24 The industry recognises that effective workforce engagement remains a challenge and Step Change in Safety has set up a workgroup for 2009 to look at workforce engagement. It sees its work as complementary to the efforts of other groups in this area, eg the OIAC Workforce Involvement Group and the Energy Institute. Its focus will be on identifying and sharing best practice, as well as trying to help the industry identify and remove barriers to good workforce engagement.

Part 2 KP3-specific workforce issues

Competence/skills shortage and the impact on SCE maintenance management

25 On the shortage of skills, the KP3 report said:

*'The industry has taken action over recent years and put various schemes in place to attract more people into the industry, eg graduate schemes, innovative web-based systems and the excellent modern apprenticeship scheme. HSE is concerned that these schemes may not meet industry demands and there is increasing anxiety in the offshore workforce about competence, skills and lack of experience.'*³

*'There is some good practice of contracting companies taking on and training staff but the financial and contractual arrangement can make it difficult to provide offshore training. It is essential that the industry works co-operatively to provide the skills, training and competences required to enable the workforce to be capable of delivering the standards of integrity required in a high-hazard industry.'*⁴

26 There are currently approximately 26 500 people employed in the oil and gas industry offshore. A skilled and competent workforce is vital to the industry in terms of ensuring safe operations and sustaining domestic oil and gas production. To be competent, an individual must have not only the necessary skills and knowledge but also the understanding, ability and experience to apply these in his or her job. Competence is about performance in the workplace to the standards expected rather than knowledge alone.

27 The industry recognises the need to recruit, develop and retain a highly skilled workforce and the important linkage between skills, competence and safety performance.

28 Since the publication of the KP3 report a new Skills Academy has been established for the industry. OPITO – the Oil & Gas Academy was created in December 2007. Completely funded and directed by all sections of the industry, including the trade unions, the academy is intended to provide a more focused approach to ensuring the availability of a safe, skilled and effective workforce now and into the future. HSE is granted observer status on the board of the academy.

³ KP3 report, HSE, Nov 2007, p 28

⁴ KP3 report, HSE, Nov 2007, p 29

29 In the first year of operation, the academy has taken a number of new initiatives and has continued to operate the Technician Training Scheme in conjunction with the Engineering Construction Industry Training Board (ECITB). This is one of the most successful modern apprenticeship schemes in the UK. At the end of 2008 there were 323 OPITO-managed young people in the scheme, which provides a feed of around 100 high-quality new technicians and process operators into the industry each year. The industry has publicly committed to recruit a further tranche of more than 100 apprentices in 2009, despite the present economic downturn.

30 A newly developed Minimum Industry Safety Training Standard (MISTS) was introduced by Step Change in Safety from April 2009 to raise basic safety knowledge and awareness throughout the UK offshore oil and gas industry and to apply best practice training at a consistent level in safety-critical areas. This training is aimed at both new starts to the industry and also for refreshing experienced personnel on a four-year cycle. The two-day OPITO-approved training course is made up of nine elements. One of these is a two-hour module with a focus on process safety and asset integrity. A reminder of Piper Alpha is included in the form of a short DVD clip.

31 The academy continues to develop and update industry safety standards, including those supporting the new MISTS training, as well as working with schools, colleges and universities on a number of projects which promote the study of science and engineering and the oil and gas industry as an attractive career choice.

32 Oil & Gas UK's published analysis of the industry's demographics shows that the true picture of the age profile within the industry is actually much better than previously believed and there are increasingly positive trends which point to the attraction of a young, highly skilled and diverse workforce.

33 The KP3 report said:

*'Poor performance in maintenance systems has been further exacerbated by a workforce that is depleted in experience. The pressures arising from shortages of competent manpower and skills have become severe over recent years. This issue impacts on all areas of SCE maintenance management.'*⁵

34 In response to the KP3 report, operating companies have reviewed and, where necessary, made changes to their maintenance management systems to provide much greater clarity for those involved in ensuring that safety-critical plant and equipment is fit-for-purpose and will work on demand. This has involved training at all levels within the organisation (staff and contractors) from Board level down; and the consequent requirement to keep the management team better informed through meaningful indicators of performance and progress.

35 Oil & Gas UK state that most operators have taken on additional staff or have reallocated existing resources with the specific role of targeting and improving the delivery of asset integrity management. The importance and added value arising from the involvement of key staff (technical authorities) in decision-making concerning degraded SCEs, or the deferral process, has been well recognised and accepted. There has also been an acknowledgement of the need for performance standards to be tested and confirmed for SCEs as part of the maintenance routine, and the importance of keeping and maintaining work order history records.

⁵ KP3 report, HSE, Nov 2007, p 11

Training: Understanding the major hazard control loop etc

36 The KP3 report said:

*'Good practices found in relation to maintenance of SCEs are: ... the offshore workforce in particular, including management, being provided with training in what functions SCEs have in preventing, controlling or mitigating MAH. This relates to hazard control elements rather than QRA aspects and makes clear the purpose of testing.'*⁶

37 An example of good practice is the Technician Training – 'TR HVAC', a 'good practice' guide for maintenance and testing HVAC dampers, which was developed and published in 2006 by an industry/HSE workgroup. This, together with in-company initiatives and increased training and awareness of appropriate technicians, has resulted in much enhanced understanding of HVAC (heating, ventilation and air conditioning) systems by offshore personnel. Some installation operators once again employ full-time HVAC technicians.

38 The KP3 report said:

*'There is evidence that the offshore workforce do not understand the link between the safety case, MAH analysis, identification of SCEs and development of their performance standards. The workforce is the last and critical line of defence against the occurrence of many incidents. Their full understanding of the role of the equipment they work with in providing barriers against MAH is therefore essential.'*⁷

*'SCEs are the major barriers to the realisation of MAHs. SCEs are developed from the safety case by analysing the major hazard scenarios, identifying the important controls and developing performance standards. The evidence from the programme is that this is not well appreciated or understood at all levels in the company. The whole workforce from offshore technician to CEO need to understand and commit to ensuring that this major hazard control loop is applied rigorously. Action is needed to address the lack of understanding and commitment at all levels.'*⁸

39 Specific areas of 'good practice' have been shared more widely through the Step Change Asset Integrity website and through participation in a number of forums, workshops and seminars, and also by contributing to integrity-related guidance.

2009 Offshore Workforce Survey

The level of agreement (95%) was very high for being fully aware of the major hazards in the workplace. However, only 50% were in strong agreement. Managers and supervisors were again the most positive group, 62% agreeing strongly with the statement.

40 Efforts to ensure that the whole workforce (from CEO down) understand the major hazard control loop, the barriers in place to prevent a major accident and the role that everyone can play in ensuring their integrity have been widespread. Within companies an important outcome has been greater consistency between assets and more consistent key performance indicator (KPI) reporting to senior management teams, leading to analytical evaluation of inspection and maintenance findings.

⁶ KP3 report, HSE, Nov.2007, p 21

⁷ KP3 report, HSE, Nov 2007, p 21

⁸ KP3 report, HSE, Nov 2007, p 28

41 Last year marked the 20th anniversary of the Piper Alpha disaster. Many of the younger generation in the industry were either not born or were too young to remember the disaster. During 2008 Oil & Gas UK organised a number of events to ensure the lessons learned from the disaster continue to be remembered. These included:

Lessons from Piper Alpha presentations – Four educational events were held for young people entering or new to the offshore industry. Presentations were held for young technicians and for graduate level entrants to the industry. The presentations covered the disaster itself, key lessons and their relevance to the responsibility everyone has for offshore safety today.

Lessons from Piper Alpha DVD – Building on the success of the educational presentations, Oil & Gas UK produced a DVD so that the key messages and lessons can be shared across the industry. The DVD has now been circulated widely across the UK oil and gas industry; worldwide over 1000 copies have been distributed to more than 16 countries.

Managing Directors' Presentations – At the May 2008 Step Change in Safety Industry Leadership Safety day, Oil & Gas UK gave a Piper Alpha presentation to remind MDs of the importance of leadership and maintaining corporate memory to ensure the lessons from the disaster continue to be learned and acted upon.

MP/MSP Briefings 17/18 June 2008 – Oil & Gas UK gave briefings to MPs and MSPs in London and Edinburgh on the Piper Alpha disaster, its aftermath, how far the industry has progressed since then and how the key lessons continue to be reinforced.

2009 Offshore Workforce Survey

The two most common ways of knowing about major hazards in the workplace and the measures and arrangements in place to prevent major accidents were:

- toolbox talks; and
- safety meetings.

Workforce morale

Specific asset integrity issues that undermine workforce engagement

42 The KP3 report said:

*'Declining standards in hardware are having an adverse impact on morale in the workforce.'*⁹

*'Some installations had extensive corrosion to tertiary structure, eg cable tray supports, and some safety-related kit, eg fire doors, gratings and bulkheads. As indicated above, this type of corrosion, whilst not of immediate safety concern, sends an undesirable message to the workforce on lack of investment and undermines efforts to engage the workforce in health and safety.'*¹⁰

'Good practice found ... Senior and executive management making regular visits to all of their assets, communicating company strategies and plans, listening to issues directly from the workforce, gaining an understanding of problems with SCEs, testing and verification leads to improved performance.'¹¹

⁹ KP3 report, HSE, Nov 2007, p 6

¹⁰ KP3 report, HSE, Nov 2007, p 15

¹¹ KP3 report, HSE, Nov 2007, p 31

43 Workforce engagement on asset integrity has increased at all levels – from CEO and the senior management team, through asset and installation management, through the engineering and technical authorities, and through the offshore workers generally. Most companies have undertaken a series of asset integrity, process safety and corrosion-related roll-out presentations to staff and workers. Examples of additional workforce engagement activities include:

- technical authorities visit the platform and discuss asset integrity issues;
- technician competence training on small bore tubing assembly;
- a company-wide safety initiative on personal responsibility for safety;
- focused asset integrity training for middle managers;
- participation of offshore workers in fabric maintenance inspections, operational risk assessments and diagonal slice maintenance workshops;
- corrosion awareness campaign following publication of the Oil & Gas UK Corrosion Handbook;
- integrity engineer presentations on safety-critical equipment to the offshore workforce;
- engagement with safety representatives through facilitated offsite workshops to address barriers to safe working and to seek input to the 2009 Safety Improvement Plan;
- maintenance and integrity forum with workshops, lunch and learn, bulletins and offshore visits;
- key members of the offshore workforce attend quarterly management review of asset integrity;
- major accident hazard awareness workshops for managers and supervisors at Spadeadam to observe live explosions under controlled conditions;
- programme to ‘re-energise’ safety representatives through a bespoke training package;
- TR HVAC awareness training (see paragraph 37 above).

