

Contents

- 1. Moves on Lofstedt: Independent panel to challenge inspectors' operational advice established.**
 - 2. New ILO stress guidance**
 - 3. UCU safety reps complete introductory course**
 - 4. TUC Action on Health & Safety Day**
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1. Moves on Lofstedt: Independent panel to challenge inspectors' operational advice established.

Following on from the report of the Löfstedt review in November – which called for a process to challenge cases of incorrect and over-application of health and safety legislation by HSE and local authority inspectors, the government has now established a new Independent Regulatory Challenge Panel will look into complaints regarding health and safety advice given by HSE or LA inspectors that duty-holders believe may be incorrect, or goes beyond what is required to control risks adequately. This extends the right that duty-holders already have to challenge an inspectors Improvement or Prohibition Notices, to being able to challenge basic guidance or regulatory advice which stop short of formal enforcement action.

Like all such procedures, aggrieved employers should first try to resolve the matter with the HSE or LA inspector and the inspector's manager. If they are not satisfied, businesses will be able to raise the issue with the panel. Applications will be by completing an online form on the HSE website. If they are not satisfied with the panel's findings, they can write to the chief executive of the HSE, or relevant LA chief executive, as well as contacting local MPs, or local councillors. More detailed terms of reference for the panel will be published by the end of January.

Cases will be summarised on the HSE website, as prosecutions and notices currently are.

The panel will be chaired by Tricia Henton, former director of environment and business at the Environment Agency. She will sit with Local Government Regulation's (formerly LACORS) Mark DuVal, and its former executive director Derek Allen, as well as two ex-employees of the HSE. Other panel members may be appointed in due course.

UCU waits with interest to see what will happen. In the past we have been sceptical about HSE advice, which often appears weak and watery. For instance, one UCU branch was advised that the UCU health and safety advice service could give the same

information as an inspector, so there was no need for an inspector to intervene. That completely missed the point that the employer was ignoring the UCU advice given to the Branch, and that UCU advice has no power to enforce anything against employers, whereas an inspector can. Will this new body be inundated with complaints of the most trivial nature? We hope so; that, at least, may indicate just how basic the need for real enforcement is. At least the panel has members with some expertise – competent persons all, we hope.

2. New ILO stress guidance

Hot off the press from the ILO, a new publication on stress at work. This is remarkably useful, and takes a positive position on the need for workers to work in a safe and comfortable environment that isn't damaging to health. It includes a checklist that puts employers on the spot with direct questions. All ask "Do you propose to take action" with a tick-box response either No, Yes or Priority. There's nothing quite like putting an employer on the spot.

For example, under the heading Job Demands, Q6 asks if employers propose to take action to "Adjust the total workload taking into account the number and capacity of workers." Q7 asks about action to "Rearrange work assignments to prevent excessive demands on workers."

Under Job Control, questions include asking the employer if they propose action to "Rearrange work assignments to prevent excessive demands on workers." (Q14) and "Engage workers in decision-making about their work organization". (Q11) There is a lot of good positive worker-involvement stuff like that.

Weaknesses – it focuses on manual and, to a much lesser extent, clerical work, but that's not surprising for the ILO, which must address the needs of the majority world as a priority. The principles are sound, and it is a positive contribution to help workers organising to improve conditions.

It's a big document – 137 pages, but you can store it on your hard disk, and access it when you need it. The introduction acknowledges the "critical and useful contribution" from our own Hugh Robertson. ILO publications have always been very expensive; some still are, but now you can download a free copy of this from:

http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_168053/lang--en/index.htm

3. UCU safety reps complete introductory course

Here is a group of very happy and enthusiastic UCU health and safety reps, having completed the 4th element of the initial health & safety course on January 11th at the Carlow Street office. Barry Lovejoy, UCU Head of FE (front row, left) presented the participants with their completion certificates, with Abbie Jenkinson, (front row, third left) UCU Training Officer in attendance. Course tutor Angie Birtill (front row, second left) is one of the UCU safety reps at South Thames College, and the major contributor

to the development of UCU courses and materials for health & safety representatives. Well done to all of them, and good luck in their safety rep careers.



Next step, the Handling Stress at Work course

4. TUC Action on Health & Safety Day

The TUC has now produced a poster and first briefing for this year's Workers Memorial Day, which has been designated as the Day of Action to defend health & safety.

You can download the leaflet here:

http://www.ucu.org.uk/media/pdf/h/j/Fighting_for_our_lives_Leaflet.pdf

And the poster here:

http://www.ucu.org.uk/media/pdf/h/0/Fighting_for_our_lives_Poster.pdf

This is an important event for all trade unions and workers, and will be the first direct focus on opposing the Government's agenda to undermine the health, safety and welfare of workers across the board by reducing regulation, inspection and enforcement. There will be regional TUC activities to participate in, but we'd encourage as many local workplace activities as possible. This is also an opportunity to involve employers, and get a message across about the importance of ensuring the workplace is safe and without risks to health, and where employee representatives are fully involved in consultation, policy and strategic development, and monitoring the employers performance.

I'll circulate other information as it is produced; meanwhile please raise this with your Branch and LA committees, so you can start to think about some appropriate activities.

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This is an important year for Workers Memorial Day, because we need to send a strong message to government that we won't stand for more of this attack on our safety and longterm health.

- We don't know how many UCU members have committed suicide because of the pressure they were under at work - but many Branches and LA's tell me they know of such cases.
- We don't know how many members have suffered heart attacks or other coronary heart disease brought-on or made worse by stressful working conditions.
- We don't know how many UCU members are off work with stress-related conditions, and the resulting mental or physical health problems.
- The employers organisations generally don't collect adequate information on these and other health & safety matters.
- Individual employers are often reluctant to give such information to the union.
- Funders seem to be interested only in what happens to students, with little apparent enthusiasm to monitor employer behaviour which harms and damages our members.

That all strikes me as outrageous. How employers treat staff should be a performance standard against which funding allocation is measured. Perhaps that's something we can highlight this year.

Contact UCU Health & Safety Advice

UCU Health & Safety Advice is provided by the Greater Manchester Hazards Centre, and is available for 3 days each week during extended term times.

**The contact person is John Bamford: (e) jbamford@ucu.org.uk
(t) 0161 636 7558**

**Visit the [UCU Health and Safety web page:](http://www.ucu.org.uk/index.cfm?articleid=2132)
<http://www.ucu.org.uk/index.cfm?articleid=2132>**