



H&S enforcement falls dramatically

What we all knew was true anyway has been confirmed by statistics dragged out of the HSE by Hazards magazine. Health and safety enforcement took a severe drop during 2004/5, the last year for which we have complete figures.

The figures for enforcement notices show the extent of the problem.

Total notices – prohibition notices and improvement notices combined - dropped to 8,445 in 2004/05, from over 11,000 the previous year and over 13,000 in 2002/03. Improvement notices dropped from 8,140 in 2002/03 to 5,167 in 2004/05. Prohibition notices fell from 5,071 to 3,229 in the same period.

Even HSE’s periodic enforcement “blitzes” are not the blitzes they used to be. A **Hazards** analysis of HSE press reports on regional and national enforcement blitzes from May 2002 found the ratio of prohibition notices to sites visited had slipped steadily from 1 in 2 down to less than 1 in 5.

An April 2005 news release did not give the number of prohibition notices issued, but reported that just 214 notices – prohibition notices and improvement notices combined – were issued in visits to 1,170, or less than one official notice of any kind for every five site visits.

Soon HSE may not have the numbers to do the job right anyway, as it is haemorrhaging experienced staff. HSE staffing levels have fallen for three successive years, according to HSE’s annual report for 2004/05, with just 3,903 staff in

post on 1 April 2005. In 1994, HSE had 4,545 staff.

(For more information on these issues, see Hazards Magazine, Issue 93, <http://www.hazards.org/index.htm>)

	Improvement	Deferred prohibition	Immediate prohibition	Total
01/02	6,712	116	4,264	11,082
02/03	8,140	113	5,071	13,324
03/04	6,798	81	4,458	11,335
04/05p	5,167	49	3,229	8,445

HSE consults on worker involvement

The Health and Safety Executive (HSE), on behalf of the Health and Safety Commission (HSC), has issued a Consultative Document to seek views on how to encourage, improve and increase worker involvement in health and safety risk management.

Improving worker involvement

Involving workers is a key theme of HSC's strategy and both the Commission and the Executive are committed to improving the quantity and quality of workers' participation in managing health and safety at work. Whether the proposals being put forward will actually achieve this is another question.

According to Geoffrey Podger, Chief Executive of HSE, "Workers know the most about the jobs they do, so they are often in the best position to develop safe and practical systems of work.

"Effective worker involvement can reduce accidents and ill health. It is fundamental to ensuring the success of all other interventions on health and safety. It is important, therefore, that we actively encourage and support organisations to involve their workers."

Unfortunately the Consultative Document offers a very limited set of options, especially on increased rights for safety reps. It invites comments on these options and any new ideas that have not been considered.

Limited proposals

Proposals for new legislation are:

- a duty on employers to consult safety representatives on the overall mechanism of risk assessment and on significant assessments
- that employers should have a duty to respond to representations from safety representatives

HSE is also asking whether the title of "safety representative" should be changed to "health and safety representative".

What about PINs?

There is nothing in the consultation about introducing Provisional Improvement Notices (PINs), or providing for Roving Safety Reps for different workplaces. Usefully, the consultation does confirm that the law already provides for safety reps to cover several sites owned by their employer. However, there is nothing whatsoever about the relationship between reps and contractors on their site. Nor does the consultation address enforcement of the Safety Reps Regs, which Amicus believes should be in the hands of HSE or LA Inspectors.

We are also well aware that one of the most common problems for safety reps is time off, both for training and for carrying out their functions in the workplace.

Amicus response

Amicus will be preparing a detailed response to this consultation exercise. We will be seeking the views of Amicus reps wherever possible and using H&S training courses to raise the issues involved. All contributions from Amicus members are welcome.

The consultation is open to 8th September 2006. The Consultative Document Improving worker involvement – Improving health and safety (CD207), the summary document and feedback form can be accessed at www.hse.gov.uk/consult/condocs/cd207.htm

Single printed copies of the Consultative Document and summary may be obtained from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA, Tel: 01787 881165, Fax: 01787 313 995

Any comments from Amicus reps, however brief, should be sent to chris.o'leary@amicustheunion.org

Register now for TUC Risks emails

Want to know what's going on in health and safety first? Health and safety is one of the main concerns of working people, and trade unions are central to health and safety developments in Britain.

