



Prospect

**PROSPECTS FOR SAFETY**

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*“... it is imperative that the HSE are provided with adequate resources in order to fulfil their role.”*

Lord Cullen, 20 September 2001

# PROSPECTS FOR SAFETY

The health and safety of Britain's workforce is being jeopardised because the Health and Safety Executive is under-funded. The cost in human terms of this under-investment is vast, while the cost to the economy is billions of pounds.

Yet the cost of putting in place a framework of safety inspections with enough inspectors to carry them out would only be about £35m extra in real terms each year.

The number of deaths at work has risen in the last year and provides a macabre background to the Prospect campaign for extra resources for the HSE. The executive estimates that 295 people were killed at work in 200-01, compared to 220 the previous year.

The daily death toll in Britain's workplaces is relatively unreported but needs to be contrasted with the media coverage and government reaction to much smaller numbers of deaths on Britain's rail network, which culminated in Lord Cullen's inquiry into the causes of the Ladbroke Grove rail crash.

In the aftermath of Ladbroke Grove, HSE boosted the numbers of railway inspectors by shifting other inspectors into the Railways Inspectorate. While this was good news for rail safety, it is potentially disastrous for workers in inherently more dangerous industries, like construction and farming.

Lord Cullen's first stage report into the Ladbroke Grove rail disaster criticised the Health and Safety Commission for not pressing for more resources to properly carry out its safety remit for the rail industry. In his second report, published in September, Cullen emphasised that the HSE should be given adequate resources to fulfil their role. While this call for extra

resources is welcome, it has to be borne in mind that this was in relation to the railway inspectorate while the rest of HSE remains underfunded.

Cullen's criticism of the HSC in his first report for not doing more to gain sufficient resources ignored the crucial point that government determines funding. This let the Treasury off the hook for its penny-pinching approach to workers' safety. The reality is that most workers rarely if ever see a safety inspector – the average inspection rate is once every 10-15 years. What is needed are proper levels of funding, not to spread the jam thicker in one area and more thinly in another.

The five-year average of fatalities from rail collisions is eight – including the 31 fatalities during 1999-2000. The contrast with the deaths of 105 construction workers in the last year alone of 105 is stark – an average of two deaths each week.

These figures are shocking and point to the need for more inspection and regulation of the industry, not less. Self-regulation has to be seen in the context of this weekly carnage, which has reached a 10-year high.

But workers' deaths and major injuries are relatively ignored by the media, and government-led priorities for the Health and Safety Commission are no more than rhetoric if not backed up by proper funding for HSE.

Prospect is campaigning for a properly resourced and staffed Health and Safety Executive, able to play a key role in ensuring that working people are safe at work.

**“Occupational health usually doesn't grab headlines in the way that train crashes or fatalities do – but 2m people a year suffer from ill health attributed to work.”**

**Anna Bliss  
Occupational  
Health Adviser**

**PAUL NOON**

Joint General Secretary

# WORKING FOR SAFETY

The Health and Safety Executive should be given at least £35 million extra each year in real terms so that it can:

- ◆ double the number of inspectors so each workplace is inspected at least once every five years;
- ◆ inspect each new workplace in the first year of operation, rather than five or 10 years down the line, if at all;
- ◆ invest in scientific expertise to research and develop procedures and devices of benefit to health and safety at work;
- ◆ provide professional forensic support by scientific staff to back up HSE investigations into deaths and injuries at work, similar to that available to the police.

And then:

- ◆ carry out a root and branch review of the regional structure and the location of HSE field offices, the role of those offices and staff located there;
- ◆ improve retention by rationalising the pay structure so that inspectors reach the salary maximum quicker;
- ◆ rationalise and equality proof the allowances paid to specialists;
- ◆ improve administrative structures and IT systems to release more inspector time for inspections.

HSE should remain as a publicly funded, independent organisation with responsibility for the health and safety of the workforce and the public.

**“I carry out less than a quarter of the contacts I was making 10 years ago. My presence on site will turn golf caps into safety helmets before I open my mouth.”**

**Jim Pride  
Construction Inspector**

The commission should retain its status as a tripartite body because this structure has been a great strength and allowed the development of a legislative and regulatory system through consensus with workers and employers which is admired throughout the world.

HSE staff should be better equipped to deal with current health and safety issues, rather than having to update themselves in an ad-hoc manner. There should be better access to regular, across-the-board programmes of in-service training.

Inspectors should have more and better training on how to carry out complex investigations and issues such as occupational health, including work-related stress.

HSE should plan its office locations to reflect local population needs. They should be sited in areas where they can be most effective, rather than shut down to save money.

