

31 January 2008



**Department for Business Enterprise & Regulatory Reform.
Improving outcomes from health and safety: a call for
evidence.**

This review is considering how the health and safety regime affects small employers and employers whose overall risk is relatively low. Its objective is to find ways to make compliance easier for those organisations, improve health and safety outcomes for their employees, and maintain the confidence of the public in the health and safety system as a whole.

Written submission from the British Occupational Hygiene Society.

The British Occupational Hygiene Society (BOHS) is the primary member organization for those concerned with the management of risks from chemical, physical and biological hazards in the workplace. We have approx 1,200 members who work for industry, government agencies – including the HSE and many local authorities, universities, other public bodies, scientific research organizations, and as consultants.

BOHS's aim is to help reduce work-related ill health. We do this by promoting public and professional awareness of occupational risks, developing good practice and standards, and by researching and advancing education in the science of occupational health and hygiene.

BOHS publishes the leading international scientific journal in the field of occupational hygiene for the purpose of disseminating knowledge. We also provide a range of professional qualifications by examination in occupational hygiene in order to maintain the professional standard of practice in occupational hygiene and thus ensure effective and efficient control of risk.

1. [Do you believe the British health and safety system achieves the right balance between protecting workers, and the demands it places on employers and others?](#)

For employers who are both small and low risk we believe there is a good balance between worker protection and the effort required to comply with the law. Unfortunately an employer's activities can undergo a rapid transition from a low risk to a high risk situation, for example by modification of an existing process or starting a new process without up-skilling management or workforce. We believe all small employers should have better awareness of occupational health and safety issues so that they can respond appropriately when there are changes in their business.

3. [Do you think the way the health and safety system is perceived by employers, workers and the wider public in Britain has a significant impact, e.g. on accident rates, or on the way employers act?](#)

We believe that many small employers consider health and safety to be similar to a tax return, something you have to do but hide the "truth" as much as possible i.e. they see it as a cost not a benefit. This perception may be improved by more emphasis on specialist resources to give advice and guidance concerning the true level of risk. In this respect we feel that it is important for small employers to have access to good information and advice. Reductions in accidents and ill health are probably more to do with changes in societal values and behaviours than being due to the health and safety system.

4. [How can good health and safety management best be encouraged and recognised?](#)

Good health and safety management can best be encouraged by an increase in the likely frequency of inspection for high risk organisations by HSE so that this becomes a credible deterrent. There is also a role

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for high quality advice, either provided through the internet, by telephone or via site visits.

Do you believe fear of compensation claims has any influence on the way in which health and safety is managed?

It would appear that failure to comply with a health and safety requirement incurs less of a financial loss than any resultant civil claim.

5. What more, if anything, do you believe Government should do to ensure employers have access to affordable, authoritative information and advice on health and safety?

Make all HSE publications free of charge. Provide more free face-to-face advice to small companies.

6. How can regulators best ensure that employers minimise ill-health that is caused or made worse by work?

By acknowledging that health concerns outweigh safety concerns by forty to one. By stopping the decline in the number of occupational health and hygiene specialists it employs. By up-skilling their own staff and promoting higher standards of education, training and qualifications in occupational health and hygiene which would help reduce the risks. We strongly believe that HSE must put greater emphasis on occupational ill health rather than concentrate mainly on accidents.

7. Do you feel the regulators' targeting methods adequately reflect the risks of work in terms of ill-health, as well as injury?

No. We feel that there is insufficient priority given to occupational health problems. Better training of HSE Inspectors will allow them to better target high risk occupations and recognise poor practice. This is a particular issue for occupational health issues, where many inspectors are less experienced.

8. What improvements could be made to help HSE and local Authority inspectors target rogue employers?

Praise for people who are bold enough to report employers who are breaking the law rather than giving them the derogatory title of whistle-blower.

9. Could further flexibility in whether HSE or a Local Authority regulates in a particular case improve outcomes?

It does not matter whether the Inspector works for the HSE or the Local Authority if they are properly trained in occupational health and hygiene they will be able to provide the correct advice and guidance. There must however be clear rules about which organisation enforces in a specific business sector.