So news from the TUC and trade unions is important. Rather than buy half a dozen monthly health and safety magazines and getting stale news, often garbled in the telling and re-telling, get the news straight from the people making it.

RISKS is the TUC's weekly online bulletin, edited by award-winning HAZARDS editor Rory O'Neill. You'll get news from the TUC and the unions (and from the HSE and others) direct. But more importantly, you'll get it free.

To register to receive your copy direct every weekend, like more than 10,000 other people, go to:

www.tuc.org.uk/h_and_s/index.cfm?mins=242

And hurry. Health and safety news is happening all the time!

Hazards 2006 Manchester

It is still possible to book for the 2006 Hazards Conference in Manchester, which takes place from 14-16 July at the University of Manchester. A booking form can be found online at

<http://www.hazardscampaign.org.uk/hazardsconference/azconfbookingform.pdf>.

The theme of this year's conference is Workers' strategies for healthy workplaces.

Lord Hunt

21 workshops are planned on a wide range of H&S topics, and on the Saturday morning, Lord Hunt, Government H&S Minister, will be addressing the conference.

Amicus presence

There will be a strong Amicus presence at the conference, including a H&S stand, and many Regions and Sectors are likely to be sending delegates. Check with your Region whether they have chosen a delegate.

Tackling workplace stress

What is stress?

HSE defines stress as "the adverse reaction people have to excessive pressure or other types of demand placed on them". Pressure is part and parcel of all work and helps to keep us motivated. But excessive pressure can lead to stress which undermines performance, is costly to employers and can make people ill.

Why do we need to tackle stress?

HSE commissioned research has indicated that:

- about half a million people in the UK experience work-related stress at a level they believe is making them ill;
- up to 5 million people in the UK feel "very" or "extremely" stressed by their work; and
- a total of 12.8 million working days were lost to stress, depression and anxiety in 2004/5.

HSE's key messages on stress are:

- HSE is working with businesses to enable them to manage work related stress more effectively
- work-related stress is a serious problem. Tackling it effectively can result in significant benefits for organisations
- there are practical things organisations can do to prevent and control work related stress
- stress is a management issue

Stress is a health and safety issue

Amicus sees stress as a health and safety issue that employers should address through risk assessment, and the full involvement of Amicus safety reps. Employers have clear legal duties on health and safety, which we believe should be backed up by legal duties on tackling stress. The Stress Management Standards are the next best thing, so Amicus reps should use them to the full.

Stress Management Standards

The overall aim of the Stress Management Standards is to bring about a reduction in the number of employees who go off sick, or who cannot perform well at work because of stress. HSE wants employers to work with safety reps to implement the Stress Management Standards and introduce a process of continuous improvement. This should be good for employees and good for business.

What are the Management Standards?

The Standards and supporting processes are designed to:

- help simplify risk assessment for stress;
- encourage employers, employees and their representatives to work in partnership to address work-related stress throughout the organisation;
- provide the yardstick by which organisations can gauge their performance in tackling the key causes of stress.

The Management Standards define the characteristics, or culture, of an organisation where stress is being managed

effectively. They cover six key areas of work design that, if not properly managed, are associated with poor health and well-being, lower productivity and increased sickness absence. In other words, the six Management Standards cover the primary sources of stress at work. These are:

- **Demands** – such as workload, work patterns and the work environment.
- **Control** – such as how much say the person has in the way they do their work.
- **Support** – such as the encouragement, sponsorship and resources provided by the organisation, line management and colleagues.
- **Relationships** – such as promoting positive working to avoid conflict and dealing with unacceptable behaviour.
- **Role** – such as whether people understand their role within the organisation and whether the organisation ensures that they do not have conflicting roles.
- **Change** – such as how organisational change (large or small) is managed and communicated in the organisation.

Employers have a duty to ensure that risks arising from work activity are properly controlled. The Management Standards approach helps employers work with safety representatives to undertake risk assessments for stress.

Assessing performance

- Existing information can be used to see how organisations shape up. Sickness absence or staff turnover data could help, as could any surveys of the views of employees.
- Use the HSE survey to give an indication of performance against the Standards.
- Look at the Management Standards website www.hse.gov.uk/stress/standards for more information and use HSE's survey ('Indicator tool for work-related stress').

