

Health and safety – sensible management or bureaucratic straitjacket?

Wednesday 13th July

Committee Room 3, House of Lords

Introduction by Bill Callaghan, HSC Chair

Welcome you to this seminar; it's good to see so many of you here. A special welcome to our two speakers, Lord Hunt of Kings Heath, the DWP Minister responsible for the work of the HSC and E, and Jonathan Rees who is HSE's Deputy Director General responsible for our policy work.

Stories about excessive risk aversion and “elf and safety gone mad” cannot have escaped anyone's attention. I take it from your presence here today, that they certainly haven't escaped yours.

That is one reason why we, the Health and Safety Commission, are launching a debate on how to achieve the sensible management of risks.

This ties in with the wider debate on risk that the Prime Minister has called for. I look forward to what the Minister and Jonathan have to say, and of course your comments.

But first a few reflections on why this is important to the Commission and me. I do not have to remind you of the various stories about HSE:

Some of these, handrails on the Brecon Beacons are literally stories, made up, not a scintilla of truth in them.

Others have a grain of truth in them: teachers being required to fill out pages and pages of risk assessment forms for the most innocuous of nature walks; grave stones knocked down under HSE instructions.

Neither entirely accurate but we do require risk assessments. But why is it that our guidance on risk assessments and I quote “they should be suitable and sufficient not perfect!”, seems to have been ignored and a form filling fest has ensued.

Why is it that a letter from me to Local authorities on gravestones, urging caution and a proportionate approach and expressing concern about an over zealous approach by some, seems to have been interpreted as an instruction to knock down even more.

On occasions such as these it is always tempting to blame someone else, the press, the insurers, local authorities and the lawyers. But instances such as these have made me reflect that we need to be even better about how we communicate.

As I am sure we shall hear in this debate, perception is all. People's perception of risk is not always accurate and the perception of HSE can be wide of the mark.

But why does this matter? Well the conkers bonkers stories trivialise the work of HSE. It makes me angry and I suspect our staff too, though they would be too professional to show it.

Remember: 235 people were killed at work last year. Most of those deaths resulted from utterly predictable and preventable causes. All told, work-related ill health and injury resulted in more than 30 million days absence last year; again very many of those were due to very common and familiar causes.

The moral and financial costs of these failures are immense. But excessive risk aversion has its costs too:

- Where organisations feel that they must fill out pages of risk assessments before undertaking even simple, low risk tasks, they become mired in bureaucracy. That stands to damage their competitiveness and ability to innovate
- At its worst excessive risk-aversion can also curb our personal freedoms and opportunities. Children, in particular need to learn how to manage risks and adventure activities such as rock climbing, sailing and canoeing are an ideal way of doing this. And if rules were imposed which made it more difficult for children to swim, then surely the net result will be fewer children able to swim and more at greater risk in later life.

All good reasons why we should be concerned about excessive risk aversion. But why does this matter to HSE? It is not just because it trivialises our work. As we used to say in the playground when we were allowed to play conkers and throw snowballs: sticks and stones may break my bones but names will never hurt me.

The main reason is that all of this stands to damage the name of health and safety, making it harder for all of us, the regulator, employers and employees, to focus attention on the significant risks that result in serious harm and even death.

We will not be taken seriously or listened to if employers, and I am thinking particularly of SMEs, think that we are not just banning conkers but banning ladders or preventing farmers from driving tractors.

So to-day with your help we want to get a clearer picture of the problem and then identify practical actions we can take that will both cut down on excessive risk aversion and focus attention on the issues that cause real harm to people, business and the economy.

I would now like to hand over to Lord Hunt to deliver the keynote speech today.