

HEALTH AND SAFETY COMMITTEES

1 Chief Inspector of Factories and Workshops Annual Report 1918

'If a real reduction [in accidents] is to take place, it can be effected only by the joint effort of employers and workers in each individual trade and factory. The remedy, then, is undoubtedly to be found in a wide extension of the system of Safety Committees, which have been attended by so much success in the cases where they have been tried.'

2 Congress Issue - Labour: TUC Broadsheet of Information – October 1965

'UNION EFFORTS to persuade employers to set up joint safety committees have failed. The employers' response has been negligible, Mr J O'Hagan told the Brighton Congress. It was clear now, he said, that without legislation there would be little progress.'

Earlier in the week, the TUC President, Lord Collison, had been optimistic about the chances of a compulsory system of safety committees being introduced. 'We respect the principles that lie behind voluntary action,' he said. 'But when our people are in danger by voluptuary inaction we cannot be patient forever. We have been forced to the conclusion that the essential impetus can now only be provided by legislation.'

'The latest evidence suggests that we can no longer afford the luxury of free will in accident prevention. As Lord Collison said, 'in the past three years the number of men and women injured seriously enough to be included in the records has risen more than 40 per cent.'

'During the same three years, the number of joint safety committees in industry has only increased by 400 despite the efforts of the TUC and the employers' confederation. There are now about 3,000 of these committees in all, in a country with 250,000 factories.'

'In Sweden, legislation provides that joint safety committees have to be set up in all workplaces with 50 or more employees. And the safety delegates elected directly by the workers or through their union have to be appointed in all workplaces with more than 5 employees.'

'... Mr O'Hagan said. 'In 1964 there were 2½ million days lost through industrial disputes. Could I suggest to Congress, and to the Government and the employers, and, I hope, to the press that the loss of 22 million days in 1964 through industrial accidents calls for even more urgent attention from these people than we have had so far.'

'Backing the call for action by law on accident prevention, Congress carried a motion demanding a new pattern of safety organisation on the lines of the Swedish system.'

3 Unions, Safety Committees and Workplace Injuries. Reilly, Paci and Holl. British Journal of Industrial Relations 33.2, June 1995 0007-1080

'Establishments with joint consultative committees exclusive for health and safety matters – and with all employee representatives chosen by unions – have, on average, 5.7 fewer injuries per 1000 compared with establishments where management deals with health and safety matters without any form of worker consultation.'

[The base line measure for comparison ie managers alone made decisions over health and safety was 10.9 injuries per 1000. In other words in organisations where trade union health and safety

representatives jointly worked with managers through a safety committee accident rates were 50% less than those compared to where managers alone made decisions over health and safety.]

4 Revitalising Health and Safety: Strategy Statement June 2000

'Workplaces with trades union safety representatives and joint health and safety committees have significantly better accident records (over 50% fewer injuries) than those with no consultation mechanism.'

5 A Collective Declaration on Worker Involvement: Health and Safety Commission April 2004

'The most common and widespread arrangements are those relationships developed through trade union safety representatives and safety committees. Evidence makes clear that trade union safety representatives, through their empowered role for the purposes of consultation, often lead to higher levels of compliance and better health and safety performance than in non trade union systems.'

6 The Health and Safety of Great Britain \ \ Be part of the solution: Health and Safety Executive Strategy launched on 3rd June 2009

'Workplace research provides evidence to suggest that involving workers has a positive effect on health and safety performance. Equally, there is strong evidence that unionised workplaces and those with health and safety representatives are safer and healthier as a result.'

7 Reclaiming health and safety for all: An independent review of health and safety legislation: Professor Ragnar E Löfstedt: November 2011

'Boosting the responsibility and involvement of employees has the potential to bring about significant improvements in health and safety in the workplace.'

[The Review was commissioned by the Government to identify 'the scope for reducing the burden of health and safety regulation on business, whilst maintaining the progress that has been made in health and safety outcomes.' Despite the 'significant improvements' that greater worker involvement could bring to maintain 'the progress that has been made in health and safety outcomes', the distinguished Professor of Risk Management could not think of a single recommendation to underpin this major potential to improve health and safety performance.]

Reflections

During the First World War the shortage of munitions led to a political crisis in 1915. The outcome saw a change of Prime Minister and the appointment of David Lloyd George as the Munitions Minister. In among the reorganisation of the munitions work to direct the efforts more effectively, he also established the Health of Munitions Workers Committee. Its remit was:

'To consider and advise on questions of industrial fatigue, hours of labour, and other matters affecting the physical health and physical efficiency of workers in munition factories and workshops.'

10 Safety Memoranda were produced which led directly to improvements in productivity and quality within the munitions factories and workshops. As the historian Gerard DeGroot has commented¹:

'The Health of Munitions Workers Committee, formed in September 1915, operated under the proviso that 'without health there is no energy, without energy there is no output'. The government

¹ Back in Blighty: The British at Home in World War 1: Gerard DeGroot: ISBN 978-0-09958-222-9: 2014

had accepted that the labour force, like a machine, had to be kept in good working order. For the worker, however, the effect was the same regardless of motivation: in government-controlled factories, working conditions improved significantly.'

'In truth, these developments were motivated by efficiency, not big-hearted paternalism.'