2009 Offshore Workforce Survey

- There was very high agreement (98%) that it was **important for the workforce to be involved in health and safety** – 79% strongly agreed, including 93% of medics and 85% of both managers/supervisors and direct employees.
- A very large majority (92%) agreed that **senior managers value workforce involvement in health and safety**, although a rather smaller proportion (52%) agreed strongly with this statement. Managers/supervisors were the most positive group (with 68% in strong agreement) but scaffolders were more critical (including 17% who actually disagreed with the statement).
- There was almost identical agreement (93%) among contractors that their **employers valued workforce involvement**. Drillers (62%) and those with less than a year working on North Sea installations (64%) were most likely to be in strong agreement.
- The level of agreement (95%) was very high for being **fully aware of the major hazards in the workplace**. However, only 50% were in strong agreement. Managers and supervisors were again the most positive group, with 62% agreeing strongly with the statement.

Corrosion

44 In 2007 Oil & Gas UK set up a Corrosion Management Work Group in conjunction with HSE and the verification bodies, and were assisted by the Energy Institute. The Work Group brought together a number of experienced corrosion management specialists. They produced a comprehensive corrosion management guide covering all the various types of corrosion likely to be encountered on offshore installations.

45 A *Corrosion Threats Handbook* (see paragraph 61 below) was also produced to raise awareness of corrosion issues among those responsible for asset integrity

matters, but who were not themselves corrosion specialists. The corrosion guide and the threats handbook (see paragraph 61) have been used extensively in training programmes onshore and offshore. Over 700 copies of the threats handbook were given free to member companies. Further work is currently taking place to develop a guide for key performance indicators for the management of external corrosion.

The engineering function

46 The engineering and technical authorities in a company act as a backstop against continuing operations with degraded safety-critical equipment. This is an important strategic role, the importance of which has been recognised again and re-embedded within operating companies, and their resources significantly increased.

47 An 'Offshore Industry Engineering Function Workshop' was held in March 2008. There was a high degree of engagement by engineering and technical authorities from operating companies and contractors (including fabric maintenance contractors).

48 The objectives of the workshop were to raise awareness of HSE concerns on asset integrity, with a particular focus on the role and effectiveness of the engineering function, and to develop a broad industry consensus on the way forward.

49 Following the workshop, senior industry leaders were provided directly with important feedback from the event by personal letter from the Asset Integrity Steering Group Chairman. Key messages from this event were built into the asset integrity workshops for senior industry leaders.

Leadership

50 The level of understanding or appreciation by senior management of major hazard risk control, and in particular the major hazard risks posed by their own operations, has been enhanced through focused asset integrity workshops. Incidents such as Texas City provided another driver with individual company programmes flowing from their review of the lessons from the Baker Report.

51 The significant business risks that arise from operating an installation with degraded safety systems are now more widely understood by senior management teams than they have ever been before.

52 Business leaders are now better informed on a routine basis through receipt of understandable data from sophisticated performance monitoring arrangements. The enhanced visibility of asset integrity status is enabling business leaders to make informed decisions about resource prioritisation for their assets.

2009 Offshore Workforce Survey

- Nine out of ten respondents were very or fairly well involved in health and safety in their workplace, although only 41% said they were actually very well involved.
- Those most positive about this involvement were managers and supervisors (60% said very well involved). Other relatively high scores were recorded for those working in drilling (44% very well involved) or as deck crew (42%). Direct employees were also considerably more positive than contract workers (52% and 37% respectively). Unsurprisingly, safety representatives scored more highly (55%) than people who had never had this role (39%).
- The lowest figures for being very well involved were recorded for scaffolders (28%) and technicians (32%).

The role of Step Change in addressing KP3 issues

53 In 2004 asset integrity became a key part of the Step Change in Safety strategy to make the UK the safest place to work in the worldwide oil and gas industry. The industry set up an Installation Integrity Work Group as a direct response to the start of the KP3 programme. The group involved over 30 operator and contractor companies, together with representatives from the verification bodies.

54 Among other matters, the group developed an Asset Integrity Toolkit containing comprehensive guidance with reference to good industry practice documents for effective safety-critical plant and equipment maintenance management.

55 Following completion of this work and in recognition that sufficient tools were now available, a high-level strategic group was set up in 2007 – the Asset Integrity Steering Group. The remit of the group is to continue to work with HSE to secure continuing improvement in the management of asset integrity through the following priority areas:

- improved education and training on the management systems for ensuring asset integrity;
- more effective sharing of HSE and industry good practices and lessons learned, together with better communication of the good work and investment that is already being made to preserve asset integrity and safety and extend the life of upstream oil and gas facilities;
- a review of existing industry asset integrity key performance indicators; and
- engagement with engineering and technical authorities.

Asset integrity workshops

56 Step Change developed an asset integrity workshop aimed at raising senior management awareness and understanding of asset integrity management. During 2008 a total of 25 workshops were attended by over 400 senior managers from operating companies and contractors.

57 The workshop provided a one-day interactive work session for MDs and direct reports to ensure a good understanding of safety cases, verification of safety-critical elements, associated performance standards, Step Change toolkits, guidance etc. It was a unique opportunity for the industry leadership to work with their teams in a very interactive way to develop a better common understanding of what asset integrity is all about. It also enabled the team to collectively agree action plans to improve asset integrity management at all levels. The workshop is now recognised as world-class best practice. It has been 'exported', with several workshops taking place in the Middle East, and has even reached the attention of the Australian Regulator, who considers it to be an example of world-class best practice.

58 There will be an ongoing programme of asset integrity workshops in 2009 to cover remaining operators. There has also been a demand for a repackaging of the course with the aim of targeting and informing senior and middle managers; this is currently under development.

Asset integrity website

59 In January 2008, Step Change upgraded its website (www.stepchangeinsafety.net) to provide a dedicated area for more effective sharing of good practices and lessons learned within asset integrity. When a company or individual identifies an item worthy of sharing, a brief summary is sent to Step Change and it is posted on the website. The website sends updates to all registered users if they have selected asset integrity as an update topic. There are regular workforce website hits and comments.

Workshops and seminars

60 Throughout the KP3 programme, Oil & Gas UK (then UKOOA) worked closely with HSE to raise industry awareness and improve communication and understanding. A number of well-attended seminars and workshops have been held during and after the completion of the programme. These have included:

- maintenance workshop 2004;
- asset integrity seminar 2005;
- asset integrity seminar 2006;
- learning from major accidents 2007;
- asset integrity key performance indicators briefing 2009;
- process safety seminar (planned for July 2009).

Guidance

61 Various subgroups have produced comprehensive asset-integrity-related guidance:

- *Guidelines for the Management of Safety-Critical Elements* The Energy Institute ISBN 978 0 85293 462 3 – to provide guidance for the effective management of safety-critical systems
- *Guidelines for the Management of the Integrity of Bolted Joints for Pressurised Systems* – The Energy Institute ISBN 978 0 85293 461 6 – leaking joints are a main cause of hydrocarbon releases on UKCS. The guide provides a framework for management of bolted joints and assists companies to develop their own procedures
- *Guidelines for the Management, Design, Installations and Maintenance of Small Bore Tubing Systems* The Energy Institute ISBN 0 85293 275 8 – to provide a reference framework of management and technical controls and procedures necessary to ensure the continuing integrity of small bore tubing systems
- *Testing regime for offshore TR-HVAC fire dampers & TR pressurisation requirements* HSE offshore information sheet 1/2006: www.hse.gov.uk/offshore/trhvac.pdf – produced in conjunction with HSE
- *Hydrocarbon Release Reduction Toolkit* Oil & Gas UK ISBN 1 903003 34 9 – provides a central reference of good practices for managers, supervisors and the workforce (currently being revised/updated)
- *Asset Integrity Toolkit* Step Change (www.stepchangeinsafety.net) – provides a practical framework of ‘observed good practice’ checklists and tools to facilitate and enable review of asset integrity management
- *Guidance for Corrosion Management in Oil and Gas Producing and Processing* The Energy Institute UK ISBN 978 0 85293 497 5 – a good practice guide for the corrosion specialist
- *Corrosion Threats Handbook* The Energy Institute UK ISBN 978 0 85293 496 8 – a guide for integrity managers and the workforce more generally, especially those less familiar with corrosion matters

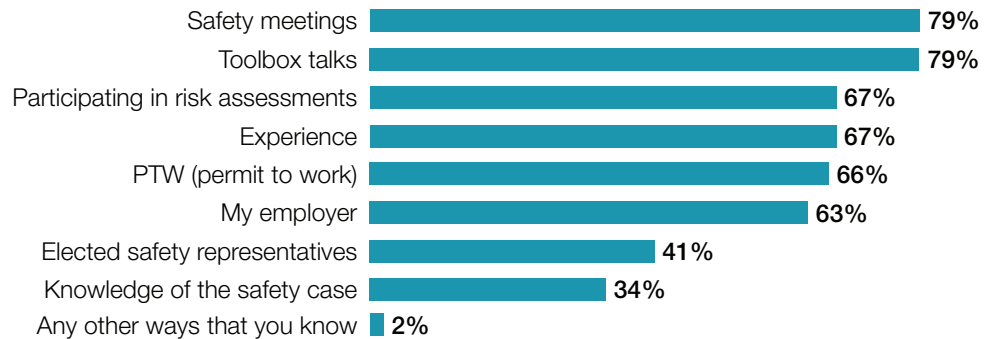
Other sources of information for offshore workers

62 When asked to identify the three main sources of health and safety information, the 2009 Offshore Workplace Survey showed that safety meetings were by far the most important single source of advice and information about health and safety, with 81% of participants citing them in the top three sources. Supervisors and safety representatives were also rated highly as sources.

63 In terms of learning about major hazards in their workplace, again participants rated safety meetings and toolbox talks highly.

2009 Offshore Workforce Survey

How do you know about the major hazards in your workplace and the measures and arrangements in place to prevent major accidents?



