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# focus on health and safety

trade union trends survey  
TUC biennial survey of safety reps 2010

Organisation and Services Department  
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# executive summary

This is the eighth biennial TUC safety representatives' survey. The survey is designed to provide the TUC and its affiliated trade unions with valuable information, which shape safety campaigning and organisation in the period ahead.

## Key findings

### Hazards

The most frequently cited main hazards in 2010 were stress, bullying/harassment, back strains, slips, trips and falls on a level and overwork.

**Stress** is by far the most frequently identified hazard in 2010, as in the past three surveys, despite the more limited description this time around (overwork is now listed separately).

- 62% safety representatives identified stress as a top five concern compared with 60% selecting overwork or stress in 2008;
- 27% picked stress out as the *most important* hazard in their workplace – the topic most likely to be given this level of importance in the survey;
- Stress is more prevalent in the public sector than the private sector, with 68% of safety representatives in that sector saying it is a concern compared with 54%;
- It is one of the five most common hazards in 13 of the 14 industrial sectors, and is the top hazard in 12 of them;
- Stress is more prevalent in larger workplaces;
- It is more common in London (cited by 70%) than any other region/country.

A notable change for 2010 is the arrival, as second most common hazard, of **bullying/harassment**.

- It is listed as a top five concern by 37% safety representatives, almost double the proportion (20%) citing “bullying” in 2008 (the category has been changed in 2010 to include harassment);
- Bullying/harassment features in the five most common hazards in 10 industrial sectors (in 2008 bullying appeared in only two sectors' top five). It is more commonly a concern in the public sector than the private sector;
- The larger the workplace, the more likely it is to be a main concern;
- London is the most likely region/country to report bullying/harassment as a

top five concern.

Another change in 2010 is that **display screen equipment** (DSE) and **repetitive strain injuries** (RSI) present concerns in fewer workplaces now than in 2008 (both 28%).

**Back strains** constitute the third most frequently mentioned hazard, with a third (33%) of representatives saying this was a top five concern, compared with 31% in 2008.

**Slips, trips and falls on a level** is, as last time, the fourth most common hazard identified, with 32% regarding it as one of the top five causes for concern, similar to the 33% saying that in 2008.

The newly separate category of **overwork** enters the list in its own right (separate from stress) in 2010. It is the fifth most likely hazard to be identified as a major concern, with 29% safety representatives listing it as one their top five concerns.

Overwork is slightly more common in workplaces with over 1,000 workers and again is most prevalent in London, followed by the South East.

While there was a notable rise in concern about some psycho-social hazards in the latest survey, there were quite dramatic falls in the proportion of safety representatives saying that **working alone** (from 30% to 21%) and **violence and threats** (from 26% to 18%) were main hazards.

There is a worrying increase in the proportion saying **asbestos** is a concern at their workplace, with almost one in 10 (9%) saying this in 2010 compared with 4% in 2008.

## **Managing health and safety**

The standard of risk assessments is very slightly improved on 2008: three in five (59%) of the safety representatives in the 2010 survey say their employer has carried out adequate risk assessments, slightly higher than in 2008 (55%). A third (32%) say they are done but are inadequate or not recorded and 7% say they are not done.

The proportion saying they are adequate is higher in the private sector (64%) than in the public sector (56%).

The worst sectors for risk assessment – in which fewer than half of safety reps feel there are adequate assessments - are health services (49%), the voluntary sector (43%) and education (42%). The best sector is construction (89%).

In terms of consultation over risk assessments:

- Fewer than one in three (29%) safety representatives said they were satisfied with their involvement in risk assessments;
- Four in ten (40%) said they were not involved in helping their employer

draw up risk assessment at all;

- Another 31% said they were involved, but not enough.

The level of occupational health provision is largely unchanged over the last year, with nine in 10 employers providing it and a roughly 50-50 split between in-house and external provision (slightly more for external services).

However, there are changes in the types of services provided, with a worrying increase in reports of pre-employment medical screening (49% saying this was a function compared with 41% in 2008).

Sickness monitoring (69%) and disciplinary assessments (44%) remain at the high levels of 2008 and first aid still appears in only half (51%) of the workplaces surveyed. Provision of records to safety representatives is only reported by one in seven (14%).

On the other hand there has been a significant improvement in access to rehabilitation (48% compared to 38% in 2008), and health surveillance (59% compared with 51%). The provision of advice on prevention has risen substantially (to 44% from 38%), and provision of treatment is also more widespread (26% from 21%).

### **Safety representatives' rights**

The survey shows that union training in health and safety continues to thrive, with a higher proportion of safety representatives than in previous surveys receiving either TUC or own-union training.

