

Partnership on Health And Safety in Scotland

Scottish Centre for Healthy Working Lives and HSE clearing working relationship – a performance story

Issue

1. Members are aware of the work last year to clarify SCHWL/HSE partnership working. This culminated in packs being issued to both sets of staff covering - amongst other areas of work – how the operational partnership works when an employer duty holder is recognised as needing further help.
2. The attached paper describes two case studies.:
 - Annex 1 SCHWL and HSE
 - Annex 2 SCHWL and Perth and Kinross Council

Action

3. Members are invited to note this success of these arrangements.

March 2010

The Scottish Centre for Healthy Working Lives and HSE – a performance story

The Scottish Centre for Healthy Working Lives (SCHWL) and the Health and Safety Executive (HSE) has long enjoyed a mutually productive relationship.

Many businesses that come into contact with HSE inspectors are referred to SCHWL who not only facilitate Health Promotion and Wellbeing Programmes to those who wish to access them, but also offers a free and confidential Occupational Health and Safety Advisory Service.

The Centre is part of NHS Health Scotland and is funded by the Scottish Government to provide services and advice targeted mainly at SMEs. There is no direct equivalent service in England or Wales.

It began life in 2004 after the Scottish Government produced a strategy document called ‘Healthy Working Lives – A Plan for Action’ which acknowledged that small to medium enterprises (SMEs) especially needed help and support to improve the health of their workforce and more widely the health of the entire Scots workforce.

The Centre does this via a number of channels:

- OHS Advisor Needs Assessments (available only to SME’s in Scotland)
- via a dedicated Website www.healthyworkinglives.com.
- through a national advice line
- health promotion and well-being
- an award-based programme

There are 65 Healthy Working Lives Advisers employed by and based across the 14 territorial health boards working to improve health, safety, welfare and employment outcomes within Scottish business. Seventeen advisers specialise in occupational health and safety expertise and are keen to engage with and promote HSE’s aims. They visit businesses by invitation only and have no enforcement powers.

The Centre also offers support to organisations who wish to register and gain recognition under the revised Healthy Working Lives Award Programme which HSE helped develop in 2006/7.

In 2009, HSE and SCHWL took their partnership a step further to strengthen operational co-operation - alongside health and safety promotional work which they have been doing together for some while.

CASE STUDY

On November 12 last year, HSE inspectors Matthew Ramsey and David Cassells undertook an unannounced visit to Dundee based ventilation ductwork firm Galloway Group.

Matt said of the visit: “It’s part of the way we do our job. Sometimes we make an appointment other times we turn up unannounced. Obviously we like to see places as they really are.

“Galloway Group undertakes a number of different types of work and use various machinery which obviously we were interested in. “

During the visit a number of health issues were identified concerning insufficient ventilation for welding fumes, the lack of a health surveillance programme for paint spraying on site and skin checks for employees coming into contact with metal working fluids.

HSE inspectors work following regulations such as Control of Substances Hazardous to Health (COSHH), as in this case, and look at what controls a company has in place to prevent exposure. The next port of call is the employees to gauge their understanding of the risks that are being presented. In this case Matthew found it was inconsistent.

Matt added: "As you are working through the processes at companies, you ask the obvious questions about what dangers are associated with those processes. If it's mechanical then we'd look at guarding, if it's being exposed to hazardous substances then we want to see how they are controlling it, what knowledge they've got, what they pass onto employees etc. a standard set of questions really."

After the inspection, Galloway Group was issued with an Improvement Notice (IN) with respect to the issues identified. At the wash up meeting after the inspection Galloway Group were understandably disappointed with the IN, but also quite surprised they missed the health issue.

Matt adds: "Obviously we are not just safety focussed, we are health oriented as well. This is why we issued the Improvement Notice to Galloway Group. Basically it said they had failed to ensure that its employees were not exposed to substances hazardous to health.

"We are not after a quick fix. We served the notice a week after our initial visit with a two month a compliance date attached."

To help Galloway Group comply with the terms of the Improvement Notice, Matt and David recommended they contact the Scottish Centre for Healthy Working Lives for free advice.

Matt goes on: "Obviously we are willing to work with any company. When we discuss a breach we often speak about Healthy Working Lives, explain the kind of services they provide and how they could possibly help businesses move forward. We are always aware of the positive results SCHWL produce.

"I often advise that it would be beneficial for companies to get in contact with SCHWL, and once they do I would then provide SCHWL with the correspondence I've issued, being that verbal advice or the terms of the IN and with that information SCHWL can work with the company to help the business comply."