64 Printed material is available in the form of:

- booklets – distributed at the BOSIET, at inductions, by employers and on installations. These range from *Play your part* (see Further reading) to proprietary safety booklets on a range of topics. Companies may issue installation-specific handbooks explaining the safety case and hazards on the installation. HSE, Step Change, unions and the TUC publish information and guidance;
- HSE provides information through periodic newsletters such as *Tea-shack News* and makes information, publications, research and safety alerts available to everyone through its website (www.hse.gov.uk/offshore);
- Step Change also makes information and safety alerts available to its members via its website (www.stepchangeinsafety.net);
- the TUC publishes a range of information, research and documents to its members on its website (www.tuc.org.uk).

Part 3 Safety representatives and safety committees offshore

SI 971 overview

65 The role of safety committees and safety representatives was recognised among the recommendations of the Cullen Report. These included the following:¹²

- The regulatory body, operators and contractors should support and encourage the involvement of the offshore workforce in safety.
- The operator's procedures which are aimed at involving the workforce in safety should form part of the safety management system.
- Safety representatives should be protected against victimisation.
- The training of safety representatives should be determined and paid for by the operator.

66 The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 (SI 971) provide the statutory framework for the appointment of safety representatives and safety committees offshore. They were introduced by the Department of Energy after the Piper Alpha disaster.

¹² The Public Inquiry into the Piper Alpha Disaster, The Hon Lord Cullen, Vol 2, p 392, recommendations 27-29

67 They stipulate that there should be at least one safety representative per 40 workers, elected by the offshore workforce by ballot. These Regulations do not provide for trade-union-appointed safety representatives.

68 By comparison to offshore provisions, the original Regulations that applied to onshore workplaces – the Safety Representative and Safety Committee Regulations 1977 – provided for union-appointed safety representatives but made no additional provision for non-unionised workplaces. This meant that the UK could not fully comply with Council Directive 89/391 (on the measures to encourage improvements in the safety and health of workers at work) and this was later corrected with the introduction of the Health and Safety (Consultation with Employees) Regulations 1996, which are similar to the offshore Regulations but are less detailed about how safety representation is to be managed.

69 In summary, onshore Regulations mean that safety representatives can be either union-appointed or not, whereas offshore there is no provision for union-appointed safety representatives but a detailed framework about how safety representatives are elected.

70 SI 971 has been amended through five other legislative vehicles. More information about these can be found at Appendix 2. The main change was the introduction of the mandatory requirement for safety representatives to be consulted about the preparation of and subsequent amendment of installation safety cases, by the Offshore Installations (Safety Cases) Regulations 1992.

71 The guidance that currently accompanies SI 971 in HSE publication *A guide to the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989* (L110) supersedes that originally issued by the Department of Energy in 1989 but it has not been revised since 1998. It is not an Approved Code of Practice but is designed to help people in the offshore industry understand what the Regulations require, and what they need to do to comply with them.

72 The stated purpose of SI 971 – at its enactment and now – is *'to ensure that the whole workforce is formally involved in promoting health and safety, through freely elected safety representatives and a safety committee'*.

73 The main regulatory provisions cover:

- election of safety representatives by the workforce – how the election process is to be organised and carried out;
- functions of safety representatives – investigation of incidents and complaints, representation, attendance of the safety committee, and consultation;
- powers of safety representatives – inspection either regularly or following an incident;
- entitlement of safety representatives to see documentation relating to health and safety, including safety cases or their revisions;
- the establishment, membership, meetings and functions of a safety committee;
- the duties of installations operators, owners and employers – facilitating safety committees and safety representatives, consultation of safety representatives including safety case consultation, health and safety information and training;
- paid time off for safety representatives – to perform functions as a safety representative and for training, as well as payment for this time;
- training of safety representatives and the payment of associated travel and subsistence costs.

74 SI 971 also contains three appendices, these detail:

- protection against victimisation on health and safety grounds – the existing statutory provisions which are outside of and separate to SI 971 and guidance about how these affect offshore workers;

- a summary of the steps in the election process for safety representatives and the establishment of a safety committee;
- the recommended procedures for the secret ballot which is part of the election process for safety representatives.

Background to SI 971

75 In 1978, when the regulation of the offshore industry lay with the Department of Energy, the Burgoyne Committee was established to ‘consider the nature, coverage and effectiveness of the Department of Energy’s offshore regulations’ – including those provisions relating to offshore safety. The committee reported in 1980 and the majority of members favoured a non-mandatory system of safety committees whose members were to be elected, appointed or co-opted. They would receive training and would have an additional right to draw the attention of the installation safety officer or OIM to any seemingly dangerous practice.

76 The two trade union representatives on the Burgoyne committee argued that the safety representatives and safety committees should be established on a statutory basis through the extension of the onshore Regulations (1977) to the offshore industry.¹³ They dissented from the majority view.

77 Both industry and the Government objected to the extension of the 1977 Regulations offshore, on the grounds that there were no recognised unions offshore and that no one union could represent the majority of the workforce.

78 It was 1987 before a compromise was reached between industry and the unions. Drafting of the new Regulations was not deemed to be a priority and work had not started when the Piper Alpha disaster occurred. Sadly, it provided the impetus. The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 (SI 971) were subsequently given priority and were completed and enacted within 14 months.

79 The Regulations made provision for the offshore workforce to elect safety representatives and, where safety representatives were elected, for a safety committee to be established. The model adopted for the election of safety representatives, the constituencies and election procedures was based on the Parliamentary system. While this was a step forward it was still at odds with the onshore provisions.

80 Following the public inquiry into Piper Alpha, Lord Cullen considered and rejected the idea of replacing the 1989 Regulations with an extension of the onshore Safety Representatives and Safety Committees Regulations 1977. He also did not consider it appropriate to recommend any changes to the offshore Regulations but endorsed the intention of the Department of Energy to review the Regulations after two years’ experience of their working.¹⁴ With the transfer of the offshore health and safety regulatory function from the Department of Energy to the Health and Safety Executive in 1991, the review of the 1989 Regulations fell to HSE.

The 1993 review of SI 971

81 HSE commissioned a review of SI 971 in 1992 from the University of Aberdeen Offshore Study Group. The report on the study was published the following spring. The review included a survey of views of the offshore workforce.

¹³ Dr JH Burgoyne (Chair), Offshore Safety: Report of the Committee, Cmnd. 7866, paras 5.96-5.97

¹⁴ The Public Inquiry into the Piper Alpha Disaster, The Hon Lord Cullen, Vol 2, p 392, recommendation 29

82 This review was generally positive about the implementation of SI 971 but observed that there was no statutory requirement to have safety representatives on offshore installations. To demonstrate compliance with the regulatory framework, there had been considerable pressure within the industry for owners and operators to ensure they had elected representatives on all installations.¹⁵

83 The study found that there was some confusion about the roles of safety representatives and also safety committees.

84 Tensions had arisen because lines of communication between safety representatives, line management, senior management and onshore safety departments were unclear.

85 Contacts between safety representatives and unions were infrequent. Contact with other safety representatives was confined largely to those working on the same installation. Co-ordination of safety representatives depended on management support, facilitation and participation but there was a lack of inter-company uniformity in defining the safety representative's role.

86 At that time safety representatives' training was unregulated, there was no standard or quality assurance although the Offshore Petroleum Industry Training Board (OPITB forerunner of OPITO) had designed a guideline syllabus to be used as a basis for training providers. This guide suggested that any such course 'could not reasonably last less than five days'.

87 The least-experienced safety representatives were most likely to feel adequately trained. Developmental and consolidation training were desired by safety representatives but these were taken up by few companies. A requirement for management and supervisory personnel to be trained in the operation of SI 971 was acknowledged.

88 Evidence of victimisation of safety representatives was found. A number of operators stated that they would act unequivocally against victimisation of any member of the workforce who raised a safety issue. However, victimisation was a concern for nearly half the safety representatives surveyed.

89 Lord Cullen had suggested that the review of the 1989 Regulations might consider the scope of improving the effectiveness of safety representatives, specifically putting the contentions the trade unions voiced during the public inquiry into Piper Alpha to the test. These included the appointment of safety representatives where a trade union had gained recognition and had a substantial membership on a particular installation.

90 The 1993 review concluded that union appointment of safety representatives was evenly supported and opposed. However, survey results indicated that the majority had a positive attitude towards some form of increased trade union involvement in the safety representatives system.¹⁶

91 The offshore industry had traditionally and actively resisted trade unionism and not surprisingly trade union membership was low. The unions that could identify potential members offshore adopted a competitive approach to recruitment. The independent union the Offshore Industry Liaison Committee (OILC), which had

¹⁵ M Spaven et al *The Effectiveness of Offshore Safety Representatives and Safety Committees: A Report to the Health and Safety Executive* Vol 1, 4.1.1

¹⁶ M Spaven et al *The Effectiveness of Offshore Safety Representatives and Safety Committees: A Report to the Health and Safety Executive* Vol 1, 4.6 pp 118-119

grown following Piper Alpha, was not affiliated to the TUC and the possibility of an Offshore Federation came to nothing as union leaders decided against a new structure.¹⁷

92 In 2007 Amicus and the Transport and General Workers Union merged to form UNITE. Amicus was created in 2001 by a merger of the Manufacturing, Science and Finance (MSF) Union and the Amalgamated Engineering and Electrical Union (AEEU), which had previously merged with the electrical union the EEPTU.

93 In May 2008 OILC became the offshore wing of the RMT, which is TUC-affiliated.

The role of the safety representative

94 Safety representatives have an important role in any organisation committed to an effective and evident safety culture. In SI 971 they provide the means, along with the safety committee, by which the whole workforce is formally involved in promoting health and safety. Of the 3813 offshore workers who took part in the 2009 survey, 5% of respondents said that they were currently safety representatives. This equates to one safety representative for 20 of the total participants.

95 Their contribution to successful health and safety management has been evidenced in numerous research studies. However, safety representatives cannot operate effectively without a clear and acknowledged need for training, support, facilities, resources, communication and recognition.

2009 Offshore Workforce Survey

- There was a high level of agreement (92%) that safety reps play an important part in health and safety in the workplace. Strong agreement was less marked among former safety reps (44%) than among those who currently had this role (63%). Some 13% of former reps actually disagreed, as did 11% of managers and 12% of medics.
- Of those surveyed, 5% said that they were currently an elected safety rep at the time of the survey, while another 12% had held this role in the past. Those presently operating as safety reps were most likely to be working in catering (10%). Technicians were least likely to have ever had this role.

96 Elected SI 971 representatives receive training to enable them to function effectively in the role. The dutyholder must ensure that safety representatives on their installation are provided with '*such training in aspects of the functions of a safety representative as are reasonable in all circumstances and that any costs associated with the training – including travel and subsistence – are not borne by the safety representative*' (regulation 27).