The most advanced course, the TUC diploma/certificate in occupational safety and health, continues to rise in popularity. It was attended by almost one in five (19%) safety representatives this time compared with 17% two years ago and just 12% in 2006.

But the most substantial jump is in safety representatives' attendance at their own union's introductory courses (34%), suggesting that interest in the role of safety rep remains buoyant.

The provision of courses by employers has risen this time after falls between 2004 and 2008.

However, a worrying two in five of those responding to the 2010 survey say they have had trouble getting time off to undergo training.

The most common reason cited is being "too busy at work", listed by 18% of all safety representatives in the survey, while a worrying 14% have been unable to take up courses because management has refused permission to take time off.

On consultation over health, safety and welfare matters, more than one in five (21%) safety representatives are never automatically consulted by their

employer, although this is a slight improvement on the 2008 proportion. A small proportion (7%) are never even consulted when they specifically request it.

### **Enforcement**

Low levels of health and safety enforcement are not improved in 2010, with the situation virtually unchanged from 2008.

- Almost half (49%) of safety representatives said that as far as they know, a health and safety inspector has never inspected their workplace;
- Another one in 11 (9%) said the last inspection was over three years ago, while a further 15% said it was between one and three years ago;
- Just over one quarter (27%) said their workplace had received a visit over the last 12 months.

The situation is poorest among employers with less than 50 employees, only 16% of whom have been inspected in the last 12 months. Even among the largest workplaces (with over 1,000 workers) only one third (33%) have been inspected in the last year.

Under half (46%) of safety representatives were aware of the most recent visit before it happened, though this is marginally better than in 2008 (43%). But fewer than four out of 10 survey respondents (37%) say they or another safety representative spoke with the inspector on their most recent visit (compared to 40% in 2008).

There are mixed results on the effect of enforcement activity on employer action in making improvements.

The proportion of employers who make some attempt to make improvements (“a little”, “somewhat” or “a lot”) because of the possibility of an inspection has jumped back up to 61% from 52% in 2008.

But of those employers who have received a legal enforcement notice, only 36% have subsequently reviewed other practices in the company in different departments and/or work activities, compared with 43% in 2008.

## Section one

# introduction

### **The survey**

This is the eighth biennial TUC safety representatives' survey. The survey is designed to provide the TUC and its affiliated trade unions with a profile of safety representatives, the hazards they have to tackle and to identify some of the problems they face.

The report is analysed by senior TUC policy officials and union health and safety specialists in order to understand the changing experience of safety representatives at work and to help provide more support. They also use the survey to inform public policy debates and in work with the Health and Safety Executive (HSE). The TUC wants union safety representatives and safety committees to discuss and use the report to help with their ongoing work.

Just over one thousand eight hundred (1,819) safety representatives responded to the questionnaire either on paper or online in the period May-June 2010, compared with 2,611 in 2008. Their answers provide a wealth of information about the profile of safety representatives and the work they do to improve safety.

### **Profile of safety representatives**

The survey allows for a profile of the respondents, helping to identify the diversity of safety representatives.

Over a quarter (27%) of safety representatives who responded were women, the same as in 2008 but slightly less than in 2006 (30%).

Some 94% described themselves as white, significantly higher than the 83% in the last survey. (However, the ethnic descriptions offered had been updated for the latest questionnaire, allowing the option of "White – other" for the first time. This may have captured some respondents previously selecting the "other" option.) Three per cent described themselves as one of the following: "Asian or Asian British", "Black or Black British", or "Chinese". Another 1% said they were "Mixed race".

Some 10% of representatives were under the age of 35, while 27% were aged between 36 and 45 and 56% were between 46 and 60. Another 7% of representatives were over 60 years of age.

Three in five representatives (62%) work for organisations in the public sector and 35% in the private sector.

The largest group of safety representatives by industry, apart from “other services” (20%), work in transport and communications (16%). Central and local government accounted for 12% each, manufacturing 10%, health services 8% and education 7%.

Almost a third (32%) work in workplaces with less than 100 workers, while almost a quarter (24%) work in workplaces with over 1,000 workers. Overall more than half (54%) work in workplaces with over 200 workers.

One in five (21%) safety representatives responding said they had been doing the job for less than a year. The rest were split almost evenly between those who had been a safety rep for between one and five years (40% of the total) and those who had been a safety rep for over five years (39%).

Rather less than half (47%) of those who responded were also union stewards, while just over half (53%) were only safety representatives.