'The benefits that state control brought to the labour force can be measured by the eagerness of factory owners to abandon these controls after the war.'

So having improved the working conditions of workers - which led directly to greater efficiency - once the war was over, employers abandoned these benefits. Or as F Isabel Taylor put it in her report 1833 to 1932 within the Report of the Chief Inspector of Factories and Workshops for the Year 1932:

'When peace came, [in 1918] and the men were demobilised, industry gradually reverted to its normal condition.'

Even when the employers saw the benefits of improving conditions for workers, when left to their own management styles, these improvements were often abandoned. So the idea that there would be an 'expansion' of safety committees, as suggested by the Chief Inspector in his 1918 report was unlikely – and so it proved.

By 1965 the TUC had reached the end of its tether. Having also seen positive developments of worker involvement through committees in the Second World War, as well as the first, they assumed that a similar system would prevail in peacetime. They were wrong. The 'voluntary' approach of waiting for employers to see the logic of improving health and safety outcomes by improving worker involvement through workplace safety committees had failed. The 3,000 safety committees in 250,000 factories represented just over 1% of the total. It took 47 years to 'voluntarily' set up 3,000 safety committees by 1965, given the Chief Inspector's recommendation in 1918. At that rate of progress, it would have taken over 3,900 years to get 250,000 up and running!!

After many years of trying, the TUC finally succeeded in getting health and safety committees legally supported on the 1st October 1978. This was **60 years** after the Chief Inspector made his recommendation, based on the *success* of safety committees established during the First World War! Even then the Safety Representatives and Safety Committee Regulations 1977 only apply to unionised workplaces. Such a right for non-union organisations does not exist: they rely of their employer 'voluntarily' setting one up.

While many employers resisted the legal support for health and safety committees, by 1995 the benefits were recognised by independent academics. Where trade union supported safety representatives worked jointly with their managers – usually through a safety committee – accident rates were 50% less than when managers alone made decisions over health and safety. Indeed any form of worker consultation resulted in a better performance than managers alone deciding about health and safety issues.

Subsequent statements, reports and strategy documents of the Health and Safety Executive all confirmed the value of health and safety committees and safety representatives. Indeed as late as November 2011, Professor Löfstedt, in the only 'evidence based' government supported review they have conducted into health and safety regulation, found that greater worker involvement could lead to 'significant improvements' in health and safety at the workplace.

While the remit of Professor Löfstedt's review was to identify the alleged 'burdens' that health and safety regulation may carry for businesses, it also included 'maintaining the progress that has been made in health and safety outcomes'. If any organisation such as the Institution of Occupational Safety and Health (IOSH), or the British Safety Council (BSC), or the International Institute of Risk and Safety Management (IIRSM) or – indeed – the Health and Safety Executive

itself had been able to show they had reduced accidents by, on average, 50% across the whole of British Manufacturing Industry, it would have been shouted from the rooftops.

Yet Professor Löfstedt could not find anything to recommend to the government about how greater worker involvement - and the 'significant improvements' to health and safety performance this would bring - could help in 'maintaining the progress that has been made in health and safety outcomes.'

The government's response to improving worker involvement has been a puzzle. They have doubled the period for which employees can bring cases such as unfair dismissal to an Employment Tribunal, from 1 year to 2. They also introduced fees just for taking a case. So, if unfair dismissal is considered - say being unfairly dismissed for whistleblowing in the public interest - a fee of £250.00 is paid for making a claim. To have a hearing at an Employment Tribunal, an extra payment of £950.00 would be required: a total of £1,200.00 to find just after you have been sacked!

From September to December 2012² there were 45,710 cases at Employment Tribunals. During the same period in 2013, there were 9,801 cases: a drop of 79%. Little wonder that the number of cases have dropped by 79%.

In a survey of 1,600 employees in a variety of occupations throughout the UK, posted in Wellbeing³ it found that:

'74% would be afraid to report a health and safety problem at work.'

The reasons given for this fear included:

- Afraid of losing their job.
- Worried about promotion prospects.
- Worried about missing out on a pay rise.
- Don't want to be labelled as a trouble maker.

The UK has one of the longest working weeks within Europe. At the same time it has the lowest productivity record of the G8 nations. It is ironic that as the outbreak of the First World War is commemorated, the government has forgotten - or choose to ignore - the conditions that make the workforce efficient. The government of the day found out most of them during the First World War!

Instead of encouraging employers to develop management practices that encourage worker involvement, this government has stripped workers of employment protection so that fear is the weapon of first choice by far too many employers in the UK.

While many government failures bring forth the facile response that 'lessons will be learnt' the same mistakes keep being made. The workforce of the UK needs to work at its best and most efficient to help the nation get out of the current economic mess. The lessons of how this could be done have already provided answers. The introduction of health and safety committees and greater worker involvement could help improve the health, safety *and business* performance of the UK. Instead the Prime Minister, David Cameron, announced in January 2012 he wanted 'to kill off the health and safety culture for good.'

Not likely to be much help from Mr Cameron then!!

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² 'Employment tribunal figures show that government "is on the side of bad bosses", says TUC': Press release 13th March 2014

³ www.hrreview.co.uk/hr-news/wellbeing-news/british-workers-too-scared-to-complain-about-workplace-safety/52503