97 This obligation appears to fall short of the recommendation made by Lord Cullen, that:

'The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 should be modified to the effect that the training of safety representatives should be determined and paid for by the operator.' (para 21.87)¹⁸

¹⁷ See *Corporate Social Responsibility Failures*, ISBN 0895032937, Chapter 2, C Woolfson, Beck and Foster

¹⁸ The Public Inquiry into The Piper Alpha Disaster, the Hon Lord Cullen, Vol 2 page 392, recommendation 27

98 However, the guidance that accompanies the Regulations does make it clear that it is normally appropriate for training to be arranged and paid for by operators for their own employees and also contractors in some circumstances.

99 Whether or not the minimum provision of training is 'fit for purpose' remains an issue for debate. The lengthy guidance indicates that the effectiveness of any safety representative will depend to a large extent on the quality of the training received and although training expectations are outlined in terms of basic, developmental, functional and refresher, neither the length nor the content of training is prescribed.

100 The current guidance reflects some of the findings of the 1993 Review of SI 971: effectiveness depending on training soon after election; the value of safety representatives receiving developmental and consolidation training; and the need for managers, in particular OIMs, to be trained. But these are contained only in the guidance and are not mandatory.

101 Training standards are also not mandatory. Again, the guidance points to the two significant organisations concerned with training standards – OPITO and the TUC. However, training standards are voluntary and this may lead to variance of training course content. For instance, while the regulatory guidance gives prominence to an understanding of '*the law relating to installation workforce health and safety*', the revised OPITO training standard for offshore safety representatives – which sets out the minimum level of training that elected safety representatives should receive – does not.¹⁹ This does not mean that it is excluded by some training providers but it may not appear in the basic five-day training package for some safety representatives.

102 The 1993 review of SI 971 found similar variances in training. The basic five-day training package that existed then is still five days in 2009, despite the additional safety case consultation requirement that safety representatives should be engaged in. There is evidence to suggest that many safety representatives do not receive any additional external training to the five-day basic training.

103 Some companies offer 'in-house' training and this is obviously necessary for familiarisation with company health and safety policy, organisation and arrangement for carrying out that policy. But this is not subject to quality control or external auditing, apart from the regulatory options open to HSE inspectors who may seek to ensure that safety representatives are competent and adequately trained for their role.

104 While offshore safety representatives are not union-appointed, those who are elected by the workforce and are incidentally members of a union find that they have more resources, and may be better trained by virtue of TUC courses designed for safety representatives:

'Since its introduction the offshore system has been compared unfavourably in several respects with that applying onshore, including the adequacy of training for the employee safety representatives (Woolfson et al 1996). For example, in a survey undertaken shortly after the introduction of the regulations, researchers found representatives expressing concern about the quantity and quality of their training and the virtual exclusion of trade unions from its provision (Spaven and Wright 1993).'²⁰

¹⁹ http://www.opito.com/library/national_standards/safety_representatives_nos.pdf

²⁰ *The impact of trade union education and training in health and safety on the workplace activity of health and safety representatives* Prepared by the Centre for Industrial and Environmental Safety and Health for the Health and Safety Executive, Contract Research Report 321/2001, page 7

105 The public inquiry following the Piper Alpha disaster heard evidence about the role of unions in the offshore workplace, including a description of the Norwegian system:

*'In this regime it appears that trade unions receive automatic recognition. The extent of union membership has grown over the years. The regime provides for the appointment of safety delegates upon whom a number of important powers are conferred, including the right to halt dangerous work. Mr Ognedal considered that union back-up could be beneficial to the work of safety delegates.'*²¹

106 This was echoed by Mr John Rimington, the then Director General of the Health and Safety Executive:

*'Safety representatives could play a valuable part in the promotion of safety and in relation to inspections. For those who were appointed by the unions "the unions train them in quite a sophisticated way. They have the means of putting a great deal of power at the elbow of safety representatives where they care to do so." Where a union was weakly organised or not very strongly represented the usefulness of the safety representatives might be somewhat impaired.'*²²

107 Academic studies in the past 25 years have indicated that trade union safety representatives tend to be more effective than non-union safety representatives. Various studies have looked at workplaces onshore where recognised trade unions appoint safety representatives (in terms of SI 500, the onshore equivalent of SI 971) and in firms where there is no trade union. The evidence onshore is that trade union safety representatives are better trained, enjoy materially better support and are less likely to be intimidated.²³

108 The effectiveness of safety representatives depends on many factors and influences, from both within and outside of their work environment. In the 1993 review of SI 971, some safety representatives said that they felt isolated. Although it was acknowledged that safety representatives were an important source of knowledge for each other, contact was largely confined to those working on the same installation. This situation was, to some extent, addressed by the Step Change initiative and the setting up of the Step Change Safety Reps Network.

109 Launched in 1997, Step Change was met with some scepticism by the workforce but the offshore industry was keen to support this workforce involvement initiative and people were seconded from industry to work with and support Step Change, some on a full-time basis. Since 2007 this arrangement has gradually changed so that now all but one of the Step Change team is directly employed by Oil & Gas UK.

110 Being a wholly owned subsidiary of Oil & Gas UK since 2007, Step Change is now perceived by some as being closely aligned with the offshore industry and this re-alignment is seen as an opportunity for the offshore industry leaders to once again set the agenda for workforce involvement. For example, in 2008 when Oil & Gas UK organised a conference to discuss the urgent issue of evacuation provisions on installations on the UKCS, no offshore safety representatives were invited to attend and the delegate rate was prohibitively expensive for an individual

²¹ Piper Alpha Inquiry page 376, para 21.82 – Safety delegates in the Norwegian offshore safety regime

²² Piper Alpha Inquiry page 374, 21.75

²³ For example: Reilly, B, Paci, P and Holl, P (1995) 'Unions, safety committees and workplace injuries', British Journal of Industrial Relations, Vol 33, 273-88; HSE Research Report 581, HSE Better Backs 2006: Worker involvement evaluation, Research with UNITE Amicus safety representatives

who was not corporately funded. The Step Change Offshore Safety Reps Network in October 2008 omitted any mention of the evacuation issue from the agenda. Since HSE raised evacuation provision as an area in need of urgent attention and the safety representatives and their constituents needed to know about the issues, it seems that an opportunity was missed to gain the co-operation, insight and input of the workforce.

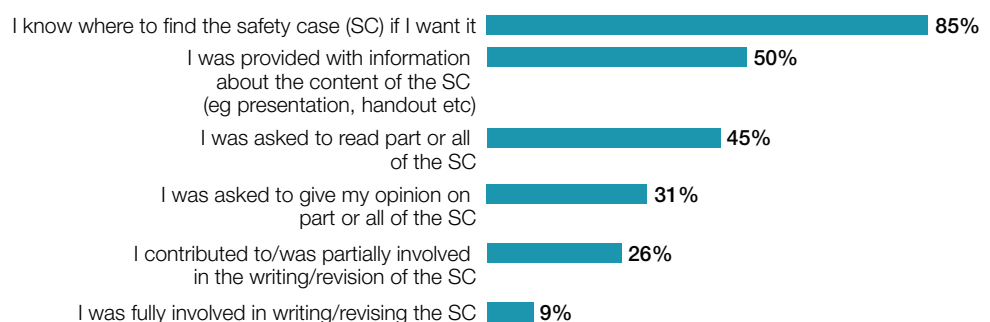
111 Alternative opportunities for the exchange of ideas, issues and best practice are limited. Workforce involvement events organised by the OIAC Workforce Involvement Group through HSE have attracted large numbers of delegates and received positive feedback with most participants favouring more in the future. These events focus on the major hazard work environment and provide an open forum for issues to be raised with HSE, unions and offshore industry representatives, as well as the sharing of experiences of incidents and lessons learned.

112 The 2009 Offshore Workforce Survey indicated that, despite the mandatory requirement for consultation about safety cases, only 30% knew where the safety case for their installation could be found. Of the 3813 asked, 70% said that they had not been consulted in any way. The minority of those who said they had been consulted had been involved in a range of different ways, some more substantive than others.

113 The role of the safety representative still appears to be unclear in some quarters. At a Step Change Safety Reps Network meeting in 2009, when asked about involvement in inspections or investigations, the vast majority of participants had not participated in either in the last year.

2009 Offshore Workforce Survey

Only 30% of respondents said that they had been consulted about their installation's safety case. They said this about their consultation:



This means that only 15% of all respondents were provided with information about their installation safety case or were involved to some degree in its preparation or revision.

Victimisation and 'not required back' (NRB)

114 Lord Cullen had recommended the introduction of measures to protect safety representatives from victimisation and in 1992 the Offshore Safety (Protection Against Victimisation) Act 1992 was introduced. In 1993, 47.7% of safety representatives surveyed feared some sort of disadvantage as a result of raising a safety issue.²⁴

²⁴ M Spaven et al *The Effectiveness of Offshore Safety Representatives and Safety Committees: A Report to the Health and Safety Executive* Vol 1, 4.5 p 111

115 While the 1992 Offshore Victimisation Act addressed the issue for safety representatives, the introduction of the Public Interest Disclosure Act 1998 (PIDA) partially extended protection to other employees. The fundamental purpose of PIDA is to encourage greater openness in the workplace by protecting workers against dismissal or other detrimental treatment for 'blowing the whistle' on wrongdoing in the workplace, including breaches of health and safety.

116 Actions under PIDA may only be brought against employers by employees, not against a third party. So unless their employer terminates their contract, this course of action is not available to workers employed by contractors who disclose unfavourable information about the workplace or company that is retaining the services of the contractor.

117 The practice of exclusion of contract staff from a particular installation or company, for whatever reason but allegedly on numerous occasions for raising safety concerns, became known as NRB (not required back). The offshore company tells a contractor that one or more of its staff are 'not required back' and although in most cases the contractor continues to employ the worker, alternative employment must be found for them which may be less lucrative.

118 The worker involved often discourages the trade unions from taking the matter up as there is a fear that a general 'blacklisting' may result, with the worker unable to secure offshore employment with possible reduction in remuneration or loss of employment.

119 NRB has been a longstanding issue in the offshore industry, where a high proportion of the workforce is employed by contractors. In 2009, Oil & Gas UK published guidance to its members setting out the principles and process to be followed in the event of permanent removal of contractor personnel from an offshore installation. The guidance was welcomed by the unions and will be reviewed jointly next year.