Safety representatives are widely distributed across the UK. The largest groups of respondents came from the South East and South (15%), the Midlands (14%), the North West (12%) and Yorkshire and Humberside (11%).

The survey showed that online access at home by safety representatives continues to grow. Almost nine in 10 (92%) of those answering this question have access to the internet at home compared with 87% in 2008. However, the reverse is true with internet access at work: just 78% have access at work compared with 82% two years ago.

This was reflected in the response to the survey. Almost two thirds (66%) of questionnaires returned were completed online in 2010, jumping from a third in 2006 and a half in 2008.

A particularly high proportion of representatives in Wales (83%), the North West (74%) and London (73%) responded online. Within particular sectors, workers in agriculture (92%), energy and water (83%) and health services (75%) were the most likely to respond online. Men and women were almost equally inclined to respond online, with 66% of male and 65% of female respondents doing so. This is a change from 2008 when men were significantly more likely than women to respond online.

Section two

# hazards at work

## main hazards

Safety representatives were asked to identify the main hazards of concern to workers at their workplace, and then identify the top five in order of importance. All those mentioned as being in respondents' top five were aggregated to provide a table of "top five hazards", which could be compared with those of previous years (see *Table 1*).

**Table 1: The main hazards of concern to workers (%)**

Hazard	% cited in 2010	2008	2006
Stress	62%	60%	61%
Bullying/harassment	37%	20%	15%
Back strains	33%	31%	28%
Slips, trips, falls on the level	32%	33%	27%
Overwork	29%	n/a	n/a
Display screen equipment	28%	41%	36%
Repetitive strain injuries	28%	40%	38%
Long hours of work	21%	23%	24%
Working alone	21%	30%	27%
High temperatures	19%	20%	26%
Handling heavy loads	18%	13%	13%
Violence and threats	18%	26%	25%
Slips, trips and falls from a height	11%	9%	7%
Low temperatures	10%	9%	8%
Noise	10%	14%	16%
Asbestos	9%	4%	4%
Dusts	9%	9%	11%
Chemicals or solvents	8%	11%	14%
Cramped conditions	7%	n/a	n/a
Machinery hazards	7%	9%	9%
Road traffic accidents	7%	7%	6%
Infections	5%	5%	6%
Workplace transport accidents	5%	7%	6%
Dermatitis/skin rashes	4%	3%	4%
Vibration	3%	3%	3%
Asthma	1%	1%	1%
Passive smoking	1%	1%	2%

The five most frequently cited hazards were stress, bullying/harassment, back strain, slips, trips and falls on a level and overwork. Display screen equipment

## stress and overwork

(DSE) and repetitive strain injuries (RSI) were in sixth and seventh place respectively.

The list is not directly comparable to that of previous years as the category “overwork and stress” of previous surveys was split into the two separate hazards in 2010. Bullying was re-designated as bullying/harassment in the latest questionnaire, and cramped working conditions was entered into the list of potential hazards.

The list of main concerns in 2010 includes some overlap with the most frequently mentioned hazards in previous years: in 2004-08 the five most commonly cited hazards were always overwork or stress, DES, RSI, slips, trips and falls on a level and back strains although not always in the same order.

However, there was a notable change this time around with the entry into the top five of **bullying/harassment**. This was listed as a top five concern by almost two in five safety representatives (37%) in the latest survey, almost double the proportion (20%) citing “bullying” as a top five concern in 2008. This jump put this hazard second only to stress in the list of workplace concerns.

While the category has changed between the two surveys, it seems unlikely that this jump can be put down solely to that factor.

Another change was that **display screen equipment (DSE)** and **repetitive strain injuries (RSI)** present concerns in fewer workplaces this year than in 2008.

DSE, having been third most frequently mentioned hazard two years ago, has dropped to being the sixth most-quoted concern in the list. Although it is clearly still seen as a problem in many workplaces, just 28% of safety representatives identified it as a top five concern this year compared with 41% in the last survey.

Similarly RSI – still one of the most common hazards – is less prevalent as a worry than it was two years ago. It, too, was identified as a top five concern by 28% of safety representatives this time compared with 40% in 2008 (and dropped from fourth to seventh in the list of main hazards).

**Stress** is by far the most frequently identified hazard in 2010, as in the past three surveys, despite the more limited description of this category this time around. More than six in 10 (62%) safety representatives identified stress as a top five concern, compared with 60% putting “overwork and stress” in their top five in 2008.

Over one quarter (27%) said it is the most important concern – the topic most likely to be given this level of importance in the survey.

**Back strains** constitute the third most frequently mentioned hazard, with a third (33%) of representatives saying this was a top five concern, compared with 31% in 2008.

