

Trades Union Congress



Twenty-one years of saving lives

1998 TUC survey of safety reps

by Peter Kirby

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Introduction

Safety Reps are the unsung heroes of the British health and safety structure. The few academic surveys of their effectiveness suggest that, in the twenty-one years since they were given a legal standing, Safety Reps have prevented over 250,000 serious injuries and no doubt saved hundreds of lives.

In this twenty-first anniversary year, the TUC is pleased to have repeated our biennial Survey of Safety Reps, providing information for policy makers, researchers and the Safety Reps themselves about who Safety Reps are, what they do, and what they experience.

We hope that, by conducting this fairly basic research, we will stimulate the wider research community to treat Safety Reps with more interest, and we will therefore be making the data from this survey and its predecessor available on our web site for use by the academic community.

We also hope that the findings of this survey will be used to help determine health and safety policies for the next few years (we will repeat the survey in the year 2000), and it will certainly help determine the priorities for action by the TUC and its representatives on Health and Safety Commission bodies.

Safety Reps have now reached what used to be the age of majority. They have come through a difficult two decades, when the Government was less than enthusiastic about the role of unions in representing working people. We now hope that the support shown by Ministers for the work that Safety Reps do will allow Safety Reps to spread their wings, helping more and more people to stay healthy and safe at work, and more and more businesses to avoid the costs and penalties associated with injuries and accidents.

John Monks
TUC General Secretary

Documentation Centre
ETUI-REHS
Boulevard du Roi Albert II, 5
B-1210 Bruxelles
Tél : +32/2/224.04.70

Background

Under the Safety Representative and Safety Committee Regulations, 1977, trade unions who are recognised by an employer for collective bargaining purposes, have the legal right to appoint health and safety reps. These reps are volunteers who are elected into their position by their members. Health and safety reps have numerous rights given to them by the Safety Representative and Safety Committee Regulations. These rights cover such things as, the safety rep's job; time off for their duties and training; rights to information and consultation.

There are approximately 200,000 Trade Union health and safety reps in the UK. This is the second time that the TUC has surveyed the reps through their unions. Reps were asked a series of questions that aimed to identify some of their key concerns and experiences. 5,801 health and safety reps responded.

Of the 5,801 who responded, over 50% worked in workplaces where there were less than 200 employees. However, these smaller workplaces were often only part of an employer's undertaking. In fact, 64% of the safety rep's employers, employed more than 1000 employees overall. Approximately two-thirds of the respondents worked for employers who have a large workforce by today's standards. Over two thirds of the respondents worked in the public sector. The largest group of safety reps in the public sector came from Education (17%). The largest group in the private sector came from manufacturing (18%).

Executive summary

This second biennial TUC Survey of Safety Reps reveals the experiences of just under 6,000 workplace union Safety Representatives appointed under the 1977 Safety Representatives and Safety Committee Regulations, the twenty-first anniversary of which occurs as this report is published.

This is the largest study of Safety Reps undertaken in the UK, and, as successive surveys are conducted, will build into a valuable database of the characteristics, experiences and activities of a key group in the health and safety world.

The key findings of this report are:

- over half of the respondents came from Safety Reps in workplaces of less than a hundred employees;
- the main health and safety hazard of concern to the workers these Safety Reps represent is occupational stress, with three in every four Safety Rep expressing concern (compared with two thirds in 1996);
- stress was the major health and safety concern in all but three sectors, and in every employment size - but concerns about stress were generally lower in smaller firms than in large ones;
- the main causes of stress were staffing levels and workloads;
- other major hazards reported by Safety Reps were - display screen equipment, slips, trips and falls, back strains and RSI, chemicals and noise;
- violence was a serious issue reported by Safety Reps, especially in sectors such as health services and the voluntary sector;
- less than half (44%) the employers in the survey had completed adequate risk assessments, and nearly one in four had not completed a risk assessment - but Safety Reps considered the risk assessments conducted in small workplaces were of a higher quality than those in large establishments;

- nearly forty percent of Safety Reps reported that their employer provided access to an occupational health service, but the proportion varied from 95% in the health service to just 28% in the voluntary sector;
- more worryingly, the occupational health services which do exist were more likely to be responsible for first aid (49%) than advising on prevention (25%) and more likely to be involved in disciplinary decisions than rehabilitation - suggesting that OH services are more of a “farewell” service than a “welfare” service;
- most Safety Reps had received training from their own union or the TUC - rising from 71% among those appointed under a year ago to 99% for those with five or more years service;
- more than a quarter of Safety Reps had also received training provided either directly by their employer or had undertaken a joint course;
- reasons for not undertaking training included being too busy (14%), the courses not being accessible because of timing (9%) and management refusal (9%);
- one in five Safety Reps were not being consulted by their management either automatically or on request, and only a quarter were consulted automatically on a frequent basis; and
- despite a legal entitlement to inspect their workplace four times a year, only just over a third were doing so even three or more times a year.

As a result, the TUC is calling for

- an HSC Approved Code of Practice on the prevention of occupational stress;
- a campaign to improve compliance with safety laws on preventing musculo-skeletal disorders, especially back pain, and to raise awareness of the risks of noise-induced hearing loss and of solvents; and
- discussions between employers and unions about measures to prevent violence at work.

The TUC believes that the law should be changed to allow unions or their representatives to:

- enforce the law on consultation with safety reps over health and safety matters, where employers have demonstrated a sustained failure to consult;
- serve provisional improvement notices where employers have refused to comply with their legal responsibilities (except where such refusals lead to serious and imminent danger of injury);
- represent union members on health and safety matters regardless of whether they work for employers who recognise unions; and
- have joint control with their employers over occupational health services.

The survey results also suggest that:

- employers should be encouraged by the HSE to support safety reps who wish to take up the training opportunities; and
- more effort should be devoted by unions and the TUC to persuade safety reps of the need to inspect workplaces (including identifying any obstacles to this) and of the value of establishing joint union-management safety committees.