Structure and operation of safety committees

120 Lord Cullen described the safety committee as '*possibly the most visible instrument for the involvement of the workforce in safety...*'²⁵

121 On some installations, the safety committee truly is an effective adjunct to the safety management process with the interests of the workforce more than adequately represented. On others, the story may be quite different. Anecdotal evidence suggests that the effectiveness of a safety committee depends largely on the individuals involved, their motivation and the support they receive.

122 On larger production installations, among more established operators, safety representatives often meet regularly with others from across the oil company's operations. This has the effect of instilling a degree of confidence and provides greater knowledge to the individual safety representatives. However, on smaller operations and across many mobile drilling units, the safety representatives tend to play a less active role and safety committees are often little more than a 'meeting for a lecture by the safety committee chairman', the OIM.

123 Even where the system functions well, there occasionally arises an issue so broad, complex or downright contentious, such as NRB (not required back), that no individual offshore safety representative can, or should be expected to, deal with it in isolation.

²⁵ Piper Alpha Inquiry, para 18.48

124 SI 971 makes provision for the establishment of the safety committee and its membership, including the designation of the OIM to the role of Chair. This has obvious advantages and disadvantages. As Chair, the OIM is responsible for calling the first meeting of a newly established safety committee, and thereafter but at least every three months.

125 Safety committees are not bound by duties but their functions include:

- keeping measures to ensure the occupational health and safety of workers under review;
- ensuring adequate representation of the workforce;
- keeping the arrangements for training of safety representatives under review;
- considering representations from members about health and safety issues;
- considering the causes of incidents and cases of occupational ill health;
- considering any document, including the installation safety case, relating to the health and safety of the workforce;
- preparing and maintaining a record of meetings which must be kept on the installation for a year.

126 In most of these functions the safety committee may make representations to the dutyholder, normally the operator or owner of the installation.

127 The aim of these provisions, and indeed of the safety committee, is to promote co-operation on all occupational health matters affecting everyone on the installation and to seek to promote and develop measures to ensure the occupational health and safety of the workforce.

128 The 1993 review of SI 971 revealed concerns about the demarcation between 'welfare' and 'health and safety' issues; the role and sometimes conflicting interests of the OIM in the role of Chair – who may set the agenda and also take the minutes of meetings. It is uncertain to what extent, if any, these issues still exist. The 2009 Offshore Workforce Survey showed that nine out of ten of the 3813 participants agreed strongly or tended to agree that the safety committee plays an important role in workforce health and safety. Interestingly, 13% of former safety representatives disagreed (about 60 people out of 3813).

129 As with aspects of the safety representatives system, the operation of the safety committee may be wholly unaudited apart from inspections by HSE inspectors.

Part 4 Main findings of the 2009 Offshore Workforce Survey

Summary of the main findings

Sample profile

130 These results are based on 3813 questionnaires completed by offshore workers in March 2009.

131 About a sixth (18%) of the respondents had been working offshore in the North Sea for less than two years but most (59%) had been in this setting for over five years. Managers and supervisors (83%) were much more likely to have been working in the sector for a long time while one in six (17%) of the deck crew were in their first year in the North Sea.

132 Just over three-quarters of the sample (77%) were contractors, while the others (23%) were directly employed by oil or gas companies. Managers and supervisors were relatively more likely to be employees (35%) while almost all scaffolders and caterers (98% and 88% respectively) were contractors.

133 The single most common work role was as a technician (31%), followed by those working in management/supervision (20%), drilling (13%), catering (8%), as deck crew (5%) and as scaffolders (4%).

134 Two-thirds of respondents reported that they had worked most recently on a fixed installation, while much smaller numbers said their most recent work setting was either mobile offshore drilling unit (MODU) (15%) or floating production storage and offloading unit (FPSO) (17%).

135 Of the sample, 5% said that they were currently a safety representative at the time of the survey, while another 12% had held this role in the past. Those presently operating as safety representatives were most likely to be working in catering (10%). Technicians were least likely to have ever had this role.

Health and safety and HSE

136 Safety meetings were by far the most important single source of advice and information about health and safety – 81% of those answering put them in the top three sources. This view was consistent across work areas but was slightly less common among newer arrivals to the North Sea (72% of those in their first year) compared with longer-established workers (83% for those who had worked there for over five years).

137 The next most mentioned in the top three sources were supervisors (43%), although this is well behind the figure for safety meetings; these were most likely to be drillers and caterers (about half these). This figure was closely followed by that for elected safety reps (40% but mentioned by just over half of scaffolders and those working in catering).

138 Other commonly mentioned sources were inductions (35%), safety alerts (33%) and notice boards (30%). The HSE's own website had far fewer mentions (7%), perhaps reflecting the very limited access to the internet on most installations – the figure was notably higher for managers/supervisors (14%) and among the small sample of medics (19%).

139 When workers wanted information from the HSE, most of them (66%) would expect to get it from their safety rep, especially scaffolders (76%) and caterers (79%), although many would plan to get HSE information from a website (54% including 68% of managers and supervisors and 91% of medics). This website figure contrasts with the very modest numbers who placed online options in their top three sources actually used – the HSE question is more hypothetical. Beyond this, a minority (20%) would use telephone contact but this included 29% of current safety reps.

140 Respondents were asked to pick from a list of possible issues that the HSE might have raised over the previous year. Just over half (54%) mentioned the investigation of an incident, well ahead of the next most common responses, health (37%, including 77% of medics), worker involvement (also 37%, but with 51% of caterers) and hydrocarbon releases (35% including 49% of managers and supervisors and 45% of direct employees).

141 Recall was lower for Improvement or Prohibition Notices for an installation (26%), asset integrity (24% overall with 45% of managers and supervisors and 34% of direct employees), NRB (14%) and KP3 (10% but 26% of managers and supervisors). Generally speaking, it was more likely that past and present safety

reps would mention any of these issues when compared to their colleagues. Only 7% were unable to remember any issues raised by HSE in the last 12 months.

142 Workers were asked if they had ever read or used a number of HSE publications and, if so, how useful they had found each of them. Each of the four publications had been seen by at least 75% of offshore workers.

143 Each of the four publications was rated as being very or fairly useful by well over half of those who answered these questions. The highest rating for usefulness was for the HSE workforce involvement flyer (82%), followed by *Tea-shack News* and Guidance and Leaflet (both 78%). *Play your part* was rated as useful by 63% of the sample.

144 It is worth noting that the usefulness of these publications was somewhat qualified because about twice as many rated each of them as being fairly rather than very useful. Other than *Tea-shack News*, the more recent recruits to the North Sea tended to find each of the publications more useful than their more experienced colleagues.

145 When asked to pick the ways in which they would be interested in receiving HSE information, by far the most common selection was an offshore-worker-specific website (56% including 60% of managers and supervisors, 66% of current safety reps and 71% of medics). This reflects the quite high volume of mentions of online access to HSE information noted earlier.

146 Beyond that, there were more modest mentions for health and safety awareness seminars (25% including 47% of current safety reps, 41% of medics and 31% of managers and supervisors), an online safety forum (23% but 41% of medics and 39% of current safety reps) and an electronic bulletin (21% with 31% of managers and 39% of medics). There were much smaller numbers who picked news reader (8% but 16% of deck crew), podcasts and mobile text alerts (both 4%).

147 A fifth of the sample were not interested in any of the suggested sources. In relative terms, the lowest levels of interest in any HSE information were found among those working in drilling (26%), in catering (24%) or as marine crew (26%).

Hazards and accidents

148 The two most common ways of knowing about major hazards in the workplace and the measures and arrangements in place to prevent major accidents were toolbox talks and safety meetings (both identified by 79% of the sample). Medics and caterers were less likely to take part in toolbox talks but safety meetings were mentioned by consistently high numbers in all work areas.

149 Four sources of knowledge were each mentioned by about two-thirds of those completing the questionnaire – participation in risk assessment, experience, permit to work and via employers (but 70% for direct employees and 69% for both managers/supervisors and those working in drilling).

150 Relatively few people mentioned elected safety reps (41%) and their own knowledge of the installation's safety case (34%).

The safety case

151 A clear majority of the sample (70%) said that they had not been consulted on the safety case.

152 The highest levels of consultation were recorded for managers/supervisors (46%) and deck crew (40%), along with the small sample of medics (47%). Direct employees of oil and gas companies were far more likely to have been consulted (42%) than those working as contractors (26%). This was also the case for current and previous safety reps (50% and 43% respectively).

153 The minority who had been consulted had been involved in a range of different ways, some more substantive than others.

154 A large majority of consultees knew where the safety case was located on the installation (85%) while exactly half of this group said that they were provided with information about the case and nearly as many (45%) were asked to read at least part of the safety case.

155 Almost a third of those consulted (31%) were asked to give their own opinion on the safety case and a quarter (26%) made some contribution to the writing of the case.

156 Only a small number of those consulted said they were fully involved in the writing or revision of the safety case.

157 Half of consultees felt that a change was made to the installation's safety case as a result of workforce consultation. Managers (57%) and current safety reps (66%) were the most positive in this respect.

158 About a third (31%) of those consulted felt that the process had been very effective at gaining their input – a much larger proportion (59%) thought that it was only fairly effective although few of those involved (10%) rated it as being ineffective. Managers were the group who felt that the process was most effective.

Involvement in health and safety in the workplace

159 Nine out of ten respondents were very or fairly well involved in health and safety in their workplace, although only 41% said they were actually very well involved.

160 Those most positive about this involvement were managers and supervisors (60% said very well involved). Other relatively high scores were recorded for those working in drilling (44% very well involved) or as deck crew (42%). Direct employees were also considerably more positive than contract workers (52% and 37% respectively). Unsurprisingly, safety reps scored more highly (55%) than people who had never had this role (39%).

161 The lowest figures for being very well involved were recorded for scaffolders (28%) and technicians (32%).

Perceptions around the workplace, including hazards

162 A total of 16 statements were included on the questionnaire and workers were asked to show to what extent they agreed or disagreed with each one. While the lowest level of agreement with any of the statements was 73%, it is important to note that there was often qualified agreement ('tend to agree') and, in a few cases, a degree of disagreement.

163 There was very high agreement (98%) that it was important for the workforce to be involved in health and safety – 79% strongly agreed, including 93% of medics and 85% of both managers and supervisors and direct employees.

164 A very large majority (92%) agreed that senior managers value workforce involvement in health and safety, although a rather smaller proportion (52%) agreed strongly with this statement. Managers/supervisors were the most positive group (with 68% in strong agreement) but scaffolders were more critical (including 17% who actually disagreed with the statement).

