



South Cumbria &
North Lancashire Branch

Joint meeting 20th September 2018



South Cumbria Occupational
Health & Safety Group

Topic: **HSE update**

Speaker: Leona Cameron, HM Inspector of Health & Safety, HSE Carlisle

Venue: The Netherwood Hotel, Grange-over-Sands, Cumbria LA11 6ET

Jim Tongue, Chairman, *South Cumbria & North Lancashire IOSH Branch*, welcomed members to the meeting. He explained that Mark Dawson was unable to join us this year but that he had arranged for his colleague, Leona Cameron, HM Health and Safety Inspector, to take his place.

Leona explained that she had divided her presentation covered four main topics: a brief history of the *HSE*, human behaviour in the workplace, *HSE's* plan of work for 2018/19, a personal insight into workplace culture from an *HSE* Inspector's point of view. She also encouraged members to ask questions and make comments during her presentation.

She emphasised that *HSE* Inspectors adopted a practical approach to health and safety that did not favour over-documentation or over-interpretation of health and safety regulations. She reminded members that *HSE's* mission was to prevent death, injury and ill health in Great Britain's workplaces and that they sought to do this by: undertaking workplace inspections and accident investigations, implementing enforcement action if necessary, conducting research into the causes of accidents and by working closely with Industry. Court prosecutions were only undertaken for very serious health and safety breaches or when firms adopted a cavalier attitude to *Enforcement Orders*.

Leona reminded members that *HSE* was not established until 1975 although four Inspectors of Factories were appointed in 1833 after the UK Government realised how little protection there was for workers, particularly children, and began to introduce legislation, such as *The Factory Act, 1833*. No women Factory Inspectors were appointed until 1893. Even then many people, including Alexander Redgrave, the Chief Factory Inspector opposed this. He is reported as saying:

"...I doubt very much whether the office of Factory Inspector is one suitable for women... The general and multifarious duties of an inspector of factories would really be incompatible with the gentle and home-loving character of a woman..."

She then explained that most recent health and safety legislation is enabled under the *Health & Safety at Work Act, 1974* and that both health and safety regulations and *HSE* workplace inspection programmes are regularly amended in the light of major workplace accidents such as the: 1974 Flixborough chemical plant explosion (28 dead), 1987 Zeebrugge Ferry (200 dead) and the Kings Cross fire (31 dead, 100 injured), 2004 Morecambe Bay Cocker Pickers (25 dead) and ICL Glasgow leakage of LPG (9 dead), the 2005 Buncefield explosion and fire (50 injured), 2015 Bosley Mill explosion (4 dead) and the Alton Towers accident (16 injured).

Leona illustrated the impact of human behaviour on workplace culture by using James Reason's management model that compares the layers of management systems to layers of Swiss cheese. Each cheese layer represents a defence against something going wrong but there are always 'holes' in the management system that can be circumvented by employees. This model predicts that when several safety management system 'holes', 'line up' (coincide) the potential for health and safety accidents or incidents increases.

She explained that the most likely causes of ‘holes’ in workplace management systems are:

- Slips Accidentally doing the wrong thing such as moving a lever in the wrong direction.
- Lapses Forgetting to do something, losing your place in the middle of a task
- Mistakes Decision making failures: rule based, or knowledge based, making the wrong decision believing it to be right.
- Violations Deliberately doing the wrong thing eg site manager allowing untrained persons to operate plant, action by an employee with a grudge.

Leona said that *HSE* data shows that the violation of health and safety rules or procedures is one of the biggest causes of accidents and injuries at work. Human error is the major cause of 90% of workplace accidents, but, 70% of these accidents could have been prevented by earlier management action. Estimates show that accidents caused by human error cost UK Industries between £11 and £16 billion as well as associated uninsured costs and the human costs to workers and their families.

She encouraged members to suggest ways of combatting human error in the workplace. It was agreed that all the following were important: proactive management – not condoning bad practice by ignoring it, regular training and re-training sessions, regular reviews of risk assessments including listening to the people doing the job etc...

Leona said that *HSE* were currently focussing on three main areas of workplace health: occupational lung diseases (12,000 deaths per year), musculoskeletal disorders (accounts for 34% of lost working days) and work-related stress (accounts for 45% of lost working days). She explained that one of *HSE*'s current projects was to produce a series of short u-tube videos to help people understand potential workplace hazards. For example:

Construction <https://www.youtube.com/watch?v=bPkRKOJ9-qU>
 Metal Working Fluids <https://www.youtube.com/watch?v=WLHtcfYWRb4>
 Stress <https://www.youtube.com/watch?v=zh19iv37kNs>

She showed members a video of a man in his 50s who had developed silicosis. He and his wife were talking about the impact that this had had on their lives when he was diagnosed at being terminally ill. He died shortly after the film was made. Leona recommended that these short films could be used as helpful training videos or during relevant during tool box talks.