Hazards at work

Safety Reps were asked to identify up to five of the main hazards of concern to workers at their workplace. Table A overleaf shows the responses. Overwork or stress is by far the most frequently identified concern, which mirrors the 1996 TUC Safety Reps Survey. 77% of reps identified overwork or stress in 1998, compared with 68% in 1996. TUC General Secretary John Monks said, *“These findings from safety reps at the sharp end, show that stress is the number one health and safety problem at work, and that the problem is getting worse.”*

HSE figures show that, every year, a quarter of a million people suffer from the effects of stress at work, leading to a loss of five million days work. Despite this, there is no specific legislation dealing with stress. The 1998 TUC survey figures will be used to redouble TUC pressure on the Health and Safety Executive and the CBI, to agree a legally binding Approved Code of Practice, aimed at preventing stress in the workplace.

The second most frequently identified concern is Display Screen Equipment, with 48% citing it as a major issue. There has been a big rise in recent years in the number of workers who work with Display Screen Equipment or visual display units (VDUs) and there are now around 6 million VDU workers in the UK. VDU work can produce a wide range of health problems, many of which arise as a result of a bad work environment or bad job design. Health problems range from eyestrain and headaches, to repetitive strain injuries (RSI), backache and stress. Every year about 100,000 keyboard users suffer the symptoms of work related upper limb disorders or RSI. A European Directive and UK regulations already exist to address the hazards posed but the 1998 TUC survey shows that these regulations have not yet had the desired effect.

Slips, trips and falls (46%) is third in the list, giving further evidence that employers have not yet adequately tackled this major, traditional cause of injury in the workplace.

Table A: The main hazards of concern to workers

Hazard	% cited by safety reps
Overwork or stress	77
Display Screen Equipment	48
Slips, trips, falls	46
Back strains	44
Repetitive Strain Injuries (RSI)	37
Chemicals or solvents	33
Noise	30
Violence	28
Working alone	28
High Temperatures	27
Long hours of work	25
Machinery hazards	24
Dusts	19
Low temperatures	16
Infections	15
Work in confined spaces	15
Dermatitis/skin rashes	12
Ionising radiation	7
Asbestos	5
Asthma	4
Vibration-induced disease	4
Others	4

Note: percentages do not total 100% because reps could tick up to five main hazards.

Musculo-skeletal disorders are a major problem, with back strains (44%), and repetitive strain injuries (37%) placed fourth and fifth in the list of major problems. The TUC is pressing the Government to mount a major campaign on back strains in 1999, as of the "Our Healthier Nation" public health strategy.

Chemicals or solvents (33%), Noise (30%), and Violence (28%), were the next three main concerns. The TUC is already campaigning on solvents with the HSE. A TUC campaign on noise, in partnership with the Royal National Institute for Deaf People is being planned. The rise in violence is being taken up with Ministers.

Analysis by sector

Table B shows the sectoral breakdown of the survey with the five major concerns of workers in each sector. These figures demonstrate that stress or overwork is the major concern in an overwhelming 11 out of 14 sectors. In 1996, stress was identified as the major concern in 7 out of 14 sectors. It has subsequently moved to the top in Agriculture and Fishing (67%); the Health Services (82%); Distribution, Hotels and Restaurants (77%); and Banking, Finance and Insurance (84%), where it is joint top with Display Screen Equipment (84%). An alarming 90% of safety reps in the voluntary sector, and Central Government, closely followed by 88% in Education, cite stress as the major health and safety issue.

Noise is still the major concern in manufacturing (71%), and it has become the major concern in construction (63%), overtaking slips and trips from the 1996 Survey. Slips, trips and falls remain the major concern in Energy and Water (73%), although stress and overwork is a close second (72%).

Display Screen Equipment is cited as the second major concern in seven out of fourteen sectors. The situation looks particularly worrying in Banking, Insurance and Finance (84%), and Central Government (83%). Safety reps in these two sectors also show a high degree of concern about repetitive strain injuries, which are linked to the use of Display Screen Equipment, and the ever increasing demands for faster work rates.

Slips, trips and falls are cited as one of the five major problems in twelve out of the fourteen sectors. Back strains remain a major problem in the Health Services (74%), and Distribution, Hotels and Restaurants (72%).

Table B: The 5 main hazards of concern to workers by sector

Sector	Main concern	2nd concern	3rd concern	4th concern	5th concern
Agriculture & Fishing	Overwork or stress 67%	DSE 53%	Chemicals or solvents 51%	Slips, trips & falls 50%	Back strains 41%
Health Services	Overwork or stress 82%	Back strains 74%	Violence 44%	Infections 42%	Chemicals or solvents 40%
Distribution, Hotels, Restaurants	Overwork or stress 77%	Back strains 72%	Slips, trips & falls 72%	DSE 42%	RSI 42%
Banking, Finance, Insurance	Overwork or stress 84%	DSE 84%	RSI 71%	Slips, trips & falls 39%	High temps 35%
Voluntary Sector	Overwork or stress 90%	DSE 60%	Violence 46%	High temps 46%	Working alone 44%
Education	Overwork or stress 88%	DSE 44%	Slips, trips & falls 38%	Chemicals or solvents 32%	Long hours of work 28%
Manufacturing	Noise 71%	Chemicals or solvents 61%	Machinery hazards 59%	Overwork or stress 52%	Slips, trips & falls 50%
Energy & Water	Slips, trips & falls 73%	Overwork or stress 72%	DSE 49%	Back strains 44%	Working alone 44%
Leisure Services	Overwork or stress 73%	Slips, trips & falls 64%	Back strains 52%	DSE 45%	Chemicals 44%
Construction	Noise 63%	Overwork or stress 62%	Slips, trips & falls 61%	Dusts 52%	Back strains 51%
Local Govt.	Overwork or stress 81%	DSE 61%	Slips, trips & falls 45%	Violence 43%	RSI 42%
Central Govt.	Overwork or stress	DSE 83%	RSI 64%	Slips, trips & falls 43%	Violence 40%
Transport & Communications	Overwork or stress 78%	Slips, trips & falls 63%	Long hours of work 56%	Back strains 55%	Noise 41%
Other Services	Overwork or stress 76%	DSE 56%	Slips, trips & falls 49%	RSI 45%	Back strains 37%

Note: percentages do not total 100% because reps could tick up to five main hazards

It is disturbing that the highly regulated hazards of noise (71%), chemicals or solvents (61%), and machinery hazards (59%) are the three major problems in manufacturing. Violence, a well-recognised hazard, features prominently in the Voluntary (46%), Health (44%), Local Government (43%), Central Government (40%), Transport (30%), Leisure (27%), and Education (26%) sectors.