165 There was almost identical agreement (93%) among contractors that their employers valued workforce involvement. Drillers (62%) and those with less than a year working on North Sea installations (64%) were most likely to be in strong agreement.

166 The level of agreement (95%) was very high for being fully aware of the major hazards in the workplace. However, only 50% were in strong agreement. Managers and supervisors were again the most positive group, with 62% agreeing strongly with the statement.

167 There was again a high level of agreement (92%) that safety reps play an important part in health and safety in the workplace. Strong agreement was less marked among former safety reps (44%) than among those who currently had this role (63%). Some 13% of former reps actually disagreed, as did 11% of managers and 12% of medics.

168 Nine in ten agreed that the safety committee played an important part in workforce health and safety – 44% were in strong agreement. Views were consistent across sample groups although 13% of former safety reps disagreed with the statement.

169 There was high agreement (86%) that the respondent was actively contributing to the management of health and safety issues – 39% agreed strongly. Managers and supervisors (61%) and medics (60%) were most likely to be in strong agreement. Contractors were less positive than workers directly employed by oil or gas companies (35% strongly agreeing compared with 51%).

170 Most people (76%) agreed to some extent that they would like to be more involved in health and safety issues, although only 20% were in strong agreement. Scaffolders (84% agreement) and decks crews (80%) were those most enthusiastic in this respect; technicians were the least engaged (21% disagreeing).

171 Almost everyone (99%) agreed that it was important for a company to have a strong health and safety culture – 80% strongly agreed with this statement, including 87% of managers.

172 Agreement was virtually as strong (99%) that training is important for people to be aware of health and safety, with 78% in strong agreement. Managers (82%) and marine crew (84%) gave the most positive responses, along with direct employees (84%).

173 Similarly, 99% also agreed that they understood their role in the prevention of major accidents, although strong agreement was lower at 71%. Relatively high scores for strong agreement were recorded for medics (81%), marine crew (80%) and managers/supervisors (79%).

174 Well over half of the sample (60%) strongly agreed that they were encouraged to raise health and safety concerns in their workplace and a further 35% tended to agree but this still left 5% who disagreed with the statement. Overall agreement was at least 90% for all work areas but was especially high for managers and those working in drilling. However, it should be noted that 10% of both scaffolders and marine crew disagreed with the statement, along with 25% of those who said they were not well involved in health and safety in the workplace.

175 Most people (58%) were in strong agreement that their job security would not be threatened if they stopped a job they thought was unsafe. Another 32% of the sample tended to agree, leaving one in ten of the workforce actually disagreeing with this idea, ie implying that their job might be at risk if they stopped work on safety grounds. Disagreement was most common among scaffolders and marine crew (both 15%).

176 Overall agreement was high (at 95%) that people were fully aware of the measures in place to prevent major accidents in the workplace. However, nearly

half of this agreement (45%) was qualified ('tend to agree'). Managers and supervisors were most likely to be in strong agreement (62% compared with 50% across the whole sample) while 7% of scaffolders disagreed with the statement.

177 Nine in ten (91%) of the sample agreed that they had received adequate training from their company to enable them to be fully involved in health and safety issues. Again, many people tended to agree (44%) rather than express strong agreement (47%) and a minority 9% actually disagreed with the statement. Drillers had the highest agreement across work areas (95%), while the lowest score (87%) was given by scaffolders. Agreement was stronger (55%) among direct employees than among contractors (45%).

178 Almost three-quarters of the sample agreed to some extent that they had received training from outside their company to enable them to be fully involved in health and safety issues. Just over a fifth disagreed, including 30% of marine crew, 25% of technicians and 24% of those who had worked offshore in the North Sea for over five years.

179 Of the respondents, 91% were recorded as agreeing to some extent that they were confident their health and safety concerns would be dealt with appropriately – just under half (47%) agreed strongly. Again, this left a majority of people not in strong agreement that concerns would be treated suitably. Managers/supervisors were the most confident (59% strong agreement) while scaffolders were the most pessimistic (13% disagreeing with the statement).

Survey methodology

Sampling

180 The two most practical ways of researching the views of offshore workers are by contacting them on installations or at embarkation points for the North Sea. Although some previous surveys of this population have successfully collected data on the installations, the timing and potential lack of control over the sample distribution meant that this particular survey of the offshore workforce involved fieldwork at the main departure location, Dyce Airport at Aberdeen, supplemented by some data captured at Norwich for workers flying out to the southern installations.

181 The evolving questionnaire was short enough to consider self-completion as an option and other surveys among this group have been carried out on that basis. While there is a loss of some data quality (mainly because of missing values or item non-response), a much greater volume of questionnaires would be completed on this basis than through an interviewer-administered approach.

182 At Aberdeen, interviewers split their time between the three separate buildings that housed the operations of the helicopter companies – the relative time in each location reflected the estimated daily volume of workers transported by each firm.

183 The fieldwork took place between 8.45 am and 2.45 pm, though the volume of workers tailed off sharply after late morning. Essentially, the interviewers' task involved distributing questionnaires and pens to as many workers as possible, after explaining the purpose of the survey and the confidentiality of the process – no personal information (such as names, addresses or telephone numbers) was collected, nor were installations or employers identified on the questionnaire. The only exclusion from the survey was for people who had never worked offshore in the North Sea before.

184 The introduction to the questionnaire noted the positive engagement of UNITE and the Offshore Wing of the RMT trade unions, as well as Oil & Gas UK, OCA, IADC North Sea Chapter and the individual members of the Worker Involvement Group.

Sample size

185 Thirty-six interviewing shifts were worked at Aberdeen, with four in Norwich, and this is reflected in the distribution of the achieved sample. In total, 3813 completed and usable questionnaires were collected by the interviewers and these formed the basis of the quantitative analysis. Altogether, 3664 questionnaires were returned from Aberdeen airport, with 149 from Norwich. The overall sample represents well over 10% of the workforce at North Sea installations – anecdotal reports from interviewers reflected a high level of co-operation among those approached to take part in the survey.

Fieldwork arrangements

186 All of the fieldworkers working on the study were fully trained members of the GfK NOP fieldforce and the process was subject to the criteria of the Market Research Society's Interviewer Quality Control Scheme. HSE facilitated access to all helicopter company sites. Interviewing was carried out between 4 and 20 March 2009.

Data analysis

187 Completed questionnaires were collected by interviewers and returned to the GfK NOP processing centre for booking-in, coding of verbatim responses and data entry. A tailored edit was applied to the raw data to remove errors, omissions and inconsistencies and the resulting clean data file was used to generate computer tables for each question, with response categories broken down by key variables. The tabulation bases for each of the questions aimed at all respondents were those who actually answered the relevant question.

Qualitative work

188 Although the questionnaire covered quite a lot of issues and collected a useful volume of data from each respondent, there was an agreed need for more depth of information in certain areas. Some qualitative interviewing was used to supplement the quantitative data with a view to identifying supporting verbatim responses and to cover some of the issues that could not be included in the main questionnaire.

Survey outputs

189 The initial output from the survey consisted of a verbal debrief on the emerging findings that was delivered on 20 March and based on two-thirds of the final sample of completed questionnaires. The debrief featured PowerPoint slides to illustrate the key findings and these were later updated to reflect the full data.

190 Computer tables were also produced to show the overall results broken down by key variables such as employee/contractor, work area, time offshore and involvement as a safety rep. These tables were used as the basis of summary and full survey reports – supporting quotes were taken from the qualitative work to back up the findings from the quantitative research.

Appendices

Appendix 1 OPITO – The Oil & Gas Academy

1 The Offshore Petroleum Industry Training Organisation (OPITO, now known as the 'Oil & Gas Academy') was launched in December 2007, having evolved through a number of guises emanating from the original Petroleum Industry Training Board, created in 1979. It is 'owned' by equal industry partners Oil & Gas UK, the International Association of Drilling Contractors (IADC) and IUOOC.

2 OPITO develops standards based on industry demand. These standards are not mandatory but are held to be examples of good practice advised by the offshore industry. The industry funds OPITO for the provision of services, it does not receive government funding.

Standard design, maintenance and change

3 Standards are maintained and designed through the involvement of industry workgroups which involve all relevant interested parties – employers, employees, technical specialists and HSE representatives. OPITO does not own any standards but acts as custodian on behalf of the industry.

4 The maintenance of training standards is managed through an industry body – the Standards and Approval Committee (SAC). This is a pan-industry body which includes representatives from various sectors of the industry by trade association, eg IADC, WSCA, OGUK and OCA IUOOC, and also representatives from the Training Providers Advisory Group. It is formally structured with stated terms of reference concerning consultation and chairmanship. The SAC reports directly to the OPITO Board who are the ultimate stewards of the industry (OPITO) standards, where it seeks ratification of changes or acceptance of new standards.

5 New standards or modification of existing ones are driven by emerging needs, changes to working practices, identification of hazards etc. The drivers must come from the employers and usually at the prompting of the workforce through inter-company or trade association consultation.

6 OPITO also develops UK National Occupational Standards (NOS) – again in consultation with industry. The awarding bodies in the UK then develop the assessment requirements for qualifications based on the NOS. There are 25 standard-setting bodies in the UK that develop specific industry occupational standards. One awarding body exists in Scotland, the Scottish Qualifications Authority (SQA), but there are many others elsewhere in the UK, eg City and Guilds. National occupational standards are highly controlled and regulated through government agencies. OPITO does not lead in this process but applies it on behalf of employees who wish to gain a National Qualification. OPITO does not own these standards, which are the property of the Crown.

OPITO-approved training centres

7 OPITO currently approves 35 centres within the UK to deliver training and assessment to OPITO standards. These are training centres that deliver training to OPITO standards in emergency response, hazardous activity (rigging, lifting etc) or occupational competence (national occupation standards for mechanical, instrumentation, electrical or hydrocarbon processing disciplines).

8 Approval is granted when compliance to the OPITO approval criteria is measured and accepted. Compliance is checked annually and unannounced audits are also initiated upon receipt of verifiable reports by employers/employees about unacceptable quality training delivery of safety issues.

Vantage

9 Each person trained to the OPITO standards has their personal training details recorded within the Vantage Central register, which is maintained by OPITO. A registration fee is charged for each registration, which funds the management of data, quality assurance of training provision, maintenance and development of standards.

