

**Regarding** - the *inquiry into the operations and work of the Health and Safety Commission (HSC) and the Health and Safety Executive (HSE), and the proposals to merge the two bodies.*

**Response from -**

Derek Maylor, Chair, Communication Workers Union NW Safety Forum.

e-mail [safety@cwumswl.org](mailto:safety@cwumswl.org)

mail - pp1A, Telephone Exchange, Foundry Street, St Helens, WA10 1AB.

The C.W.U. N.W. Safety Forum represents 32,843 members of the Communication Workers Union in the North West who mainly work for Royal Mail, BT, O2 and the Alliance & Leicester. We have members who work for other communication companies and in the financial services industry. There is a large active retired members section who are not included in the membership figure quoted.

**Summary** - the Forum would like to see :

- \* further investment in HSE Inspectors
- \* more inspections
- \* closer working with LA's and USR's regionally
- \* HSE investigation of RTA's
- \* realistic and more imaginative penalties for non compliance.

**1) Resources & LA'a** - We would like to see the HSE have sufficient resources to further enforce health and safety law, to consult more with local authorities and to start investigating 'at work' road traffic deaths. This could be aided by the introduction of roving Trade Union Safety Representatives in a tri-partite approach with local knowledge and able to respond quickly to incidents or dangers.

**2) The Corporate Manslaughter and Corporate Homicide Act** - This will be a wake-up call for employers, company bosses and organizations and the law will be a deterrent to employers who fail to meet the proper standards of health and safety and safe working practices when it comes into force on 6<sup>th</sup> April. However we have strong reservations that the voluntary aspect of Directors Duties on Health and Safety will not suffice. We accept that the overwhelming majority of Directors have genuine concern for their employee's health and safety and many were already ahead of what they legally were required to do. We accept that many of those who did not will now comply with the voluntary code. The problem is with the remaining Directors who, if not ignoring the Code completely, will only ever comply with the legal minimum. These Directors therefore compete unfairly in business with those who genuinely look after the safety of employees.

**3) Inspections** - We believe that the HSE does not currently visit workplaces sufficiently for inspections to be a driver for safety in business. We would also like more accident investigation by inspectors. Therefore we would like better investment in frontline inspectors being able to complete more inspections. We accept that this investment cost more money to Government but this would be offset by reduced accidents and the financial costs to society. Employers need to uphold safety measures and engage with Union Safety Representatives, in consultation and partnership to tackle the problems faced by the workforce and HSE need to ensure that Safety Representatives have the legal right to involvement in Risk Assessments and introduce a new legal duty on employers to respond to Safety Representatives in good time.

**4) Enforcement** - HSE statistics (*released 27/12/07*) showed the cost of accidents and ill health in the NW to be £1.4BN. The lack of enforcement is contributing in this cost to society. We need a range of

tougher penalties and higher fines handed down by courts for breaches of health and safety law that result in death or injury. The level of fines and the level of enforcement activity are inadequate to deal with the widespread health and safety problems in the NW. Currently fines are shrugged off and almost irrelevant. Safety Fines are lower than those imposed on companies for regulatory breaches, competition offences and insolvency and that is illogical and immoral. Strong enforcement activity is the most effective way of ensuring compliance with health and safety law.

**5) Occupational Health** - Every survey commissioned has shown that unemployment is bad for you, i.e. you die earlier. Recent studies show that is also bad for your families health in that there is less income, low expectancy and a downward spiral of ill health all round. Generally men do not go to the doctors so we should be looking at taking doctors to work. No-one is ever 100% fit all the time but there is productive work that can be done which long term helps the individual and obviously helps industry as well. We have to move away from the current sick-note system which requires people to 100% fit before they go back to their job this is vital in preventing long term sickness. There is less chance of getting someone back into work the longer they are off, thus starting the cycle of ill health for that individual and their immediate family. We need GP's to talk to employers, to other rehabilitation experts and desperately need early referrals. to enable better use of resources. The HSE is best situated to co-ordinate such occupational health issues if there were to be investment.

End

Derek Maylor 2/1/8

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