Table C: The main hazards of concern to reps by employer size
(overall results of the survey are shown in brackets for comparison purposes)

No. of employees	Concern No.1	Concern No. 2	Concern No. 3	Concern No. 4	Concern No. 5
Under 50	Overwork or stress 73% (77%)	Back strains 44% (44%)	DSE 40% (48%)	Slips, trips & falls 39% (46%)	Chemicals or solvents 38% (33%)
50-100	Overwork or stress 71% (77%)	DSE 46% (48%)	Slips, trips & falls 38% (46%)	Noise 37% (30%)	RSI 37% (37%)
101-200	Overwork or stress 71% (77%)	Slips, trips & falls 44% (46%)	DSE 41% (48%)	Noise 41% (30%)	Chemicals or solvents 39% (33%)
201-1000	Overwork or stress 73% (77%)	Slips, trips & falls 49% (46%)	DSE 47% (48%)	Back strains 44% (44%)	Chemicals or solvents 39% (33%)
Over 1000	Overwork or stress 79% (77%)	DSE 50% (48%)	Slips, trips & falls 46% (46%)	Back strains 45% (44%)	RSI 37% (37%)

Note: percentages do not total 100% because reps could tick up to five main hazards

Analysis by size of employer

Table C shows the five major health and safety concerns of the safety reps, according to the size of their employer's undertaking. Stress or overwork is again the overwhelming concern in all undertakings, no matter how many people work for the employer overall.

Stress appears a greater problem in undertakings with more than 1000 employees. Noise and chemicals feature more prominently in smaller undertakings, as major concerns.

Three other features stand out from the analysis by size of employer as shown in Table D.

Slips, trips and falls are not considered to be so much of a problem where employers have less than 100 employees.

Where hazards are 'traditional' and better regulated, for example, chemicals, dust, noise and machinery, they seem to be of more concern to safety reps with smaller employers. (This may be because two thirds of the respondents are from the public sector, with potentially large employers, where these hazards may not be as common in public sector work).

However, it could be that safety reps with smaller employers are more isolated. They may have more difficulty in getting smaller employers, who often do not have the health and safety competence, to deal with these 'nuts and bolts' issues. The safety reps' immediate concerns may lie with these issues, because in the short term there is a greater possibility of doing something about them. Perhaps larger employers have a better managerial infrastructure to deal with these more standard issues.

This analysis would appear to be borne out by the TUC Survey of Safety Reps on solvent issues, *Masking the problem* published in August 1998. That survey's findings indicated that employees in small firms, may be at more risk from solvents than employees in larger firms. The survey went on to reveal that COSHH risk assessments are completed in larger firms (63%), much more often than in the smallest firms (47%).

Thirdly, hazards that are less well regulated, or indeed often met with employer hostility that there is a hazard at all, for example stress, Display Screen Equipment, working alone and violence, are of more concern to safety reps whose employers have more than 1000 employees. Again as two thirds of the respondents come from the public sector, with potentially large employers,

this may reflect the typical hazards in that sector. However, it may be because safety reps with larger employers feel that they and their employer have satisfactorily addressed some of the more regulated hazards. Priorities for workers that are more difficult for employers to address, or indeed employers are unwilling to address, are now the issues that safety reps are more concerned about.

Table D: A comparison of different hazards by employer size
(overall results of the survey are shown in brackets for comparison purposes)

Hazard	Under 50	50-100	101-200	201-1000	Over 1000
Chemicals	38% (33%)	35% (33%)	39% (33%)	39% (33%)	31% (33%)
Noise	34% (30%)	37% (30%)	41% (30%)	37% (30%)	27% (30%)
Machinery	24% (24%)	29% (24%)	37% (24%)	34% (24%)	20% (24%)
Dust	19% (19%)	24% (19%)	30% (19%)	23% (19%)	17% (19%)
DSE	40% (48%)	46% (48%)	41% (48%)	47% (48%)	50% (48%)
Violence	26% (28%)	30% (28%)	20% (28%)	25% (28%)	30% (28%)
Stress	73% (77%)	71% (77%)	71% (77%)	73% (77%)	79% (77%)
Working alone	27% (28%)	24% (28%)	21% (28%)	25% (28%)	29% (28%)

Stress and overwork

By far the most common concern identified by safety reps was overwork or stress. Overall, 77% of safety reps cited stress as one of the main hazards of concern to workers at their workplace, 29% more than the next most frequently cited hazard, Display Screen Equipment (48%). The problem is clearly getting worse, as the percentage citing stress has increased from 68% in the 1996 TUC survey, to 77% in the 1998 survey.

As we have seen, the picture is similar for different sizes of workplace, and different sectors. In all sizes of undertaking, the percentage citing stress was over 70%. In eleven out of fourteen industrial sectors, stress or overwork was the top complaint of workers; the second top complaint in two sectors; and the fourth top complaint in one sector. Stress or overwork was the only hazard that attained 50% across all the industrial sectors. In eleven out of fourteen sectors, the percentage citing stress was over 70%.

The figures are even more alarming when a comparison is made across the sectors that identified stress as one of the top two concerns in the TUC 1996 and 1998 Surveys. In every case, the number identifying stress has increased. The situation is getting worse for working people. Table E gives the details.

Stress at work affects the mental and physical health of over half a million British workers every year. It also has economic implications for business and the nation as a whole. The 1995 Self-reported Work-related Illness survey suggests that a quarter of a million workers suffer from occupational stress and the same number suffer an illness caused by stress at work. Between five and six million working days are lost every year due to workplace stress and its effects. The Department of Health estimates that the cost of sickness absence for stress and mental disorders in the UK is more than £5 billion a year.