**Slips, trips and falls on a level** is, as last time, the fourth most common hazard identified, with 32% regarding it as one of the top five causes for concern, similar to the 33% saying that in 2008.

The newly separate category of **overwork** entered the list in its own right (separate from stress) in 2010. It is the fifth most likely hazard to be identified as a major concern with 29% safety representatives listing it as one their top five concerns.

Other key features from the survey were:

While there was a notable rise in concern over psycho-social hazards, there were quite dramatic falls in the proportion of safety representatives saying that **working alone** (from 30% to 21%) and **violence and threats** (from 26% to 18%) were top five hazards.

The fall in concern about violence and threats over may have been helped by vigorous union campaigning on the subject, resulting in action, in comes cases, by employers. (It is also possible that some safety representatives previously concerned about “threats” have now indicated this under the new “bullying/harassment” category.)

Concern over **handling heavy loads** has risen significantly in 2010, with 18% of safety representatives saying these were one of the five main hazards at their workplace compared with 13% in 2008.

**Cramped working conditions** – a newly listed potential hazard this time – was promptly identified by 7% of respondents as one of their five main concerns.

Proportions concerned about the hazards of chemicals and solvents have fallen significantly which may suggest that HSE’s COSHH materials are having an effect. But there is a worrying increase in the proportion saying **asbestos** is a concern at their workplace, with almost one in 10 (9%) saying this in 2010 compared with 4% in 2008.

But slips, trips and falls from height went up from 9% last time to 11% in 2008 after a similar rise in the previous two years. This is a worrying trend in light of the Work at Height Regulations 2005.

For the first time in these biennial surveys, safety representatives were asked which is the *most important* hazard of concern in their workplace. Stress completely dominates this list, with well over one in four representatives saying it was the most important concern. In other words, stress is not only the most widespread concern, it is also the *most important* hazard of concern in many workplaces.

Only 8% identified bullying/harassment as their *most important* hazard of concern – so although it has become very widespread it is the key hazard in fewer than one in 10 workplaces.

## stress and overwork

In third place is slips, trips and falls on a level, 7% saying it is their most important hazard. This is followed by overwork – the key hazard in 7% of workplaces.

Interestingly, although violence has become a less widespread concern, coming only 12<sup>th</sup> in the list of most widespread concerns – where it is a problem it is seen as a key one, coming seventh in the list of most important hazards.

### Hazards by sector

It is possible to analyse these hazards by sector, in order to draw out which particular hazards are most prevalent in which sectors. The first division is between the public and private sectors, and is set out in *Table 2*.

**Table 2: Hazards by public/private sectors (%)**

Examples of hazards	Public	Private
Stress	68%	54%
Bullying/harassment	40%	33%
Back strains	32%	33%
Overwork	32%	33%
Display Screen Equipment	30%	25%
Slips, trips and falls on a level	29%	41%
Repetitive Strain Injuries (RSI)	28%	26%
Working alone	24%	16%
Violence and threats	22%	9%
Long hours of work	20%	23%
High temperatures	20%	17%
Handling heavy loads	18%	20%
Low temperatures	9%	12%
Asbestos	9%	10%
Slips, trips and falls from a height	7%	18%
Cramped working conditions	7%	7%
Noise	6%	18%
Dusts	6%	16%
Chemicals or solvents	6%	12%
Road traffic accidents	6%	8%
Infections	6%	3%
Machinery hazards	4%	11%
Workplace transport accidents	4%	8%
Dermatitis/skin rashes	3%	4%
Vibration	3%	4%
Passive smoking	2%	-
Asthma	1%	1%

There are some marked differences between the public and private sectors. Psycho-social hazards such as stress, bullying and harassment and violence are far more significant in the public sector – as is working alone.

Display screen equipment (DSE) hazards are more likely to occur in the public sector, but a steep decline in concern over DSE overall in the public sector

means that the difference between the two sectors is much less marked than in 2008.

Overwork is also more of a concern in the public sector, although long hours of work are more common in the private sector.

For the private sector, all kinds of slips and trips are regarded as a much more significant hazard, as is noise. Other physical hazards including dusts, chemicals and machinery hazards are more important for private sector representatives than for their public sector colleagues.

A further breakdown into more specific sectors also reveals different concerns between safety representatives. The breakdown in *Table 3* lists the top five hazards for 14 sectors.

Overall stress appears in all but one (construction) of the 14 sectors, and it is the top hazard in 12 of them. In addition, overwork, a separate category from stress for the first time in this survey, appeared in its own right in seven sectors.