HSE inspectors have a broad area to look at whereas SCHWL are quite specialised. The people that work for HSW predominantly come from an Occupational Health background or an enforcement background so they have a clear idea of the specific area they need cover.

Matt goes on: "We have a good working relationship and I often get good feedback from both companies and SCHWL. HSE is not a punitive organisation. We don't just issue a notice and then walk away, we work with industry.

Subsequently Galloway Group are still working closely with SCHWL and Matthew says he is pleased with what they have done and continue to do. The company also continue to engage with SCHWL in things such as training days for staff members regarding skin checking etc

Matt added: "They have been very receptive and the impression we took away initially was one of a company who wanted to comply as quickly as possible. It's a pleasure to work on this type of case. Galloway Group is now driving itself forward which is ideal.

"After our intervention they also set up a health and safety committee and that has great employee representation and they consult on a regular basis. It's a really good outcome."

Group Production Director of Galloway Group, **Cameron Robertson** contacted SCHWL Adviceline after the HSE visit and requested an OHS advisor needs assessment.

He said: "We were very surprised when an Improvement Notice was issued, as we feel we run a tight ship regarding health and safety here. However, the issue here was not about neglect but rather an oversight in processes.

“We were very good on PPE, protective eyewear, face fitting tests etc. We had all that in place and were thinking that we took our responsibility seriously.

“We called SCHWL immediately after Matt and David had left and that’s when Jane Duffy became involved. We set up a meeting in which we showed Jane the IN and she came in and carried out an audit.”

HWL offered Cameron advice on specific improvements such as the welding process, advising that lung function tests needed carrying out on welding staff.

On the roll forming machine which uses coolants, skin tests were carried out and health questionnaires issued to staff.

In addition, they carried out a new noise assessment of the facility with findings being issued through a report. Cameron pointed out that Galloway Group has its own acoustics dept.

Cameron said: “It was all useful stuff and we introduced free health assessments for our periodic night shift workers and we now use a system of colour coded boiler suits for apprentices, first aiders, standard workers and temporary staff.

“With regard to hand/arm vibration and the use of portable power tools, the company have engaged the services of a HAV testing specialist company. The results have increased the magnitude by anything up to 50% from the manufacturer’s handbooks.”

Cameron states Galloway Group was a firm that had historically reported even a small nick to someone’s finger and had always issued health and safety campaigns throughout the group but didn’t have a H&S committee, though that was installed by the time Matthew returned and he was more than happy with that.

Cameron said: “The one thing we’ve really taken away from this experience is the Health Surveillance advice. It really opened our eyes and I am trying to take it to industry now to make other companies aware of this responsibility because they don’t seem to be doing it either. Nobody was suggesting the full detail of what we should be carrying out.

“It’s been an excellent experience and the support has been very good. Obviously HSE is more than satisfied as they have witnessed the firm go above and beyond what was originally required.”

In January 2010 Matt and David re-visited Galloway Group and were satisfied the terms of the Notice were complied with. The pair acknowledged the additional steps that the company were taking as a result of the advice and support given by Jane.

Jane Duffy from SCHWL visited Galloway Group to carry out the audit and advised the company how to comply with the Improvement Notice by informing them what provision was required.

She supplied a list of Occupational Health providers in the area. She also recommended the company might consider nominating staff for ‘Responsible Persons’ training.

Jane also made a number of recommendations with regarding other Health and Safety matters.

She said: “When Galloway Group initially contacted us they were understandably shocked and upset with the IN but once we discussed the compliance process it was a case of moving forward positively.

“After visiting Galloway group it was apparent they had many good processes in place but fell down on issues such as occupational health.

“My job really is to facilitate progress by identifying things the company should do. Like drafting a COSHH assessment. They weren’t doing things completely wrong; they just needed a bit of direction.

“Since I last visited they have done a whole load of assessments and I’m going back shortly to ensure they stayed on the right track.

“The great thing about Galloway Group is that they pick up the phone if they are not sure about something and that is always to be encouraged. They have committed to continuous improvement and I take my hat off to any company that takes such a positive approach.

“To be fair, there were many, many things this business already had in place and everything that has been suggested they’ve taken on board.”

Robert Atkinson, the OHS development manager at SCHWL explained the overarching ideology behind the organisation.