Table E: Identification of stress in top two concerns - comparison of 1996 & 1998

Sector	Identification of stress in top two concerns: 1996	Identification of stress in top two concerns: 1998
Agriculture & Fishing	54%	67%
Health Services	71%	82%
Banking, Finance & Insurance	78%	84%
Voluntary Sector	89%	90%
Education	80%	88%
Energy & Water	60%	72%
Leisure Services	71%	73%
Local Government	74%	81%
Central Government	72%	90%
Transport & Communications	70%	78%
Other Services	62%	76%

In order to find out more about what is causing this increase in levels of stress, the TUC Survey asked safety reps identifying stress as a major problem, to state which issues were affecting workers.

Factors contributing to stress

The 1998 TUC Survey listed more potential causes of stress for safety reps to identify, than the 1996 counterpart. In particular, workloads and staffing levels did not appear in the 1996 Survey.

Workloads and staffing levels

Significantly, workloads and staffing levels, which for many appear to go hand in hand, jointly top the list of the problems linked with stress (see Table F). 60% of safety reps named both of these issues, making them by far the most frequently identified.

Stress and Employer Liability, IPD's May 1996 guide prepared by barrister Jill Earnshaw and stress expert Professor Cary Cooper summarised the key factors responsible for the high stress '90's: "We have all the ingredients of corporate stress: an ever-increasing workload with a decreasing workforce in a climate of rapid change."

The continued reductions in staffing in both the public and private sectors, with the consequential increase in workloads for those that remain, and the general increase in workloads, through new management techniques, is evidently taking its toll. This reinforces the findings of the 1995 Self-reported Work-related Illness survey, which stated that 46% of respondents ascribed their stress-related illness to workload and pace. This included pressure of work, too much work, lack of resources and responsibility. Similarly, the European Foundation for the Improvement of Living and Working Conditions, in their 1996 Survey of Working Conditions in the European Union, established that more than half of workers are exposed to working at high speed and to tight deadlines. The work-related health problem that was second most mentioned in that survey was stress.

It is generally accepted that aspects of work organisation and job design contribute towards stress. Yet workloads and staffing levels, which are both integral elements of work organisation and job design, are rarely, if ever, dealt with by employers, or enforcing agencies within an occupational health and safety context. The successful management of health and safety should include risk assessing to identify, evaluate and prevent risks caused by excessive workloads, and inadequate staffing levels.

Article 6 of the European Framework Directive, obliged member states to introduce legislation requiring employers to follow general principles of prevention which include:

- 'Adapting the work to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view in particular, to alleviating monotonous work and work at a predetermined work-rate and to reducing their effect on health.'
- 'Developing a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors related to the working environment.'

Regulation 3 of the Management of Health and Safety at Work Regulations, along with paragraphs 27(c), and 27(e), of the Approved Code of Practice, were meant to implement Article 6. Employers, taking into account the problems of excessive workloads and inadequate staffing levels should adhere to these standards.

In addition, staffing levels and workloads should be addressed in the new Approved Code of Practice on Stress that the TUC is campaigning for. Stress at Work: A Guide for Employers (HSG116), is not adequate to tackle the problems of workloads and staffing levels identified by safety reps in this survey.

New management techniques

Employers are embracing new management techniques to make production “leaner, fitter and flatter.” At other times managers admit their objective is to make the workplace “leaner and meaner,” embracing the philosophy of “management by stress.” New management techniques are often referred to under the following jargon:

- human resource management;
- total quality management;
- customer care programmes;
- employee involvement;
- lean production;
- business process re-engineering;
- quality of working life;
- just in time production.

40% of safety reps named new management techniques as an issue causing stress-related problems. This has declined from 48% in the 1996 TUC Survey. However, this may be due to the fact that safety reps without an option to choose workload or staffing levels in 1996, may well have chosen the wide category of new management techniques. New management techniques, particularly total quality management are often introduced as part of wider processes of organisational restructuring, which inevitably includes delayering and downsizing, and getting rid of workers.

For many workers the introduction of new management techniques equals less workers, more work, increased work rate, and more stress and ill health for those remaining. It is clear from the TUC surveys in 1996 and 1998 that new management techniques are causing stress at work. But the language of new management techniques can be very positive. Opposition to the new forms of work organisation is often met with employers' criticism that unions jeopardise jobs, are negative, outdated, and afraid to change.

The reverse is true. The TUC and affiliated unions recognise that changes are often necessary. But the changes should always incorporate the principles of consultation with unions, and the protection of workers health. Employer's management techniques should begin with a coherent prevention policy that prioritises workers' health.

Long hours and shift-work

Long hours (28%) and shift-work (22%), were the next two issues identified. Research has shown that British workers work longer hours than all other European workers. The Labour Government has now implemented the Working Time Directive that was so fiercely resisted by the previous Conservative Government. The Working Time Regulations that have just come into force on 1 October 1998 address amongst other things, both the length of the working week, and shift-work. The Regulations do not go as far as the TUC would have liked. However, if employers implement them, and they are effectively enforced, it is hoped that they will give some assistance in addressing the problems identified by safety reps in this survey, in particular by changing the long hours culture in British workplaces.

There are still ways that the Regulations can be improved. For example, road transport is one of those sectors currently not covered by the Working Time Directive. In the 1998 TUC Survey, safety reps from the Transport and Communications sector, said that two of their major concerns were overwork or stress (78%), and significantly, long hours of work (56%). The figure for long hours of work was the highest of all the sectors, and over double the average in the whole survey (25%).

In a statement released to coincide with the International Day of Action of Road Transport Workers on 8 September 1998, the Federation of Transport Workers' Unions (FST) in the European Union, called upon the European Commission to take urgent action to limit working hours of road transport workers. *“Professional drivers have for too long been subjected to draconian working hours which not only cause severe stress and general health problems, but also have profound safety implications for road users and especially the drivers themselves”* say the FST. In 1996 over 1300 professional drivers were killed in road accidents in Europe, and a significant percentage of these were due to driver exhaustion. The TUC is campaigning for all sectors currently excluded from the Working Time Directive, to be covered by measures appropriate to the needs of the industry.