Office provision should allow for smaller satellite offices with appropriate support and an IT system sufficiently robust to allow this. As a result, inspectors would be able to spend more time inspecting and less time driving.

The process of training inspectors should be streamlined and new trainees should be released from the requirement to complete the regulatory NVQ, which is bureaucratic and adds no value to the professional training received. This would also release senior inspectors from time-consuming assessor duties.

## ADDITIONAL WORK

HSE should take a more pro-active role in possible manslaughter cases both now and when the legislation

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changes. The executive has the expertise in health and safety law and should be given the resources to use it.

The police are already over-stretched and it is illogical to widen the scope of their work into areas where they have neither knowledge or experience.

We welcome the current discussions on developing more successful HSE prosecutions through an enhanced in-house litigation service. Such a service should be able to provide expert legal advice to inspectors and should lead to more prosecutions. It will however

**“When I started as an inspector I would be given a list of premises to inspect for the year. I would invariably complete the list. Today, I am not even given a list as there is no way that amount of preventative inspections will be achieved.”**

**Steve Hook  
Field Inspector**

require proper funding when rolled out nationwide.

All inspectors should receive special training on investigating fatalities. This should include an understanding of what the law on manslaughter involves, liaison arrangements with the police and how to deal sensitively with relatives.

The effect of HSE charging companies distorts the inspectors' work programme and needs a full and proper evaluation of its effectiveness and use to the organisation. A separate briefing sheet examining this issue is included in this safety pack.

### FINALLY

HSE's workload is increasing and that means additional resources are required. Prospect believes this is what the public want to make the world of work safe.

# SAFETY IN ACTION

## FUNDING

The government and the Health and Safety Commission set national targets for health and safety and the latest HSC strategic plan lists its priorities.

Last year, the commission submitted a three-year bid for the resources it felt the HSE required to meet the outcomes set out in *Revitalising Health and Safety and Securing Health Together*.

HSE did not receive the full amount it bid for and, in reality, it is not getting any more money.

The HSC's gross budget for the next three years is:

2001-02	2002-03	2003-04
£247.9m	£258.8m	£264.8m

Of this, £59.4m will be raised from income in 2001-02 and £54.4m from income in 2003-04.

Extra funding for HSE's administration costs – staffing and related costs like travel and subsistence and training – will be:

2001-02	2002-03	2003-04
£5m	£9m	£10m

But the whole increase in 2001-02 and £4m in 2002-03 must be offset by income, largely from charges for HSE's activities in the nuclear, rail and offshore sectors and control of major accident hazard sectors.

HSE is merely being allowed to spend more of what it expects or hopes to receive from the new regime for charging duty-

holders to process their safety cases.

According to HSC board minutes for December 2000 the funding gap for 2001 stood at over £6m – £2.25m in administrative costs, a £3m income shortfall and £1m in programme spending.

## INSPECTORS

At any particular time the inspector resource available to HSE is used in the way judged to be most effective in the light of the competing priorities. Current priorities are judged to be expansion of the nuclear and railways inspectorates and these will absorb most of the extra £5m allocation for 2001-02. The government has in effect ring-fenced the extra resources for 2001-2002 to the railways and nuclear inspectorates.

But in the wider world of work there are in the order of 170,000 accidents reported, of which about 28,000 are major injuries. Of these major injuries, HSE only manages to investigate 10-15 per cent. Each year about 30,000 complaints are received from people concerned about health and safety and workplace conditions. Over 80 per cent of this work is done by the largest division, Field Operations Division. People at work expect their safety concerns to be treated seriously by an HSE that is sufficiently resourced to deal with them.

## FIELD OPERATIONS

Field Operations Division currently employs about 1,400 staff, including administrative and managerial grades. About 613 of this total are inspectors and 234 are trainees. Each year, these 613 inspectors are expected to complete 75,000 inspections and about 18,000 accident investigations. Around 24,000

**“The physical cost of recruitment is not simply an end to the issue, loss of that knowledge takes years to replace and can't always be measured in monetary terms.”**  
Tim Storey  
Scientist

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complaint investigations are handled by FOD, as well as the majority of the 2,000 prosecutions HSE undertakes. Simple arithmetic shows that this is too much to allow each job to be handled properly.