Leona said that *HSE*'s priority target industries for 2018/19 are: metal fabrication, agriculture, waste and recycling, food manufacturing and construction particularly refurbishment, with one national campaign focused on construction health risk and two London specific campaigns.

She explained that their work programme would include 20,000 targeted proactive inspections using major campaigns to address priority issues within high-risk industries with an emphasis on work related health problems. She said that the construction industry continued to be problematic therefore *HSE* had organised targeted campaigns in June and in October to highlight the need for managing ill health risks associated with refurbishment projects.

HSE's targeted inspections for October to December 2018 include: the food industry (compliance), ionising radiation (compliance with the new regulations), waste and recycling, fairgrounds and theme parks (control of public safety risks during operation of rides, maintenance of equipment), schools (compliance with asbestos regulations) and health and social care (management procedures for coping with violence and aggression and for prevention of MSDs). During January to March 2019 their targeted inspections include: agriculture (compliance), food (compliance), ionising radiation (compliance with the new regulations) and water treatment contractors (legionella).

Leona used some of the enforcement actions that she had needed to take during workplace inspections during the last few years as case studies. She explained that inspectors used workplace *Enforcement Notices* to give employers an incentive to develop workplace management practices that comply with health and safety regulations. They usually appear on *HSE* public database for a period of five years they are transferred to the *Enforcement Notices* history register, where they are published for a further 5 years. *Enforcement Notices*

are published nine weeks after they are served to allow for an appeal's process to be completed if applicable and for internal quality assurance purposes. If an *Enforcement Notice* is served on an individual it is removed from the public register after 5 years.

She said that the majority of *HSE Enforcement Notices* were served under the following regulations: HSWA Section 2 (1), MHSWR Regulation 3 (1), COSHH Regulation 7, PUWER Regulation 11 (1), CNWR Regulation 6 and CVWR Regulations 5 and 6.

During 2017/18 *HSE* Inspectors had taken six Cumbrian and north Lancashire firms to court because it had not been possible to resolve their breaches of health and safety law through their *Enforcement Notices* system.

Leona then summarised some of the challenges that face everyone who wants to improve workplace health and safety: Complacency – management and employees; over interpretation of health and safety regulations by people who do not have practical knowledge of specific tasks and/or the hazards associated with them; Health & Safety Myths that lead to a general mistrust of health and safety management systems.

She suggested that one of the biggest challenges in today's workplaces was that workplace safety management systems are much easier to set up and monitor than systems to manage workplace health risks. For example:

Assessing task/process safety

- Hazard usually easy to see.
- Easy to assess.
- Usually relatively easy to set up safe system of work.
- A finite problem that can be solved.
- Often solved by common sense.
- Given high priority by managers.
- Easy to develop training programmes.
- Monitoring much easier.
- Easier for employees to understand.

Assessing workplace health risks

- Not immediately apparent.
- Requires a complex assessment.
- Requires safeguards against long-term health risks.
- Chronic timescale of the diseases.
- Requires specialist knowledge.
- Lack of training & awareness of managers.
- Difficult to monitor.
- Poorly understood by managers.

Leona used case studies to emphasise the need for managers to focus on developing a positive workplace culture, She also said that it was important for safety professionals to understand the principles of health and safety law so that they can recommend practical ways of managing potential workplace health and safety hazards, challenge health and safety myths and help develop an efficient workplace that is safe and healthy for the workforce.

James Woolgrove, Chairman, *SCOHSG*, thanked Leona for coming to speak to our group and for generating such a useful discussion with members. He presented her with a small token of members' appreciation before encouraging everyone to network with one another and to take the opportunity to speak to Leona over tea or coffee and biscuits.

Related HSE web site links:

Sector plans and health priority plans:

<http://www.hse.gov.uk/aboutus/strategiesandplans/sector-health-plans.htm>

HSE's work strategy: <http://www.hse.gov.uk/aboutus/strategiesandplans/health-and-work-strategy/health-and-work-strategy.pdf>

Sector plans: <http://www.hse.gov.uk/aboutus/strategiesandplans/sector-plans/index.htm>

Health priority plans: <http://www.hse.gov.uk/aboutus/strategiesandplans/health-and-work-strategy/index.htm>