Bullying

A remarkable 21% of safety reps identified bullying as a problem in their workplace that was linked to stress. This shows a significant increase since the 1996 TUC survey, where bullying was identified by 14% of respondents. The problem of bullying in the workplace is getting worse.

This increased response shows the importance of the TUC's "No excuse-beat bullying at work" campaign, launched on 5 October 1998. Callers to the TUC information line were able to order leaflets giving them details on how to tackle workplace bullying and where to get help. This follows the overwhelming response to the TUC's Bad Bosses Hotline in December 1997, which took almost 2,000 calls about bullying in just five days.

For those being bullied, stress and ill health become a daily occurrence. For employers, failure to deal with bullying can cost them lost time, lost efficiency and lost production. Workers affected by bullying have a low morale, resulting in lost incentive, reduced work output and quality of work. The HSE makes it clear that bullying is a cause of stress and must be taken into account in the employer's risk assessment. HSE Guidance (HS (G)116), states that:

- employees cannot easily cope with inconsistency, indifference or bullying;
- employers must ensure that people are treated fairly and that bullying and harassment of those who seem not to 'fit in' is not allowed; and

- employers should have effective systems for dealing with interpersonal conflict, bullying and racial or sexual harassment, including an agreed grievance procedure, and proper investigation of complaints.

Other factors

Other factors identified by safety reps included redundancies (15%), and sexual and racial harassment (5%). Both of these figures were considerably less than the figures in the 1996 survey. Cramped working conditions were identified by 14% of respondents.

Table F: Factors linked to stress

Factor	Proportion of safety reps linking this factor with stress in the 1998 survey	Proportion of safety reps linking this factor with stress in the 1996 survey
Workloads	60%	Not included in 1996 survey
Staffing levels	60%	Not included in 1996 survey
New management techniques	40%	48%
Long hours	28%	31%
Shift-work	22%	16%
Bullying	21%	14%
Redundancies	15%	24%
Cramped working conditions	14%	Not included in 1996 survey
Sexual or racial harassment	5%	21%

Note: percentages do not total 100% because reps could tick any relevant factors

The management of health and safety

Safety reps were questioned about the way that health and safety was managed in their workplace. The main focus of the questions related to health and safety policies, written risk assessments and occupational health services.

Following recent surveys, it is generally accepted that workplaces with trade union health and safety reps are safer than workplaces without them. Safety reps obviously make an impact upon the way that employers manage health and safety. Despite this, some of the headline figures in this survey are disturbing, showing that some employers are failing to meet their legal obligations, even with safety reps trying to persuade them.

Most employers had a written health and safety policy. But less than half of employers had adequate risk assessments. Fewer than one in three employers adequately involved safety reps in the risk assessment process. Less than one in three employer's occupational health services were providing advice on prevention.

Safety policies

In the HSE publication "Successful Health and Safety Management" (HSG65), the importance of safety policies is stressed. The HSE says "Effective policies are not simply examples of management paying lip service to health and safety performance, but a genuine commitment to action." It is pleasing to see that 89% of employers have a written safety policy, and it is hoped that they contain the commitment to action required by the HSE.

Risk assessments

Under the Management of Health and Safety at Work Regulations, and various other regulations, employers are obliged to make a suitable and sufficient assessment of risks. They should record the significant findings (where there are five or more employees).

According to the safety reps responding to the survey:

- less than half the employers had adequate risk assessments (44%). Employers of less than 100 employees, rated slightly worse, with only four in ten (40%), providing adequate risk assessments;
- a few employers had done the risk assessments, but not recorded them (4%). Larger employers were better at recording the risk assessments than their smaller counterparts;
- 26% of employers had done risk assessments that were considered inadequate by the safety reps. There appears to be more dissatisfaction with the way that larger employers do their risk assessments. Whereas 14% of safety reps working for employers with less than 50 workers, considered the assessments inadequate, double that number (29%), who worked for employers with more than 1000 were of the same view;
- there had been no risk assessments done in 14% of cases. Smaller employers fared much worse in this case, with employers of less than fifty workers not having done risk assessments in 28% of cases; and
- 9% of respondents did not know if the employer had carried out formal written risk assessments. As employers are legally bound to provide relevant information to workers on the risk assessment, this may suggest that the risk assessments had in fact not been done.

Risk assessment is at the forefront of most current health and safety legislation in the UK. The figures from this survey point to widespread breaches of the law. And workplaces in this survey are more likely to be managing health and safety better because of the presence of safety reps. Compliance with risk assessment laws in workplaces without safety reps is likely to be far worse. It seems that the HSE has a lot of work to do get the message across to employers.

Involving safety reps in drawing up risk assessments

Less than three out of ten safety reps were satisfied with their involvement in drawing up the risk assessment. In four out of ten cases (41%), safety reps were not involved at all. 23% of safety reps were involved, but not enough.

There is a serious problem here. Safety reps and their members have a wealth of experience, plus a detailed and intricate knowledge of the workplace and the jobs that are being done. How are risk assessments suitable and sufficient, when safety reps have not been involved at all, or are inadequately involved?

Employers have a legal obligation to consult safety reps over a wide range of issues. Furthermore some of the guidance notes accompanying regulations requiring risk assessment, positively encourage the involvement of safety reps. For example, Guidance on the DSE Regulations (Paragraph 27), says “Employees’ safety representatives should also be encouraged to play a full part in the assessment process.”

The TUC will be campaigning to ensure that employers adequately involve safety reps in the risk assessment process in the future. Assessments should be reviewed to ensure that they are still valid. This will provide new opportunities for safety rep involvement. In addition, the HSE needs to do more, stressing to employers their legal obligations to consult safety reps.

Consulting safety reps on environmental issues

Even though there is no specific legal requirement, over three out of ten employers (35%) consulted safety reps on environmental issues. 52% of employers did not. In the Energy and Water sector, 47% of safety reps were consulted, and 43% in the Manufacturing sector. In Distribution, Hotels and Restaurants, the situation was much worse with only 25% being consulted.