## REGIONAL BREAKDOWN

The lack of resources on a geographical basis is shown by the geographical breakdown for front-line inspectors plus trainees in FOD:

Region	Inspectors
Scotland	49.7 plus 18
Yorks & N.East	50.2 plus 35
North-west	53.3 plus 22
Midlands	54.0 plus 32
Wales and West	69.3 plus 42.6
London & S.East	43.3 plus 45
Home Counties	59.5 plus 39

**“Why should I stay and train people younger than myself – just to see them leave in 18 months time, often to a job with a higher salary than mine.”**

**Dr Paul Heeney  
Chemist**

The numbers of inspectors in other parts of HSE, including management grades is:

Hazardous Installations Division

◆ onshore 130 ◆ offshore 130 ◆ specialists 80

Nuclear Safety Division ◆ 150

## WORKLOAD

HSE has 740,000 premises on its books. In addition there are hundreds of thousands of businesses not on its databases. With such a workload the time available for preventative work (stopping circumstances that lead to accidents and ill health) is scarce.

## REVITALISING

The Revitalising Health and Safety action plan, designed to inject new impetus into the 1974 Health and Safety at Work Act, was launched in mid 2000 and set ambitious targets to reduce accidents and ill health.

These targets are:

- ◆ to reduce the number of working days lost by 30 per cent by 2010;
- ◆ to reduce the incidence rate for fatal and major injuries by 10 per cent by 2010;
- ◆ to reduce the incidence of ill health by 20 per cent by 2010;
- ◆ to achieve half of this improvement by 2004.

It is naive to think that such a reduction can be brought about without a significant increase in the number of inspectors.

## COSTS TO SOCIETY

According to the HSE, stress-related illness is responsible for the loss of 6.5m working days each year, costing employers around £370m and society as a whole as much as £3.75 billion.

Within its existing workload and funding the HSE has so far taken very little action to combat workplace stress. It is now trying to rectify that with priorities to develop techniques for measuring stress. But HSE has insufficient resources to carry out its existing workload, let alone adding to it by requiring it to tackle work-related stress and musculo-skeletal disorders. Inadequate health and safety at work costs us dearly:

- ◆ each year about 1 in 20 of the population – about 2

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million people – experience ill-health caused by work;

- ◆ of these 2 million some 1.2 million suffer from musculo-skeletal disorders and 500,000 from work-related stress;
- ◆ over 25,000 people leave the workforce permanently because of work-related injury or ill-health;
- ◆ workplace accidents and work-related ill-health cost society up to £18.8 billion – more than 2 per cent of GDP;
- ◆ workplace accidents and work-related ill-health cost employers between £3.5 billion and £7.3 billion every year.

*National Assembly for Wales Minister of Finance and Communities  
Edwina Hart*

## DEATHS AT WORK

The following table gives an estimated regional breakdown for deaths at workplaces covered by the Field Operations Division:

	Employees	Self-employed	Work experience/trainees
<b>Wales and S.West</b>	26 (Wales 5)	16 (Wales 6)	0
<b>Home Counties</b>	34	11	1
<b>London &amp; S.East</b>	24	14	0
<b>Midlands</b>	31	9	0
<b>Yorks &amp; N.East</b>	32	10	0
<b>Scotland</b>	27	11	1

## DECLINING INSPECTIONS

According to the HSC plan of work the number of inspections

in 2001-02 is likely to decline by 5,000-10,000 from previous plans. This is partly because experienced inspectors have been moved out of Field Operations Division into the Railway Inspectorate. New inspectors will be recruited to back-fill the posts, but it takes two years before a new recruit is able to deliver the same number of outputs as an established inspector.

**“The workload is so overwhelming you don’t know where to start. It is soul destroying. I have no sense of making any difference.”**  
Anonymous London Safety inspector

Inspectors will also have to spend time looking at the management of the priority hazards identified in HSC’s plan during the course of normal inspection activity.

Prospect is concerned that high risk sectors like construction and agriculture will not receive the resources they were promised. And because experienced inspectors have been transferred to the

Railways Inspectorate the remaining inspectors are even more overloaded.

The executive is no longer planning to allocate the current ring-fenced allocation of 80 inspector-years to agriculture in 2001-02. HSC’s chairman has written to the agricultural industry committee confirming that this is because other pressures had intensified.

## OVERSTRETCH

Another example of overstretch within existing budgets is the 1995 Reportable Injuries, Diseases and Dangerous Occurrences Regulations – RIDDOR. After discussion with ministers, HSE gave higher priority to investigating RIDDOR incidents – which meant allocating more resources to that activity at the expense of equally important work.

## SAFETY IN ACTION

Construction remains one of the most dangerous industrial sectors – there are seldom less than 80 fatal accidents a year, and there were 105 in the last year alone. Despite the large amount of construction work in the capital, FOD's London division has been understaffed for years. It has 19 inspectors currently in post, despite the fact that 28 had been ring-fenced for the last three years. One inspector alone is responsible for three London boroughs – Kensington and Chelsea, Hounslow and Hillingdon.