Bullying/harassment features in an unprecedented 10 sectors – in 2008 bullying appeared in only two sectors’ top five. Slips, trips and falls on a level (slips level) appear in eight of the 14 sectors while back strain appears in seven.

RSI, DSE and lone working featured in fewer sectors’ top five concerns than in 2008.

**Table 3: the five main hazards of concern by sector (%)**

Sector	1 <sup>st</sup> concern	2 <sup>nd</sup> concern	3 <sup>rd</sup> concern	4 <sup>th</sup> concern	5 <sup>th</sup> concern
Agriculture & fishing	Stress (34%)	Bullying/harassment (24%)	Slips level (19%)	Lone working (19%)	DSE and RSI both (17%)
Banking, insurance and finance	Stress (100%)	DSE (73%)	Bullying/harassment (73%)	RSI (55%)	Overwork (46%)
Central govt.	Stress (82%)	DSE (56%)	RSI (44%)	Bullying/harassment (42%)	Overwork (37%)
Construction	Dusts (60%)	Back strains (49%)	Asbestos (46%)	Heavy loads (43%)	Slips height (43%)
Distribution and hotels	Back strains (66%)	Heavy loads (45%)	RSI (45%)	Stress (38%)	Slips level (35%)
Education	Stress (85%)	Overwork (60%)	Bullying/harassment (56%)	Long hours (30%)	Violence (24%)
Energy and water	Stress (67%)	Slips level (49%)	DSE (38%)	Bullying/harassment (33%)	Back strains (29%)
Health services	Stress (72%)	Back strains (55%)	Bullying/harassment (39%)	Overwork (33%)	Lone working (32%)
Leisure services	Stress (61%)	Back strains (33%)	Overwork (33%)	Noise (28%)	Slips level, dusts and cramped conditions all (22%)
Local govt.	Stress	Bullying/harassment	Back strains	Violence	Overwork

## stress and overwork

	(70%)	(41%)	(34%)	(34%)	(32%)
Manufacturing	Slips level (47%)	Noise (35%)	Stress (35%)	Back strains (34%)	Dusts (33%)
Transport and communications	Stress (59%)	Bullying/harassment (43%)	Slips level (40%)	Back strains (35%)	Long hours (31%)
Voluntary sector	Stress (86%)	Bullying/harassment (64%)	Overwork (50%)	Violence (43%)	RSI and lone working both (36%)
Other services	Stress (62%)	Slips level (42%)	Back strains (35%)	Bullying/harassment (34%)	DSE (27%)

### Agriculture & fishing

This year sees big changes in the top five concerns in agriculture and fishing. Stress is even more emphatically the number one hazard, the proportion of safety reps selecting stress jumping to 34% from 21% for overwork or stress in 2008.

Bullying/harassment (24%) is in second place, having not featured in the sector's top five in 2008, while slips, trips and falls on a level and lone working (not previously in the list) are in joint third place. Next come DSE and RSI, both cited by 17% of safety representatives.

### Banking, insurance and finance

A shocking 100% of representatives in the banking, insurance and finance sector now say stress is a hazard in their workplace compared with 57% saying this of overwork or stress in 2008.

Other than stress, concerns have changed significantly in this sector. Two top five concerns this year which did not appear in the 2008 list are bullying/harassment (73%) and overwork (46%). Three in four (73%) also say DSE is concern (up from 45% in 2008). Over half (55%) cite RSI as a concern compared with less than a third last time.

However, slips, trips and falls on a level have become less of a concern and fall out of the top five.

### Central government

Safety representatives in central government have a similar range of top concerns as in 2008, with stress being the most common (82%). DSE (56%) and RSI (44%) are again second and third most frequently cited hazards followed by bullying/harassment (42%).

New to the top five this time around, however, is overwork, cited by 37% of safety representatives.

## **Construction**

Dusts have rocketed to number one in the list of concerns among safety representatives in the construction industry, cited by 60% compared with 45% two years ago. And an extremely worrying entry into the top five is asbestos, with almost half of safety representatives in this sector (46%) now saying it is a hazard compared to 31% last time around.

Back strains, while mentioned slightly less frequently (49% compared with 51%) are still the second most common hazard in this industrial sector. Heavy loads (43%) are also more common than last time, while slips from height are mentioned by 43%.

## **Distribution and hotels**

Musculoskeletal concerns continue to be a common concern in distribution and hotels, with back strain (66%), heavy loads (45%), RSI (45%) and slips, trips and falls on a level (35%) in the list of five top concerns in the sector. Stress (38%) is also in the list.