Substantial progress on environmental issues in the workplace will only come about, when the environment becomes an integral part of the policies and practice of all employing organisations. Vital to this, as in occupational health and safety, are workers and their trade union representatives. Research for the Danish Ministry of Environment, concluded that the workforce must be involved in environmental issues.

Safety reps are not the only union representatives who could be consulted over environmental issues. In many cases the safety rep may be a shop steward as well. Where the safety rep has this dual role, the survey does not provide evidence about the role in which they were consulted.

Employer provision of occupational health services

Seven out of ten of the safety reps responding, said that workers had access to occupational health services. However that access varied considerably depending on the size of the employer's undertaking, and the sector worked in. The survey shows that:

- only 37% had access where there were less than fifty employees. The figure rose to 76% where there were more than 1000 employees. Table G gives the full breakdown by employer size;
- 95% had access in the Health Service, 93% in Energy and Water, 77% in Manufacturing, and 75% in Transport and Communications. A much poorer picture emerges in the Voluntary sector with only 28% having access, 46% in Education, 50% in Banking Insurance and Finance, and 54% in Construction. Table H gives the full breakdown by sector.

Table G: Provision of occupational health services by employer size

Number of employees	Occupational health services provided	Occupational health services not provided
Under 50	37%	54%
50-100	43%	51%
101-200	53%	42%
201-1000	67%	28%
Over 1000	76%	18%

Figures do not add up to 100%, because some safety reps did not know or did not state

The role of occupational health services

The results of the survey show how limited the occupational health services are in the UK, in relation to preventive services. The key focus of occupational health services should be the prevention of workplace health and safety risks, particularly through contributing to the risk assessment process. However

respondents show that occupational health services concentrate upon:

- first aid - 49%;
- sickness monitoring - 41%;
- health surveillance - 40%;
- pre-employment medical screening - 35%;
- advice on prevention - 25%;
- treatment - 22%;
- disciplinary assessments - 16%;
- rehabilitation - 13%; and
- records which safety reps are given - 9%.

Table H: Provision of occupational health services by sector

Sector	Occupational health services provided	Occupational health services not provided
Agriculture and Fishing	63%	29%
Health Services	95%	3%
Distribution, Hotels, Restaurants	64%	31%
Banking, Finance and Insurance	50%	43%
Voluntary Sector	28%	70%
Education	46%	39%
Manufacturing	77%	20%
Energy and Water	93%	5%
Leisure Services	60%	32%
Construction	54%	37%
Local Government	69%	23%
Central Government	60%	32%
Transport and Communications	75%	20%
Other Services	67%	28%

Figures do not add up to 100%, because some safety reps did not know or did not state

It is no wonder that many safety reps and workers view occupational health services with suspicion. The preventive role is much further down the list than sickness monitoring, health surveillance and pre-employment screening. Added to that, disciplinary assessment is higher than rehabilitation. This exhibits an occupational health service role of advising employers on selection; dismissal for sickness; and implementation of absence control policies.

What should occupational health services be doing?

The primary function of health and safety services must be prevention of injury and damage to workers' health. A minority of occupational health services appears to place primary emphasis on preventive activities.

Occupational medicine is concerned with the effects of work on health and the effects of health on work. But, in practice, occupational medicine is often heavily biased towards the latter.

The principal task of occupational health staff must be the recognition, evaluation, and elimination at source of occupational health hazards whether they are physical accident hazards; ergonomic problems; chemical, biological or psychological. Occupational physicians or nurses should concentrate on the question "Is the job fit for the worker?" The question "Is the worker fit for the job?" is relevant but subsidiary.

Doctors, nurses, ergonomists, hygienists and safety officers also have a key role to play in eliminating risks to health at the planning stage. Occupational health personnel should ensure that:

- employers devise safe systems at work;
- manufacturers and suppliers adequately research and make available full information on their products; and
- employers consult with safety reps before new plant, processes or materials are introduced.

Although the main aim should be to eliminate hazards before they arise, occupational health staff must also be involved in recognising, monitoring and controlling existing hazards. A major part of the work of occupational health staff should be regular inspection and initial assessment of environmental conditions (noise, dust, thermal conditions, exposure to atmospheric pollutants, contact with chemicals, micro-organisms and so on). Only when such monitoring has been carried out does clinical observation, health surveillance and medical screening of the workforce assume any real relevance.

Health and safety services should function as a 'team'. This means a re-examination of the traditional view that occupational health is the province of doctors and nurses, and safety and welfare that of other disciplines. Each discipline has a contribution to make in all areas of the subject. Medical, nursing, ergonomic, safety and hygiene personnel need to work as part of a multi-disciplinary effort in the identification, control or elimination of hazards.

Given the major role which health and safety staff play in protecting workers from injury and health damage, it is important that safety reps ensure that they have an effective voice in determining how the services operate. Health and safety staff, whether employed directly or engaged from outside organisations, must operate independently of the employer. This means they should be accountable instead to joint employer/union bodies such as safety committees.

Often health and safety staff are seen as having an ambiguous role. In some cases they can be seen as part of management and do not enjoy the complete trust of the workforce. This means that mechanisms of accountability and control are very important.

The TUC will be seeking to influence Government and the HSE, with its views on occupational health services, in the current HSE consultation process on "the development of an occupational health strategy for Great Britain."

Safety reps' rights

Safety reps have extensive rights under the Safety Representative and Safety Committee Regulations 1977, plus additional consultation rights that were added by later European legislation. The survey asked safety reps a number of questions about some of their rights.

Training

An employer has to permit a safety rep to attend training without loss of pay, during their working hours. The Approved Code of Practice goes on to outline that this training, approved by the TUC or independent unions, should take place as soon as possible after their appointment. The Code of Practice then describes further training that is required.

The TUC, through a network of Trade Union Studies Centres, normally based in colleges of further education, or in the Workers Educational Association, provides a full range of health and safety courses. These courses which are typically day release, include:

- the 10 Day Stage One Course to be taken as soon as possible after appointment;
- the 10 Day Stage Two Course for the more experienced representative;
- a range of short courses designed to keep safety reps up to date with changes in law, standards and policies (the equivalent of continuing professional development); and
- a one year, part time TUC Certificate in Occupational Health and Safety course for more experienced reps (which can be the first step to professional safety qualifications).