He said: “There are several reasons why HWL is an important part of Scottish industry. Obviously for individual companies, it makes commercial sense to have your staff fit, healthy and at work, not absent with either with an ailment caused by work or been made worse by work. Having sick employees at any time is detrimental to the economy of the company, the area and Scotland as a whole.

“Also with a shortage of skilled staff and an aging population and workforce, leading to individuals having to work longer before pensionable age, it makes sense to keep employees fit and healthy to keep them productive for as long as possible and for as long as they want to work.”.

Robert says this kind of thinking was really the start of HWL, providing services free through the NHS which is a recognised brand so users know it’s confidential and are confident there is an element of competence surrounding the services they are receiving from that brand. Primarily the SCHWL occupational health and safety services are for SMEs who potentially don’t have the money or are not sure where they should spend the money.

Robert added: “If a company has got money to spend they can spend on H&S or on occupational health it’s much better they get the information and advice in advance so they know where best to spend that money for the benefit of the workforce and the business.

“SCHWL is a free service and we will provide companies with as much support as we can, there is no catch but if there are services we can’t provide, we will offer advice of which additional services are necessary and where best to source them.

“We look at the company's needs such as critical risk, high risk, medium and low risk and encourage them to carry out risk assessments, and we can provide the forms, the training courses and offer support. We cannot though, do the work for them as we want to encourage companies to stand on their own two feet and to get on with it.

“It varies from company to company depending what the needs are but we’ll work with the organisation to identify where the risks come from in that particular organisation and how can we best use our time to provide information, guidance or direction, and we’ll help them fulfil that need.

“We basically guide companies through the terms of compliance so they are better informed. Also, by encouraging them to carry out as much as they can internally it reduces costs and also provides them with a framework for explaining exactly what they want when buying in services from outside better informed.

“SCHWL don’t actually provide services such as occupational health screening or more in depth sampling for dusts or noise so if an organisation needs these services, we will point them in the right direction that’s exactly what happened with Galloway Group.

“In a situation such as this, SCHWL tell the company what kind of questions they should be asking a potential supplier of services regarding competence, delivery etc and help identify which staff need the surveillance. SCHWL also ensure the company are doing as much as they can

before they contact a contractor, for instance they may be able to do level one surveillance themselves and need only a supplier for level two.”

Robert added: “It’s literally as simple as picking up the phone. I call it the road to Damascus moment, when a company suddenly thinks “oh my goodness we’ve got to do something, where do we get help”, and it can be the result of an accident, an incident or an inspection visit such as to the Galloway Group. Increasingly, the success of the partnership with HSE will be the trigger and HSE will tell the company the level of service they will get from SCHWL.”

In cases where an IN is served on a company SCHWL will fast track the process to ensure they comply in time and the advisors will work with the organisation to help them solve their problems as quickly as possible. That may mean going back to speak to the inspector to get more detail around the case, but that happens only with the approval of the company.

SCHWL say they are there to try and simplify the whole process by breaking it down to its component parts and making it simple, straightforward and , cost effective and will look at the individual company and assess what they need, then work with them to make finding a solution as simple as possible.

Robert says: “The Galloway Group are a text book story toward the better end of the scale, this is where we would like to see all our organisations aspiring to be.”

“They’ve embraced the process as opposed to saying “we’ve got an improvement notice lets hide our head in the sand” they’ve realised they have a business to run here and have said okay, “this could impact on our business, let’s improve things.

“They were already a lot farther up the scale than a lot of the companies we deal with. It’s always nice to work with firms who see that it can help there business and are happy to run with the idea.

“You’re never quite sure where it’s going to start, but any organisation can come on the journey with SCHWL and we help make them improve many aspects of their health, safety and wellbeing for employees and the business side of the organisation. Sometimes it starts with a negative like an IN but SCHWL can try and turn that into a positive so don’t be afraid to pick up the phone after a visit from a HSE inspector.”

From HSE’s perspective as the regulator, SCHWL are a really valuable resource as we all strive to “Be Part of the Solution” in Scotland.

ENDS

March 2010

Annex 2

Extract from Environmental Health Scotland

Partnership in Action – A Case Study **Perth & Kinross Council and The Scottish Centre for Healthy Working Lives**

I have been recommending the Scottish Centre for Healthy Working Lives (SCHWL) to business owners in Perthshire since I started with Perth & Kinross Council and the results have been rewarding. My aim in writing this article is to raise awareness of the services SCHWL can offer and to highlight the importance and benefits of partnership working.