Construction work in Scotland is also under-resourced. There is one single construction engineering specialist inspector for the whole country – which has 3,500 – 4,000 new construction projects each year. The single inspector has to provide expert evidence in court and expert advice to HSE inspectors inspecting building sites and civil engineering projects. As a result, a lot of work has to be contracted out meaning that the sole inspector also has to spend time managing those contracts.

### PERMANENT REVOLUTION

The Health and Safety Executive has been subject to a great

deal of change to the way in which it is resourced and the pressures placed upon it by government.

The revitalising initiative joined another fledgling government initiative – Securing Health Together – designed to achieve improvements in occupational health. The two initiatives were part of a government push to get the civil service to focus on outcomes directly related to improving health and safety rather than merely counting what work HSE did. They are also part of a public service agreement against which the commission and the executive will be judged.

This departure was welcomed by Prospect, which had long argued that real improvements in workplace health and safety could only be achieved through quality interventions. But it will not work unless adequate funding is provided.

Glossy documents and ambitious targets are all very well but the key question is whether staff on the ground have the time and resources to deliver those targets.

# OBSTACLES TO SAFETY

## RECRUITMENT AND RETENTION

The key problem to be addressed concerning the pay of inspectors is their bizarre pay structure. This means that highly qualified and experienced inspectors see no prospect of ever reaching the pay maximum of £33,439 – even an inspector with 10 years experience will only be on, or around the middle of the salary scale.

This causes retention problems because staff will not wait that length of time once they become 'marketable' as experienced safety practitioners.

## PAY AND ALLOWANCES

Prospect has asked the Equal Opportunities Commission and ACAS to help the unions and the executive resolve the problems caused by different pay allowances for specialist inspectors. The need is to develop a system which deals with recruitment and retention problems fairly and meets staff aspirations, because HSE needs to attract highly skilled staff.

## SCIENTISTS

Within the scientist grades in HSE there are issues of pay for skilled and highly qualified staff. Experts in their field with PhDs

**“HSE does not seem to appreciate the wealth of expertise and commitment it has among its scientists – we are invaluable to HSE and should be paid accordingly.”**

**Celia Elliot-Minty  
Scientist**

can find themselves stuck on salaries of less than £20,000 with only slow movement towards the £26,650 maximum.

The salaries paid to HSE scientists compare unfavourably with other employers and the situation is exacerbated by the slow rate of progression up the pay scale. A separate inequality is caused by paying externally recruited scientists £2,000 less than internally recruited staff.

## OFFICE LOCATIONS

There is little logic to HSE's regional structure and office locations and therefore the geographical coverage for inspection work. For instance, the executive recently closed its field office in Liverpool – this means that inspectors for the Liverpool docks have to travel from the Manchester office despite the docks being visible to HSE headquarters staff in the Bootle office.

## IT SYSTEM

The IT system is heavily criticised by inspectors for being slow and unnecessarily bureaucratic, increasing time spent in the office and away from inspections. A major criticism of office procedures is that inspectors have to waste time on administrative work and typing up their own reports.

# WHO'S WHO

## GENERAL

The basis for the modern system of health and safety at work is the Health and Safety at Work Act 1974. This established the Health and Safety Executive and the Health and Safety Commission as statutory non-departmental public bodies. Both are accountable to Parliament through the Secretary of State for Transport, Local Government and the Regions.

## PROSPECT

Prospect is the professional union for 104,000 staff in the private and public sectors, working as engineers, scientists, managers and specialists. It is the largest union in Britain for professional engineers. The union also represents inspectors and scientists at the Health and Safety Executive.

## HEALTH AND SAFETY COMMISSION

The HSC has overall responsibility for health and safety and for giving advice to ministers. It comprises a chairman and nine members, three of whom represent employer interests; three trade union or employee interests; and three 'other interests,' ie local authorities and the public.

## HEALTH AND SAFETY EXECUTIVE

The HSE is a separate body which reports to the commission and has three main functions:

- ◆ the development of health and safety policy for approval by the commission and the government;
- ◆ provision of a scientific research service through the health and safety laboratory;
- ◆ enforcement of the 1974 Health and Safety at Work Act.

## FIELD OPERATIONS DIVISION

This is the largest operational inspectorate in HSE and covers most industrial sectors, including construction, agriculture, general manufacturing, quarries, entertainment, education, health services, local government, crown, fire and police, domestic gas safety and railways.

## USEFUL ADDRESSES

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**Giving you a professional edge**

**A Prospect campaign document for greater resources for the Health and Safety Executive to make the world of work in Britain a safer place.**