In addition, some unions run their own approved training, including induction training, that may be delivered:

- in a national college;
- locally or regionally; or
- by the TUC on behalf of the union.

Some unions provide joint training with employers. In addition, some employers may provide training, usually to deal with specific matters relating to the safety rep's workplace.

The TUC Education Service offers the option of accumulating National Open College Network Credits on all safety rep training courses. Typically four credits can be gained at Level 2 or 3 for a 10 day TUC Course. These credits have now been combined to form TUC Health and Safety Awards at both an Intermediate and Advanced Level. In 1999, it is planned to kitemark the longer TUC Certificate in Occupational Health and Safety, into an Access to Higher Education Course.

Safety reps' responses to the survey show that extensive use is made of the training facilities provided, with the TUC/Union Stage 1 Course proving to be the most popular. 56% had attended the Stage 1, and 30% their union's own introductory course. It is apparent that all safety reps are not able to access this training as soon as possible after appointment. Of those that had been a safety rep for less than one year, 52% had attended the Stage 1, and 19% had attended their own union's introductory course. Over one in three of those who had been safety reps for more than five years, had attended the TUC/Union Health and Safety Stage 2 Course.

Table I shows the training that safety reps have undertaken from when they are first appointed, through to the extensive range of courses undertaken by experienced safety reps. This highlights the wealth of union experience and expertise that is available in the workplace. It is no wonder that previous TUC surveys have shown that workplaces with trade union safety reps are safer than those without.

Table I: Union Training received by safety reps

Length of time as a safety rep	TUC/ union Stage 1 course	TUC/ union Stage 2 course	Own union induction course	Other TUC/ union courses	Course provided by employer	Joint union/ employer course
Under 1 yr	52% (56%)	6% (25%)	19% (30%)	7% (19%)	8% (19%)	2% (8%)
1-5 yrs	55% (56%)	24% (25%)	29% (30%)	16% (19%)	19% (19%)	6% (8%)
Over 5 yrs	60% (56%)	37% (25%)	39% (30%)	30% (19%)	27% (19%)	16% (8%)

Note: The average figures appear in brackets; figures do not total 100% because reps could tick as many types of training as they had received.

Despite legal rights to time off for training, a number of the safety reps surveyed had been unable to access training on occasions. The reasons given were:

- too busy - 14%;
- not the right time in the day/week - 9%; and
- management refused time off - 9%.

The excessive workloads and understaffing that have already been discussed, also appear to have had an effect upon safety reps accessing health and safety training. As many as 14% had not gone on training courses because they were too busy. This could mean that there is management pressure, or even pressure from colleagues not to attend because of the heavy workload. But often many safety reps do not have their work covered while they are away. If they choose to attend, they have extra work associated with training, and when they get back to work, all their work remains untouched. They are left to catch up with the backlog creating extra pressure and stress on the safety rep.

The TUC will follow up and pursue this issue as part of the TUC Safety Reps Strategy. Similarly the TUC Education Service will be looking at the question of availability of courses, given that almost one in ten reps (9%) did not attend a course, because it was the wrong time or day in the week.

Management had refused time off for training at some stage to almost one in ten reps (9%). There are clear legal rights, and unions continue to fight to establish these rights through collective bargaining and legal action. The TUC will campaign on this issue, giving support to safety reps and placing pressure on employers who are disregarding safety reps' legal rights.

Consultation in good time

Safety reps have a variety of rights that entitle them to be consulted by the employer. This includes the right to be consulted in good time with regard to:

- the introduction of any measure at the workplace which may substantially affect the health and safety of the employees the safety reps concerned represent;
- arrangements for appointing or nominating competent persons;
- any health and safety information the employer is required to provide under existing law;
- the planning and organisation of any health and safety training; and
- the health and safety consequences of the planning and introduction of new technologies.

In the survey, one in four safety reps (24%) were automatically consulted on a frequent basis. Four out of ten (41%) were automatically consulted on an occasional basis. Just over six out of ten (64%) were consulted when they asked to be. Two out of ten (21%) were never consulted either automatically or when they asked. As has already been stated, there is so much to be gained by consulting safety reps that it is surprising that all employers are not consulting safety reps automatically, as they are supposed to.

As part of the TUC Safety Reps Strategy, the TUC is pressing the HSE to enforce consultation rights (or at least promulgate good practice). In addition, consideration is being given to the pursuit of an extension to the Safety Reps

Regulations. This would give unions the right to seek Employment Tribunal declarations enforcing consultation requirements.

Inspections

Safety representatives have the right to inspect the workplace, if they have given notice to the employer in writing. They can inspect every three months or more frequently by agreement with the employer.

In the survey:

- four out of ten safety reps had inspected once or twice during the last year;
- two out of ten (19%) had inspected three or four times during the last year;
- one in ten had inspected five or more times; and
- less than one in ten had not inspected at all (6%).

Table J shows that the more experienced the safety rep is, the more inspections are carried out. 31% of safety reps with one to five years experience were inspecting regularly, and 36% of safety reps with more than five years experience were inspecting regularly. 12% of safety reps with more than five years experience were inspecting five or more times a year. Because 21% of respondents had been safety reps for less than year, it is conceivable that some of them had not received training and would not have had the opportunity to do many inspections.

Table J: Number of safety rep inspections in the last year

Time as rep	None	1-2	3-4	5-6	7-8	9-10	11-12	13-20	20+	No reply
Under 1 yr	11%	40%	7%	1%	-	-	1%	-	-	38%
1-5 yrs	5%	42%	22%	3%	1%	1%	2%	1%	1%	22%
Over 5 yrs	4%	39%	24%	4%	1%	1%	4%	1%	1%	21%

These figures all relate to a mixture of regular workplace inspections and inspections after incidents or accidents. The TUC would like to see more employers investigating the latter and involving safety reps in the process. In 1999 the TUC will be pressing for a stronger legal duty to involve safety reps following incidents or accidents. In addition, the TUC is also keen to increase the number of pro-active inspections which safety reps undertake, by providing them with encouragement, advice on their rights and guidance on new tools of inspection.