10 The driver for the registration and quality assurance system emanated from Lord Cullen's recommendation for the industry to have an independent central registration system of all emergency response training.

OPITO international and other standard-setting bodies

11 OPITO does not have international standards but its standards are adopted in other countries as the choice of governments and employers. Employers' desire for common standards and consistency has resulted in the OPITO standards being adopted internationally.

12 OPITO has completed several benchmarking exercises over the years with other nations' standards. It is not unusual for OPITO standards to be subsequently adopted in preference to existing national standards. However, countries involved in the hydrocarbon industry usually have their own suite of emergency response standards, eg Norway, Netherlands and Denmark for the North Sea, as well as Australia, Thailand, Indonesia and USA etc.

13 OPITO has established employer forums and training provider advisory groups overseas, based on the UK model, to ensure that standards are created that are appropriate for the regional environment, laws and regulations, eg warm water survival training (BOSIET) for the Asian Pacific, Middle East and African regions.

14 OPITO will form alliances with industry or governmental bodies with the common aim of improving workforce safety and competence, eg the ECITB in the UK, and also with the Indonesian and Thai governments. OPITO also works closely with the International Transport Federation (ITF) to facilitate the adoption of OPITO standards by other hydrocarbon producing nations.

Modern apprenticeship

15 The Upstream Oil and Gas Industry Technician Training Scheme (UOGITTS) is the industry response to addressing the need for a competent, stable and flexible technician workforce. The need to replenish the workforce has never been greater as operators and contractors experience skills shortages. The four-year programme equips motivated incomers to the offshore industry with the skills and knowledge to work as process operations technicians or maintenance technicians in electrical, instrumentation and mechanical disciplines.

16 The scheme consists of a two-year training period at college, studying full-time, with a further two years on a worksite placement. This placement will either be at an offshore installation, floating production storage and offloading unit (FPSO) or onshore gas plant. This apprenticeship scheme is fully funded by industry, with employers paying around £75 000 per apprentice. Sponsoring companies have funded the scheme to the value of £65 million since it started in 2001.

17 This is the leading apprentice scheme in the UK, with a successful completion rate in excess of 90%. Average recruitment is around 120 per year. Quality is managed by OPITO from recruitment, interview, aptitude testing, college placement, welfare and workplace placement. To date, 960 apprentices have been recruited. Overarching stewardship is provided by an industry steering group.

Minimum Industry Safety Training Standard (MISTS)

18 Companies in the UK North Sea agreed to develop an introductory training programme, Minimum Industry Safety Training (MIST), that would introduce the key safety elements required by all employees offshore. Training for workers new to the offshore industry was launched on 1 April 2009, with the aim that the standard would be adopted across the offshore industry by the end of 2010 for all new entrants. Existing workers may choose an online learn and test tool including a diagnostic learning assessment which is designed to define any necessary training need.

19 All training/assessment records will be managed by OPITO and held in the Vantage Central register.

20 MIST was developed by an industry workgroup led by Step Change with OPITO drafting the standard, which has now been accepted by the OPITO Board. Driven by the outcomes of the Step Change initiative 'Boots on for Safety', the new standard seeks to apply common basic safety training across the whole industry in an effort to improve safety performance. MIST consists of nine core elements covering risk assessment, manual handling, COSHH, installation integrity, PTW, working at height, introduction to hazards offshore, safety observation systems, and working safely.

21 MIST incorporates many aspects of training provided by the larger companies in-house. It is envisaged that this new standard will achieve consistency in the training process, preventing duplication as the standard is adopted across industry.

22 Some employers will build the new standard training content into their induction programmes and this will also be approved by OPITO when compliance is verified.

Appendix 2 SI 971 provisions

1 The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 (SI 971) were introduced 20 years ago.

2 The Regulations apply to normally manned installations and are primarily concerned with the election of safety representatives, their functions and powers; the establishment and running of safety committees; the duties of installation owners, OIMs and employers. Regulation 26 deals specifically with time off for safety representatives and regulation 27 deals with training. HSE publication *A guide to the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989* (L110), last published in 1998, contains guidance on the Regulations (see Further reading).

Safety representatives

The appointment of safety representatives

3 SI 971 provides for everyone on an installation, apart from the OIM, to elect safety representatives. It is the duty of the OIM to ensure that the system for electing safety representatives is in place and maintained. The election process is based on the parliamentary procedure and so each installation is divided into a number of constituencies. These may reflect natural divisions – people who work together in one particular part of the installation or who carry out the same functions, do the same type of work or are employed by the same contractor. Each constituency is limited to a maximum of 40 people but there should not be fewer than two constituencies on any installation. Introduced in 1989 by the Department of Energy, 18 years on, the SI 971 system of universal franchise is well embedded offshore.

4 The OIM is responsible for establishing and maintaining the system of constituencies, in consultation with a safety committee if there is one.

5 The Regulations are relatively prescriptive and detailed in describing the process that the OIM is required to follow in the establishment of the constituencies and also in communicating the process or changes to the workforce. Consultation is mandatory either with the workforce or with a safety committee where one is established. The OIM must also consult with an employer where a constituency is comprised of people from a single employer.

6 Everyone who is expected to be on an installation for more than 48 hours is assigned to a constituency and informed in writing of the details of their safety representative. Safety reps are similarly informed of new constituency members.

7 Elections of safety reps, held by secret ballot if there is more than one nomination, take place if a new constituency is set up, if a safety rep has been in office for two years (unless representative for a single employer constituency), or if a safety rep resigns, has their employment terminated or has been absent from the installation for 12 weeks. Elected safety reps remain in office unless one of these criteria applies.

8 SI 971 requires a candidate for the position of safety representative to be a member of a constituency, be willing to stand and be nominated and seconded by members of the same constituency. The OIM, if content that all of these criteria have been met, must make facilities available to the candidates to enable them to promote their campaigns. It is also the duty of the OIM to display a list of all nominated candidates or of vacancies where there are no nominations.

9 There may be occasions when no candidate is nominated as a safety representative, in which case the OIM must keep, update and display a list of potential candidates so that the workforce are reminded that an election can take place when someone is nominated.

10 The many duties placed on the OIM throughout the nomination and election process make this role pivotal to the appointment of safety representatives.

The role of the safety representative

11 Safety representatives have an important role in any organisation committed to an effective and evident safety culture. Their contribution to successful health and safety management may be welcomed at all levels but safety representatives often provide the shortest link between members of the workforce and the managers of the organisations that employ them.

12 SI 971 does not impose statutory duties on safety representatives but sets out a number of important and recognised functions, powers and entitlements.

13 'Functions' include the investigation of incidents including near misses and potential hazards; the investigation of complaints by constituency members; to make representation on behalf of constituency members to the OIM, employers and HSE inspectors; and also to attend meetings of an established safety committee.

14 To enable safety representatives to fulfil their functions they may exercise 'powers', defined in the Regulations. Powers entitle safety representatives to seek advice on anything arising from an investigation or representations made. They may also inspect any part of the installation or equipment once every three months, subject to notice in writing. More frequent inspections will require the express agreement of their employer or the dutyholder (in relation to the installation). Inspections may also form part of an investigation.

15 Safety representatives do not have any powers to 'stop a job'. They cannot stop any work even if they consider it to be dangerous and that someone might be injured or worse. Their power in this respect is limited to making representations to the dutyholder – the installation owner or the operator – which should then result in a report being sent from the OIM to the HSE. Safety representatives may also send their own report to HSE.

16 An additional listed 'power' assigned to safety representatives is that of receiving information from an HSE inspector which, under section 28(8) of the Health and Safety at Work Act 1974, the inspector is required to disclose to the workforce or their representatives.

17 Dutyholders, employers and OIMs are obliged to make information available to safety representatives. Any relevant document that relates to health and safety and is required to be kept on the installation should be made available to safety representatives by the OIM. This includes the installation safety case. The requirement for dutyholders to make the information contained in the safety case available was introduced by the Offshore Installations (Safety Case) Regulations 1992. These Regulations also amended SI 971 to include, at regulation 23, mandatory consultation with safety representatives over the preparation, revision and amendment of an installation safety case.

18 HSE guidance on regulation 23 'Duties of installation operators and owners, and employers' states:

'The importance of regulation 23 cannot be overemphasised. It places responsibilities on dutyholders and other employers to consult safety representatives on health and safety arrangements. This includes mandatory consultation of safety representatives over the preparation of installation safety cases or their subsequent amendment; and makes it possible for dutyholders to fulfil their statutory functions.'

19 The nature of 'consultation' is not defined.

Appendix 3 The Offshore Workforce Survey questionnaire



GfK NOP



Offshore Worker Health and Safety - HSE review

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This questionnaire has been compiled with the input and support of Unite and the offshore wing of RMT (formerly OILC) unions, also Oil & Gas UK, OCA, IADC North Sea Chapter, and the individual members of the OIAC Workforce Involvement Group.

The information gathered will contribute to the group's report on the involvement of the offshore workforce in major hazard health and safety issues. This will form part of the KP3 review. HSE is also interested in building up a picture of how H&S information reaches offshore workers.

An independent survey research agency, GfK NOP, has been commissioned to undertake this research on our behalf. To this end, we would be grateful if you would complete the questionnaire and return it to the GfK NOP interviewer or place it in the box provided

We are most grateful for your time and your contribution. Thank you.

1. How long have you spent working offshore in the North Sea? *PLEASE TICK ONE ONLY*

- Never been offshore before - sorry, you are not eligible to take part in the survey
- Less than a year
- 1 year, less than 2 years
- 2 years, less than 5 years
- 5 years or more

For the rest of the survey, please answer the questions by thinking about the **LAST INSTALLATION** you were on.