The Scottish Centre for Healthy Working Lives (SCHWL) was established in 2005 as part of the National Health Service. It's key target group for assistance is small and medium sized enterprises (SME's) employing less than 250 employees, with the objective of helping them identify their occupational health and safety issues and offering proactive solutions tailored to the size and nature of their business.

As an organisation SCHWL has the same objective as professionals involved in the regulation of health and safety. With this in mind I ask, why doesn't every local authority have a partnership with SCHWL? It is my experience that SCHWL has a very positive influence on SME's, both in a direct way to the businesses they assist and also indirectly, to us, as regulators.

There have been many examples of our partnership working over the past few years, all of which have resulted in a positive outcome. This case study details just one example and showcases the benefits from all three perspectives. I hope that other local authorities may be encouraged to foster similar partnerships with the SCHWL and experience the benefits available both to themselves and the businesses they regulate.

Case Study

I was undertaking an inspection of The Four Seasons Hotel in St Fillans, a medium sized hotel fairly typical of many others within Perthshire. It has twelve bedrooms, six chalets and one holiday apartment. During the inspection I found several contraventions and had a long discussion about the improvements needed with Mary, the hotel Manager. Although keen to comply, she seemed a little overwhelmed with where to start so I suggested she contact the SCHWL free Advice Line for some assistance. I explained that, with their support and some time and effort, she could easily establish an effective health and safety management system within the business. I included this advice in her inspection report.

Mary took this advice on board and contacted the SCHWL Advice Line. She was put in touch with Jane Duffy, one of their Advisors.

Jane explains what happened next:-

"It's quite common for me to speak to clients who have received an inspection report from an Enforcing Authority and are unsure how to implement the necessary changes. I visited the hotel to help Mary focus on what the potential risks were in the business. We then worked through the systems the hotel already had in place and talked through what she had to do to make improvements. Mary put a number of risk assessments into place (manual handling activities, lone working, new/expectant mothers and young persons). I then checked these assessments at subsequent visits, to make sure she was on

the right track. As the hotel also regularly holds functions, I suggested Mary carry out a risk assessment for each event on an “as and when” basis, something she felt much more confident to do once she had learnt how to carry out her own risk assessments”.

When I returned to the hotel for a follow-up inspection three months later, the difference in both management systems and general health and safety awareness was exceptional. Mary had a much clearer understanding of her health and safety obligations, and had implemented an effective and easy-to-follow health and safety management system, based on the core principles of risk assessment. She took the opportunity to learn from the inspection findings and put a considerable amount of time and effort in to achieve the necessary changes. It was very encouraging to see the transformation.

Mary explains her experience:-

“After receiving the inspection report I was initially anxious. I felt quite daunted by the requirements of Health and Safety at Work legislation and didn’t really know where to turn for assistance. However I knew the responsibility was ours and I needed to start somewhere so I took up the advice offered by Anna and contacted the SCHWL Advice Line. It was hard work at the beginning. There was a lot of work to do, but Jane was very encouraging and helpful. She taught me how to carry out a comprehensive risk assessment and keep it up-to-date. One of the issues we addressed was working at height. Although I already carried out basic training for risks such as lifting and carrying sharp objects, I hadn’t addressed working at height as a risk in the business. By going through the whole process of undertaking a risk assessment, it drew my attention to the risks I had simply not considered. Whilst I admit I didn’t like being criticised, I am very appreciative of the assistance I received from the SCHWL service and feel that, without their help, I wouldn’t have known where to start to make improvements”.

Jane’s concludes:-

“I’m very grateful to Perth & Kinross Council for recommending us to the Four Seasons Hotel and I’m really keen to generate interest amongst other Local Authorities to encourage more successful partnerships like this one. All our services are available through our advice line (0800 019 2211) and our website (www.healthyworkinglives.com). We also have leaflets and example documentation available on request if Inspectors would like to use them during routine inspections to promote the free services on offer.”

To summarise, the assistance that the SCHWL service offers to businesses should be both welcomed and encouraged. We both strive for the same goal – to reduce accidents, injuries and ill health at work. SCHWL complements the work we do and can greatly assist smaller businesses to achieve compliance with their legal obligations under health and safety law, which not only makes workplaces safer but also makes our job easier. I hope sharing these experiences will encourage colleagues to influence the businesses in their area to utilise the excellent services of SCHWL. Partnership working like this can only be of benefit to everyone concerned, especially in the current challenging financial climate.

Anna Brown, Chartered Environmental Health Officer, Perth & Kinross Council