Time spent on safety rep duties

Safety reps are entitled to reasonable time without loss of pay to carry out their functions. Respondents to the survey indicated how many hours that they had spent on their safety rep duties in the previous week. The results showed:

- almost six out of ten respondents (58%) had spent up to one hour;
- three out of ten had spent up to five hours;
- 4% had spent up to ten hours; and
- 4% had spent over ten hours.

Safety reps have previously reported to the TUC that it has become more difficult to obtain time from employers to carry out their functions. Again understaffing and heavy workloads have been cited as reasons for this. The TUC will be seeking recognition by Government and employers that this is not “time off,” but a vital part of a safety rep’s contribution to better safety standards.

Joint Union Management Safety Committees

Where at least two safety reps request in writing for the employer to establish a safety committee, then the employer is under a legal duty to establish it. The overall results in the survey show that a safety committee exists in almost eight out of ten workplaces (78%), although in 13% of cases the committee rarely meets. Almost two out of ten (19%) workplaces did not have a safety committee. As one would expect, the smaller the workplace, the less the chance of having a safety committee. Under half of undertakings with less than fifty employees had a safety committee. The situation gets progressively

better, the larger the employer is. However, it was striking that employers with between 200-1000 employees had the greatest percentage of functioning safety committees (74%). This exceeded the performance of employers with over 1000 employees (66%).

Industrial sectors that were better than average included:

- Energy and Water: 93% with safety committee (5% rarely meeting);
- Manufacturing: 91% with safety committee (13% rarely meeting);
- Health Services: 88% with safety committee (9% rarely meeting);
- Agriculture & Fishing: 88% with safety committee (12% rarely meeting); and
- Distribution, Hotels etc: 85% with safety committee (8% rarely meeting).

Industrial sectors that were worse than average included:

- Voluntary Sector: 50% with safety committee (12% rarely meeting);
- Education: 61% with safety committee (17% rarely meeting); and
- Banking, Insurance etc: 63% with safety committee (19% rarely meeting).

Safety committees are important in providing a vehicle for safety reps to participate in health and safety risk management in their workplaces. The obvious deficiencies in some smaller workplaces, and certain sectors need addressing. The TUC, as part of its Safety Reps Strategy, will be seeking to improve the establishment and functioning of safety committees. Early liaison with the HSE, CBI, and use of the HSC's Industrial Advisory Committees will help this process.

HSE or Environmental Health Officer inspections

Four out of ten (39%) safety reps thought that a Health and Safety Inspector had never inspected their workplace. 26% had received a visit in the last year; 17% between 1-3 years; and 10% over three years ago.

Although safety reps have legal rights to consult with, and receive information from inspectors, it seems that few from this survey have that opportunity through inspector visits to the workplace.

About the safety reps

Just under one third of the respondents were females (31%). 6% were black and ethnic minority; Afro Caribbean; African; or Asian. Just under one quarter of the respondents were under the age of 35 (22%). The great majority of the respondents were in full time employment (91%), undertaking a wide variety of work. 42% of the respondents were doing work of a professional/technical nature. Over three-quarters (78%) had been a safety rep for over one year, with one third (33%) having been safety reps for over 5 years.

Recommendations

The TUC will use the results of this survey of safety reps to guide its work on health and safety over the next few years. But some proposals for action stand out from the report. The survey results demonstrate the need for:

- an HSC Approved Code of Practice on the prevention of occupational stress - the TUC will continue to press the CBI to acknowledge the need for action against Britain's main health and safety problem;
- a Government-backed campaign to ensure that employers comply with safety laws on preventing musculo-skeletal disorders, and especially back pain - the TUC is discussing proposals for this with the Department of Health under the "Our Healthier Nation" strategy, as part of its "Healthier Workplaces" initiative;
- campaigns to raise awareness of the risks of noise-induced hearing loss - the TUC is preparing a joint campaign with the Royal National Institute for Deaf People (RNID) for early 1999, focusing on the need for individual employees to appreciate the dangers to their hearing, and on the need for employers to prevent exposure where possible and to monitor hearing loss;
- discussions between employers and unions in specific workplaces or sectors about measures to prevent violence at work - the TUC has commissioned research into the existing levels of violence in the workplace, as well as union action to combat this growing menace; and
- awareness raising about the prevention of solvent risks, including joint action between employers, unions and the HSE - a TUC-HSE-Solvents Industry Association conference will be held in January 1999.

The TUC believes that the law should be changed to allow unions or their representatives to:

- make applications to Employment Tribunals to enforce the law on consultation with safety reps over health and safety matters, where employers have demonstrated a sustained failure to consult;
- serve provisional improvement notices¹ where employers have refused to comply with their legal responsibilities (except where such refusals lead to serious and imminent danger of injury);
- represent union members on health and safety matters regardless of whether they work for employers who recognise unions; and
- have joint control with their employers over occupational health services, to ensure that the workforce is fully informed about their work, so that they focus more on the issues of prevention and retaining people at work, and so that confidentiality and independence are assured.

The survey results also suggest that:

- employers should be encouraged by the HSE to support safety reps who wish to take up the training opportunities provided by unions and the TUC - an awareness campaign could explain the legal rights of safety reps and demonstrate the possible benefits for employers of better trained safety reps; and
- more effort should be devoted by unions and the TUC to persuade safety reps of the need to inspect workplaces (including identifying any obstacles to this) and of the value of establishing joint union-management safety committees.

¹ Provisional Improvement Notices (PINs) were first given legal force in several Australian states in the mid-1980s. They are served by union safety reps when their management has failed to carry out their legal health and safety responsibilities, and if the employer refuses to abide by the PIN (most do), an Inspector automatically visits and can impose penalties on employers who wrongly refused to abide by the PIN.

Contact: Owen Tudor on 0171 467 1325 or otudor@tuc.org.uk

TUC, Congress House, Great Russell Street, London WC1B 3LS
telephone 0171 636 4030 fax: 0171 636 0632

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