2. Which one of these is your main work area? *PLEASE TICK ONE ONLY*

- | | |
|--|--------------------------------------|
| Management/Supervisor <input type="checkbox"/> | Deck Crew <input type="checkbox"/> |
| Technician <input type="checkbox"/> | Catering <input type="checkbox"/> |
| Drilling <input type="checkbox"/> | Medic <input type="checkbox"/> |
| Scaffolder <input type="checkbox"/> | Marine Crew <input type="checkbox"/> |
| Another work area (<i>PLEASE TICK AND WRITE IN</i>) <input type="checkbox"/> | |

3. In which of these settings have you worked on most recently? *PLEASE TICK ONE ONLY*

- | | |
|--|-------------------------------|
| On a fixed installation <input type="checkbox"/> | FPSO <input type="checkbox"/> |
| MODU <input type="checkbox"/> | NUI <input type="checkbox"/> |

4. Do you work for a contractor?

- Yes, work for a contractor No, work for an oil/gas company

5. Are you currently or have you ever been, an elected safety representative? +

- Yes, currently an elected safety representative
- Yes, have been one in the past
- No, never been a safety representative

6. In order of importance, what are your **THREE** main sources for information and advice on health and safety? PLEASE WRITE 1 BY YOUR MOST IMPORTANT SOURCE, 2 BY THE SECOND AND 3 BY THE THIRD

- | | | | | |
|---|---------------------|--------------------------|------------------------|--------------------------|
| + | Elected Safety Reps | <input type="checkbox"/> | Inductions | <input type="checkbox"/> |
| | Colleagues | <input type="checkbox"/> | HSE website | <input type="checkbox"/> |
| | Supervisors | <input type="checkbox"/> | Other website/Internet | <input type="checkbox"/> |
| | Notice Boards | <input type="checkbox"/> | Card in Room | <input type="checkbox"/> |
| | Safety Meetings | <input type="checkbox"/> | Safety Alerts | <input type="checkbox"/> |

7. If you want information from the Health and Safety Executive (HSE), how would you get it?
PLEASE TICK ALL THAT APPLY

- | | | | |
|---------|--------------------------|---|--------------------------|
| Phone | <input type="checkbox"/> | Safety Reps | <input type="checkbox"/> |
| Website | <input type="checkbox"/> | Any other way? (PLEASE TICK AND WRITE IN) | <input type="checkbox"/> |

8. Which of these issues have you been aware of HSE raising over the last year?
PLEASE TICK ALL THAT APPLY

- | | | | |
|---|--------------------------|------------------------------|--------------------------|
| KP3 (Key Programme 3) | <input type="checkbox"/> | Workforce Involvement | <input type="checkbox"/> |
| Improvement/Prohibition Notice(s) for your installation | <input type="checkbox"/> | Hydrocarbon Releases | <input type="checkbox"/> |
| NRB (Not Required Back) | <input type="checkbox"/> | Investigation of an Incident | <input type="checkbox"/> |
| Asset Integrity | <input type="checkbox"/> | Health | <input type="checkbox"/> |

Any other issues? (PLEASE TICK AND WRITE IN)

None

9. How useful are each of these sources of information provided by HSE?
PLEASE TICK ONE ANSWER ON EACH LINE

	Very useful	Fairly useful	Not very useful	Not useful at all	Never used/read
Tea Shack News	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Play your Part	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HSE Leaflet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Guidance & Leaflet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Would you like more information from HSE about what it is doing on offshore health and safety? IF YES, PLEASE WRITE IN WHAT YOU LIKE TO SEE PROVIDED BY HSE

11. Would you be interested in receiving information from HSE in any of these ways?
PLEASE TICK ALL THAT APPLY

- | | | | | |
|---|--------------------------------------|--------------------------|---------------------------------|--------------------------|
| + | Health and Safety awareness seminars | <input type="checkbox"/> | Electronic bulletin (ebulletin) | <input type="checkbox"/> |
| | Offshore worker specific website | <input type="checkbox"/> | Mobile text alerts | <input type="checkbox"/> |
| | Online safety forum | <input type="checkbox"/> | News reader (RSS) | <input type="checkbox"/> |
| | Podcasts | <input type="checkbox"/> | None of these | <input type="checkbox"/> |

12. How do you know about the major hazards in your workplace and the measures and arrangements in place to prevent major accidents? *PLEASE TICK ALL THAT APPLY*
- | | | | |
|-----------------------------------|--------------------------|------------------------------|--------------------------|
| My employer | <input type="checkbox"/> | Knowledge of the safety case | <input type="checkbox"/> |
| Elected Safety Reps | <input type="checkbox"/> | Tool Box Talks | <input type="checkbox"/> |
| Safety Meetings | <input type="checkbox"/> | PTW (Permit to Work) | <input type="checkbox"/> |
| Participating in Risk Assessments | <input type="checkbox"/> | Experience | <input type="checkbox"/> |
- Any other ways that you know? (*PLEASE TICK AND WRITE IN*)
-
13. Have you been consulted about your installation's safety case (SC)?
- Yes - please answer q14 and q15 No - please go straight to q17
14. In which of these ways have you been consulted about your installation's safety case (SC)? *PLEASE TICK ALL THAT APPLY*
- | | |
|--|--------------------------|
| I know where to find the SC if I want it | <input type="checkbox"/> |
| I was provided with information about the content of the SC (e.g. presentation, handout etc) | <input type="checkbox"/> |
| I was asked to read part or all of the SC | <input type="checkbox"/> |
| I was asked to give my opinion on part or all of the SC | <input type="checkbox"/> |
| I contributed to/was partially involved in the writing/revision of the SC | <input type="checkbox"/> |
| I was fully involved in writing/revision of the SC | <input type="checkbox"/> |
15. Are you aware of any change made to the SC as a result of workforce consultation?
- Yes No
16. If you were consulted about your installation's safety case, how effective do you feel the consultation was in gaining your input? *PLEASE TICK ONE ONLY*
- | | | | |
|------------------|--------------------------|----------------------|--------------------------|
| Very effective | <input type="checkbox"/> | Not very effective | <input type="checkbox"/> |
| Fairly effective | <input type="checkbox"/> | Not at all effective | <input type="checkbox"/> |
17. How well involved do you feel in health and safety in your workplace? *PLEASE TICK ONE ONLY*
- | | | | |
|------------------------|--------------------------|---|--------------------------|
| Very well involved | <input type="checkbox"/> | Not involved at all | <input type="checkbox"/> |
| Fairly well involved | <input type="checkbox"/> | I do not want to be involved in health and safety | <input type="checkbox"/> |
| Not very well involved | <input type="checkbox"/> | | |
18. For each of these statements please tick the answer which best applies to you and your workplace, particularly connected with the major hazards. For each one, please show how much you agree or disagree. *PLEASE TICK ONE ANSWER ON EACH LINE*
- | | Agree strongly | Tend to agree | Tend to disagree | Disagree strongly | Not applicable |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| It is important for the workforce to be involved in H&S issues | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| I am active in contributing to the management of H&S issues | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| The senior managers of my workplace value workforce involvement in H&S | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| As a contractor, my employer values workforce involvement in H&S | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Safety representatives play an important role in workplace H&S | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| The safety committee plays an important role in workplace H&S | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| I would like to be more involved in H&S issues | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| I feel that I am fully aware of the major hazards in my workplace | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

19. For each of the following statements particularly connected with major hazards, please show how much you agree or disagree with each *PLEASE TICK ONE ANSWER ON EACH LINE*
- | + | Agree strongly | Tend to agree | Tend to disagree | Disagree strongly | Not applicable |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| I feel that I am fully aware of the measures and arrangements that are in place to prevent major accidents in my workplace | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| It is important for a company to have a strong H&S culture | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| I understand my role in the prevention of major accidents | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Training is important for people to be aware of H&S | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| I have received adequate training from my company to enable me to be fully involved in H&S issues | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| I have received training from outside my company to enable me to be fully involved in H&S issues | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| I am encouraged to raise H&S concerns in my workplace | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| I am confident that my H&S concerns will be dealt with appropriately | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| My job security will NOT be threatened if I stop a job I think is unsafe | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

20. If you raise health and safety concerns about your workplace where would you take your concerns? *PLEASE TICK ALL THAT APPLY*
- | | | | |
|---------------------------|--------------------------|-------------------------------|--------------------------|
| Directly to your employer | <input type="checkbox"/> | To your safety representative | <input type="checkbox"/> |
| To the OIM | <input type="checkbox"/> | Directly to HSE | <input type="checkbox"/> |
| To your supervisor | <input type="checkbox"/> | | |

21. What is your overall impression of health and safety management of your workplace? *PLEASE TICK ONE ONLY*
- | | |
|---------------|--------------------------|
| Very good | <input type="checkbox"/> |
| Good | <input type="checkbox"/> |
| About average | <input type="checkbox"/> |
| Poor | <input type="checkbox"/> |
| Very poor | <input type="checkbox"/> |

22. Is there anything else you would like to say about workforce involvement and/or health and safety in the North Sea? *IF YES, PLEASE WRITE IN THE BOX BELOW*

THANK YOU FOR COMPLETING THIS CONFIDENTIAL QUESTIONNAIRE. PLEASE HAND BACK YOUR QUESTIONNAIRE TO THE GfK NOP INTERVIEWER OR INTO THE BOX SUPPLIED

If you do have any queries about the research, or about GfK NOP, please contact the project manager at GfK NOP, Claire Bhaumik, email - claire.bhaumik@gfk.com or tel. +44(0) 20 7890 9717

Alternatively, you can contact Julie Voce, Chair of the Workforce Involvement Group, Offshore Division, Health & Safety Executive about the research or the Workforce Involvement Group email - julie.voce@hse.gsi.gov.uk or tel. +44(0) 151 951 3439

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Further reading

Key Programme 3 Asset Integrity Programme. A report by the Offshore Division of HSE's Hazardous Installations Directorate HSE 2007 www.hse.gov.uk/offshore/kp3.pdf

KP3 Review project report on workforce involvement The Offshore Industry Advisory Committee (OIAC) Workforce Involvement Group HSE 2009 www.hse.gov.uk/offshore/kp3workforceinvolvement.pdf

Asset Integrity: An industry progress report Oil & Gas UK 2009 www.oilandgasuk.co.uk/issues/health/kp3.pdf

Guidance for Corrosion Management in Oil and Gas Production and Processing Energy Institute ISBN 978 0 85293 497 5

Corrosion Threats Handbook Energy Institute 978 0 85293 496 8

A guide to the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989. Guidance on Regulations L110 (Second edition) HSE Books 1998 ISBN 978 0 7176 1549 0

Play your part! How offshore workers can improve health and safety Booklet INDG421 HSE Books 2008 (single copy free or priced packs of 10 ISBN 978 0 7176 6286 9) www.hse.gov.uk/pubns/indg421.pdf

Tea-shack News HSE newsletter for offshore workers: www.hse.gov.uk/offshore/teashack.htm

Further information

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For information about health and safety ring HSE's Infoline Tel: 0845 345 0055 Fax: 0845 408 9566 Textphone: 0845 408 9577 e-mail: hse.infoline@natbrit.com or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG.

This report can be found at: www.hse.gov.uk/offshore/kp3workforceinvolvement.pdf.

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