The biggest change is for heavy loads, which was mentioned by just 33% in 2008, while slips on a level was mentioned by fewer than last time.

## **Education**

Education is the second worst sector for stress and remains a concern for nearly three-quarters (85%) of representatives. And 60% of respondents in this sector say overwork is a problem. Bullying/harassment (56%) is at number three while long hours is the fourth most common concern, having not featured in this list in 2008. Worryingly, violence is now a concern for 24% of safety reps in education. On the positive side, fewer felt DSE and lone working to be a problem.

## **Energy and water**

Stress has persistently been identified as the major hazard in the energy and water sector, with 67% of safety representatives noting it in 2008. Slips, trips and falls on a level have returned to being a very common problem (49%), while RSI is no longer in the list of top concerns.

DSE (38%) and bullying/harassment (33%) make up the five most common hazards in this sector.

## **Health services**

While stress (72%) is still the most common concern in the health sector, it is now joined in the top five by the new category of overwork (33%). The next two most common hazards are now back strains (55% - up from 47% two years ago) and bullying/harassment (39% - not in the top five in 2008).

## **stress and overwork**

Bullying/harassment is now significantly more common than violence (21%) which is not now a top five hazard in health services.

Lone working (32%) is the fifth most common concern although not quite as widespread a concern as in 2008 (48%).

### **Leisure services**

Stress (61%) has risen again as a high-priority hazard for safety representatives in the leisure services sector. Although long hours (17%) appears to have plummeted in importance compared with 2008, this is probably because a third of safety representatives in this industry have ticked the newly separate category of overwork (33%).

The proportion citing DSE as a top five hazard (11%) has fallen away, but back strains (33%) are now the second most common cause for concern. Concern over noise had halved between 2006 and 2008, but is now back in fourth place, listed by well over a quarter (28%) of representatives in leisure services.

### **Local government**

The most common hazards in local government have changed significantly over the previous two surveys. Stress (70%) was again the most cited hazard, but bullying/harassment jumped into the number two slot, with a massive 41% of safety representatives citing this as a main concern in their workplace. This was followed by back strain (34%), violence or threats (34%) and overwork (32%). The other major hazards mentioned in 2008 – DSE (32%), lone working (32%) and RSI (27%) – were still quite prevalent, but less so than last time around.

### **Manufacturing**

While noise is still a widespread problem in manufacturing, it is no longer the top hazard with 35% of safety representatives identifying it, perhaps showing some signs of improvement from the Control of Noise Regulations 2005. Instead slips, trips and falls on a level (47%) constitute the most common hazard, showing an increase since 2008.

Stress (35%) has now entered the top five concerns in manufacturing for the first time, and is now as common a hazard as noise (35%). Back strains (34%), dusts (33%) and machinery hazards (32%) are the other key problems in this industry.

### **Transport and communications**

Transport and communication safety representatives again identify stress (59%) as the main hazard in 2010, with bullying/harassment jumping into second place with 43% of representatives saying it is one of their workplace's

top five hazards. Back strains (35%) is back in the top five after slipping out in 2008. Slips, trips and falls on a level (40%) and long hours (31%) make up the rest of the most common five. Lone working (24%) is a less common problem than in 2008, when 37% listed it as a top five concern.

### Voluntary sector

In the voluntary sector, stress rockets to top-placed hazard, with almost nine in 10 (86%) safety representatives in this industry citing this as a main hazard at their workplace. Bullying/harassment is also a massive problem, almost two thirds DSE (67%) saying it is a top five hazard. Add in half of representatives citing overwork (50%) and 43% listing violence and threats, it is clear this is not a happy industry in 2010. RSI and lone working are in joint fifth place, each cited by 36% of representatives.

### Other services

Bullying/harassment (34%) replaces RSI in the top five hazards in this sector in 2010. Otherwise safety representatives in the sector picked out the same hazards as previously. Stress is again top with 62%, followed by slips, trips and falls on a level (42%) and back strains (35%). DSE is in fifth place (27%).

### Hazards and workplace size

There is also a relationship between certain hazards and workplace size. *Table 4* shows the five major health and safety concerns identified by safety representatives, compared to the number of people in their workplaces.