Amicus information on stress

More information on stress can be found on the Amicus website at:

<http://www.amicustheunion.org/Default.aspx?page=1292>

The Amicus guide to stress at work is currently being updated to include the latest developments, and in particular, the HSE Stress Management Standards.

Amicus Stress H&S Training

Amicus now offers a 3 day course on Stress management. This course has been developed for experienced safety reps to further develop their skills and knowledge of stress management systems in the workplace.

Other information on stress

The HSE website on stress is particularly helpful: <http://www.hse.gov.uk/stress/index.htm>.

Also useful is the UK National Work Stress Network, (<http://www.workstress.net/>), which Amicus supports.

12 things all safety reps should know

(This is based on the Australian AMWU's OHS Manual, and we think it's good advice).

1. The twin goals of a union Health & Safety Program are to improve working conditions and to build the union. They are equally important. In fact, you can't do either one well unless you do both.

2. Management has different goals, even enlightened management. They may care about safety in its own right, but are probably more concerned about workers compensation costs. And building the union is never one of the management's goals.

3. What you do with the company on Health & Safety is a form of collective bargaining. Even if you don't see it that way, they do.

4. Health and Safety isn't a technical issue. Technical knowledge helps. But there are plenty of places to get technical information. Strategy and organisation are much more important.

5. Every workplace needs a union safety representative. Use the Amicus system to appoint yours, get them accredited and get them trained.

6. Unions appoint their own safety reps have far greater legal powers and rights to time off and resources than any health and safety reps appointed by employers. Employers cannot appoint or dismiss union safety reps.

7. Union H&S Reps should be promoting health & safety in a way that builds the loyalty and commitment of the union's membership. That means involving the membership whenever you can. And it means good communication with your membership, both written and by word of mouth.

8. The vast majority of workplace accidents and ill health are down to careless employers and poor health and safety provision

9. Safety programs that focus on behaviour wrongly suggest that our members are the problem. In fact, our members and the union are the solution.

10. The best way to find hazards is for union H&S Reps to talk to every worker about his or her job, and how to make it safer and easier. It's even better to enlist that member in pushing for improvements.

11. And what's the best way to build the union through health and safety? See point 10, above.

12. You're not alone. You have lots of resources through Amicus Regions, Branches, Sectors, Officers, National Health & Safety, website, training courses etc.

Go to:

<http://www.amicustheunion.org/healthandsafety/> for more information.

Don't fall for it!

Falls from height are the most common cause of fatal injury and the second most common cause of major injury to employees, accounting for around 15% of all such injuries.

As part of the Falls from Height Programme Plan for 2005 – 2008, HSE inspectors are running an enforcement led height awareness campaign with targeted inspections taking place across Great Britain from 22nd May until the end of June. The campaign aims to raise awareness of what is "working at height", the associated risks and how to select the most appropriate precautions and equipment to carry out the work safely.

Targets

Targeted activities include building and plant maintenance in their widest sense - both those who carry out the work and those that manage or procure it, including for example: electricians, mechanical and electrical fitters, painters and decorators, window cleaners etc.

Checklist

The Initial Enforcement Expectation (IEE) checklist that inspectors will be using as part of the campaign, including the 'risk control indicator' can be downloaded from the Amicus website at www.amicustheunion.org/heightaware/, along with other resources on working at height.

Safety reps may wish to use this to provide inspectors with any relevant information they have found from their own inspections before any visit.

Key messages

Key campaign messages are

- those following good practice for work at height now should already be doing enough to comply with these Regulations;
- follow the risk assessments you have carried out for work at height activities and make sure all work at height is planned, organised and carried out by competent persons;
- follow the hierarchy for managing risks from work at height - take steps to avoid, prevent or reduce risks; and
- choose the right work equipment and select collective measures to prevent falls (such as guardrails and working platforms) before other measures which may only mitigate the distance and consequences of a fall (such as nets or airbags) or which may only provide personal protection from a fall.

Experience shows that falls from height usually occur as a result of poor management control rather than because of equipment failure.

Amicus Health and Safety

Amicus web site: <http://www.amicustheunion.org>

Amicus H&S website: <http://www.amicustheunion.org/healthandsafety/>