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Health and Safety in 2009

National Hazards Conference

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Challenges facing us

- Enforcement
- LA and HSE budgets
- Regulation/deregulation
- The recession and after
- Green Jobs
- Global warming
- Occupational Health Agenda
- Vulnerable Workers
- Pressures on Safety Reps

Enforcement

HSE Strategy quite clear:

“where appropriate, HSE or the relevant local authority will rigorously seek justice against those that put others at risk and in particular where there has been a deliberate flouting of the law.”

Also says there should be no “exemption from regulatory scrutiny”

TUC believes there is strong evidence enforcement works



The practice

	Offences prosecuted	Convictions
• 2002/03	1 659	1 273
• 2003/04	1 720	1 317
• 2004/05	1 320	1 025
• 2005/06	1 056	840
• 2006/07	1 051	852
• 2007/08p	1 028	839



Penalties

- The average penalty per conviction by the HSE in 2007/08 was £12 896. If fines of £100 000 and above are excluded, this gives an average penalty of £7809.
- In 2007/08 the average penalty per conviction by an LA was £7663. If untypical large fines (more than £100 000) are omitted, the average is £5650.
- New laws on penalties may help raise this in coming years.

Levels of Enforcement (GB Experience)

Visits –

- HSE enforced sector – once every 14 years
- LA enforced sector – once every 20 years



Resources

- In theory HSE budget protected for this year and next two
- “Red line” for number of inspectors
- Likely demands for “across the board” cuts
- LA funding will be hit harder
- No protection for H&S enforcement

Regulation/deregulation

- TUC wants strong simple regulation covering everyone
- Need for more regulation, not less (directors Duties)
- Government agenda on regulation (light touch/burden on business)
- Effect of financial crisis?
- European view esp SMEs
- Mixed messages to enforcers

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Enforcement v Voluntarism

- US experience – VPP
 - Certain companies have a lower level of inspection
 - Falls in injuries simply a result of less reporting
 - Actual rates gone up
- The Irish Experience

Recession

- Mixed effect on injury and illness rates
- Less investment in safety but biggest cuts are in occ health
- Changes in structure of workplace – construction/refurbishment
- But less new workers
- Less long hours
- Previous recessions have seen a fall in injury rates.



Recession 2

- Biggest risk coming out of recession
- New workers being taken on
- Increase in new employers/industries
- Health and safety falls down agenda



Green Jobs and new Industries

- One area where sector growing is “green jobs”
- Recycling and waste disposal huge risks – both injuries and occ health
- “Green economy” – untested technologies
- Development of nanomaterials



Global warming

- Will have a major impact on workplace
 - Temperature
 - Increased flooding
 - New diseases
- Need legal maximum temperature
- Changes to building regulations



Occupational health

- Fall in injuries but not illness
- MSDs/stress 70% of work-related sickness absence
- Also asthma, dermatitis, cancers etc.
- More likely to effect women
- Weak regulation
- Lack of enforcement activity



Vulnerable Workers

- Position of some Migrant Workers a national scandal
- Lack of employment rights of many – including bogus self employed”
- Workers in many SMEs
- Need much more enforcement
- New employment rights
- Extension of Gangmasters LA to construction

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Role of safety reps/Unions

- Union membership fallen
- Safety reps already under pressure – time off/training
- Need greater support
- New duties on employers
- Workplace organisation campaign

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Conclusion – what the TUC wants

- Difficult challenges ahead
- Not all bad
- Recent fatalities figures
- H&S “brand” still strong”
- Have 150,00 safety reps