**Table 4: Main hazards at work and workplace size (%)**

Number of workers	1st concern	2nd concern	3rd concern	4th concern	5th concern
Under 50	Stress (52%)	Back strains (31%)	Slips on level (31%)	Bullying/harassment (31%)	DSE (27%)
50-100	Stress (63%)	Back strains (37%)	Bullying/harassment (33%)	Slips on level (28%)	DSE (27%)
Over 100	Stress (62%)	Back strains (37%)	Slips on level (33%)	RSI (33%)	Bullying/harassment (29%)
Over 200	Stress (63%)	Bullying/harassment (38%)	Slips on level (36%)	RSI (33%)	Back strains (32%)
Over 1000	Stress (71%)	Bullying/harassment (48%)	Overwork (33%)	DSE (31%)	Back strains (31%)

While stress is the most common concern in all sizes of workplace, it is clearly most prevalent in the largest workplaces and least prevalent in those with under 50 workers. In the smaller sites back strains are the second most common concern while in larger workplaces it is bullying/harassment that is most of concern after stress. Overwork only comes into play as one the most common concerns in workplaces with more than 1,000 workers.

## stress and overwork

*Table 5* looks at how the most common hazards – listed by more than 20% of safety representatives - vary in prevalence according to the size of their workplace.

**Table 5: Comparison of most common hazards by workplace size**

Hazard	Under 50 employees	50-100 employees	Over 100 employees	Over 200 employees	Over 1000 employees
Stress	52%	62%	62%	63%	71%
Bullying/harassment	31%	33%	29%	38%	48%
Back strains	31%	37%	37%	32%	31%
Overwork	27%	26%	28%	29%	33%
Display Screen Equipment	27%	27%	24%	28%	31%
Slips, trips and falls on a level	31%	28%	33%	36%	31%
Repetitive Strain Injuries (RSI)	20%	24%	33%	33%	25%
Working alone	25%	23%	20%	19%	20%
Violence and threats	17%	18%	19%	17%	19%
Long hours of work	22%	16%	20%	21%	23%

There are a number of conclusions that can be drawn from these tables.

Like stress, bullying/harassment is more common in larger workplaces, with a threshold size at which it becomes a much greater concern at around 200 workers (38%) rising to 48% in the largest organisations. This might suggest that the more tiers of management in a workplace, the more likely is there to be bullying/harassment.

Overwork is slightly more common in workplaces with over 1,000 workers, as are DSE hazards.

Lone working is the only hazard which is more common in smaller workplaces than larger ones, with 25% of representatives in organisations of under 50 workers identifying it as a hazard. RSI, on the other hand is more prevalent in middle-sized workplaces with 100-1,000 workers.

Back strains, slips on a level, violence and long working hours are not clearly related to workplace size.

### Hazards by region/country

The distribution of hazards also shows some variation by region, reflecting the uneven industrial structure of the UK. *Table 6* shows which regions or countries displayed the most concern for each hazard.

**Table 6: Main hazards by region/country**

Hazard	Worst area	2 <sup>nd</sup> worst area	% cited nationally in 2010
Stress	London 70%	South West 68%	62%
Bullying/harassment	London 44%	Midlands/North West 40%	37%
Back strains	Midlands 36%	Northern/South East and South 35%	33%
Slips, trips and falls on the level	South West 38%	East Anglia/North West 37%	32%
Overwork	London 40%	South East and South 36%	29%
Display Screen Equipment	South West 38%	East Anglia/Midlands 30%	28%
Repetitive Strain Injuries	North West 32%	Northern 31%	28%
Long hours of work	London 30%	South East and South 28%	21%
Working alone	East Anglia 24%	South East and South 23%	21%
High temperatures	London 22%	North West 22%	19%
Handling heavy loads	Northern 25%	Yorkshire and Humber 25%	18%
Violence and threats	Midlands 22%	North West 22%	18%
Slips, trips and falls from a height	North West 24%	Northern 13%	11%
Low temperatures	Midlands 14%	Scotland 13%	10%
Noise	North West 16%	Northern 13%	10%
Asbestos	London 13%	Yorkshire and Humber 13%	9%
Dusts	Northern 14%	Yorkshire and Humber 13%	9%
Chemicals or solvents	Northern 14%	Yorkshire and Humber 13%	8%
Cramped conditions	South West 10%	London 9%	7%
Machinery hazards	Midlands 14%	Scotland 11%	7%
Road traffic accidents	South West 14%	Wales 10%	7%
Infections	Scotland 7%	North West 6%	5%
Workplace transport accidents	Northern 7%	Yorkshire and Humber 7%	5%
Dermatitis/skin rashes	Scotland 7%	North West 6%	4%
Vibration	South West 6%	South East and South/Yorkshire and Humber 3%	3%
Asthma	Midlands 3%	South West 2%	1%
Passive smoking	Northern 3%	Scotland 2%	1%

A number of geographical differences can be identified from *Table 6*.

The Northern and North West regions appear in the table with the greatest frequency (nine times each).

