

SCIENTIFIC AFFAIRS

File: Submissions/Employee Consultation & Involvement in H&S
17 January 2000

John Holland
Health and Safety Executive Policy Unit
8th Floor, South Wing
Rose court
2 Southwark Bridge
London SE1 9HS

Burlington House
Piccadilly
London
W1V 0BN

Tel: +44 (0)171 437 8656
Fax: +44 (0)171 437 8883

www.rsc.org
www.chemsoc.org

Dear Sir or Madam

<p>HSC DISCUSSION DOCUMENT: “EMPLOYEE CONSULTATION AND INVOLVEMENT IN HEALTH AND SAFETY”.</p>
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The following submission has been prepared under the aegis of the Environment, Health and Safety Committee of the Royal Society of Chemistry.

The Society's Royal Charter obliges it to serve the public interest by acting in an independent advisory capacity and we are happy for this submission to be put into the public domain.

The Society welcomes the opportunity to comment on the HSC Discussion Document “Employee consultation and involvement in health and safety”.

Lack of awareness

We welcome this document as a focus for debate on an important issue. However overall we do not agree with the proposals it puts forward, especially in relation to smaller organizations. SMEs account for a significant proportion of the UK work force and anecdotal evidence suggests many are scarcely aware of the Health and Safety at Work Act, let alone regulations made under it. It may be unfortunate but developments must recognize this reality, as well as concerns about the regulatory burdens placed on industry, particularly SMEs. Overall we do not believe that this document does address these matters adequately and we do not find the arguments it puts forward convincing.

Lack of involvement

The document states that a “significant” number of employers do not fulfil their duties in respect of consultation and involvement. Anecdotal evidence suggests that the reality is even worse and that few employers actually meet their duties fully in respect of consultation.

Involving employees must be an exercise in good personnel relations. We cannot see that it will be effective to make consultation a matter of vigorous enforcement. This would probably only serve to harden attitudes.

Furthermore to be effective employees must also be willing to get involved. However the reality seems to be that in many cases there is apathy or complete lack of interest. Even where there is co-operation on “*good health is good business*” initiatives, such as medical checks, fitness facilities, etc, there is often limited response to consultation on risk assessments and health and safety policy matters. It is possible to argue about the reasons for this but in our view the key to success is genuine communication. The lead must come from the boardroom and must be a real commitment rather than a token gesture. The real issue is therefore how to motivate, educate and inform senior management.

In order for there to be effective employee involvement the employer must also have in place basic health and safety systems such as a Health and Safety Policy, documented procedures, assessments and training records. Again anecdotal evidence suggests that a significant proportion do not. Furthermore specialist assessments for chemicals [ie under COSHH] appear even less well developed than the general assessments under the ‘Management’ Regulations.

Safety Advisers and Safety Representatives

We are not convinced of the benefits to be gained from giving safety representatives the right to issue Provisional Improvement Notices (PINs). There is a risk that some would be over-enthusiastic. There is an even greater risk that many would be discouraged from accepting the role because of the pressures they foresaw as arbiters caught between management and employees. If such power were to be given it would have to be backed up with substantially more training. The role would then become more like that of the safety adviser. The safety adviser should be mandated to advise management of situations that require the sort of actions that a PIN might address.

Even in companies which have a health and safety adviser, that person is often insufficiently involved at the strategic level where policies and management attitudes are formed.

More should also be done to bring into play the NVQ generic units in health and safety. These are transferable units that can be selected from a suite of eight, as appropriate to the particular individual’s job or role. Some are particularly pertinent to employee “involvement”.

The role of professional bodies

All professions, including chemistry, should actively inform their members of their rights and responsibilities in health and safety and encourage them to exercise those rights in a co-operative way.

For example the Royal Society of Chemistry’s Guidance on Professional Practice states:

“Chemists have a duty to identify the hazards and assess the risks of scientific activities and processes. They must strive for the highest standards of care in their own workplaces and take an active interest in safety throughout the organisation. They have a right to protest about malpractice, while maintaining a sense of proportion, and they can expect the support of the Society if their efforts are unavailing”.

Where it exists a human resources group may have the most influence on employee involvement and it might be useful to target the relevant people via their professional body [ie the IPM].

Conclusion

It seems likely that the law of diminishing returns applies and that there will always be a proportion of organisations that are reluctant to do anything at all. Nonetheless this proportion must be minimised and there is surely potential to do far better in the vast majority of workplaces. However rather than the approach suggested in this document what is needed in the majority of cases is a change of attitude or culture from the top towards discussion, consultation and employee involvement. Publicity and education have a place but there has to be more incentive for both management and employees.

Yours sincerely

Professor D Taylor
Chairman, Environment, Health and Safety Committee of the Royal Society of Chemistry

The Royal Society of Chemistry was formed from a merger of the Chemical Society (founded in 1841) and the Royal Institute of Chemistry (founded in 1877); it inherited the prestige and responsibilities of its parent bodies. It is both the learned society for chemistry and the professional qualifying body for chemists in the United Kingdom.

There are about 46,000 members, of whom 10,000 are based abroad. Professional membership of the Society is an internationally recognised qualification. The Society also administers the examinations for the Mastership in Chemical Analysis (MChemA) which is a statutory requirement for practice as a Public Analyst.

The Society is one of the world's major chemical publishing houses with a wide range of primary, secondary, and tertiary literature, including research journals, abstracts and indexes, educational publications and computer-based information services.

Strong ties are maintained with government both at national and at European Community level. Formal contact with parliament is maintained through the Society's two parliamentary advisers and through its Link Scheme, whereby members of the Society are linked with individual Members of Parliament.

The Society has 35 local sections in the United Kingdom and the Republic of Ireland and a number of local sections overseas.