The North is, along with Yorkshire and Humberside, the region most concerned with handling heavy loads (25%). It is also the worst for concern about dusts (14%), chemicals or solvents (14%), workplace transport accidents (7%) and passive smoking (3%). It is also second worst for back strains (35%), RSI (31%), slips, trips and falls from height (13%) and noise (13%).

The North West has much more widespread concern than Britain as a whole about slips, trips and falls from a height (24% compared with 11%). It is also the worst area for RSI (32%) and noise (16%). It has second most concern

## stress and overwork

about bullying/harassment (40%), slips, trips and falls on a level ((37%), high temperatures (22%), violence and threats (22%), infections (6%), and dermatitis/skin rashes (6%).

London is notable for psycho-social hazards. It is the worst area for concerns about stress (70%) and bullying/harassment (44%). It is also worst for overwork (40%), long hours of work (30%) and high temperatures (22%). Less predictably it is, along with Yorkshire and Humberside, the worst region for asbestos, with 13% concerned about that hazard compared with 9% across the Britain.

The South West features seven times in this table. The region ranks highest in concerns for slips, trips and falls on the level (38%), DSE (38%), cramped working conditions (10%), vibration (6%), and road traffic accidents, which is twice as likely to be listed as a concern in this region (14%) as in the country at large (7%).

Yorkshire and Humberside appeared in the table on six occasions. As well as being joint concerned region regarding asbestos (13%) and handling heavy loads (25%), it is also joint worst for workplace transport accidents (7%). Safety representatives in this region are only marginally less likely than those in the Northern region about dusts (13%) and chemicals and solvents (13%).

Representatives in the Midlands are most likely to identify back strains as a hazard (36%) and also violence and threats (22%), low temperatures (14%) and asthma (3%). They are twice as likely representatives at large to say machinery hazards are a concern (14% compared with 7%).

The South East and South is the second-most concerned region for back strains (35%), overwork (36%), long hours (28%), working alone (23%) and vibration (3%).

Scotland and East Anglia appear only three times each in the table. Scotland is most concerned with infections (7%) and dermatitis (7%) and second most concerned with passive smoking (2%). East Anglia has the most widespread concern about working alone (24%) and second highest about slips, trips and falls on the level (37%) and DSE (30%).

The geographical variations in main concerns can also be seen from *Table 7*, which sets out the top five hazards in each region/country.

**Table 7: Main hazards of concern by region/country (%)**

Region/country	1 <sup>st</sup> concern	2 <sup>nd</sup> concern	3 <sup>rd</sup> concern	4 <sup>th</sup> concern	5 <sup>th</sup> concern
East Anglia	Stress 66%	Slips level 37%	Overwork 34%	Bullying/harassment 33%	DSE 30%
London	Stress 70%	Bullying/harassment 44%	Overwork 40%	Long hours 30%	Back strains 27%
Midlands	Stress 64%	Bullying/harassment 40%	Back strains 36%	Slips level 32%	DSE 30%
North West	Stress 65%	Bullying/harassment 40%	Slips level 37%	Back strains 34%	RSI 32%
Northern	Stress 52%	Bullying/harassment 37%	Back strains 35%	Slips level 34%	RSI 31%
Scotland	Stress 62%	Bullying/harassment 38%	Back strains 34%	Slips level 31%	DSE 27%
South East and South	Stress 66%	Bullying/harassment 36%	Overwork 36%	Back strains 35%	Slips level 32%
South West	Stress 68%	DSE 38%	Slips level 38%	Back strains 32%	Bullying/harassment 31%
Wales	Stress 50%	Bullying/harassment 28%	DSE 26%	Back strains 24%	Slips on level 21%
Yorkshire and Humber	Stress 60%	Slips level 36%	Bullying/harassment 35%	Back strains 30%	RSI 30%

The top five hazards from the 2010 survey are stress, bullying/harassment, back strains, slips, trips and falls on a level and overwork. Although there is a high degree of overlap between the main hazards in different areas, with stress the biggest concern, there are a few small variations:

- DSE comes in the top five in Wales (3<sup>rd</sup> most widespread hazard), South West (2<sup>nd</sup>), Midlands (5<sup>th</sup>) and East Anglia (5<sup>th</sup>);
- Long hours are a particular concern for safety in London (30%);
- RSI came into the top five for representatives IN Northern (31%), North West (32%) and Yorkshire and Humberside (30%)

Some other issues can be drawn out by comparing the results of the 2008 survey with the previous one in 2006:

Stress is a significant concern in Yorkshire and Humberside (63% this time, compared with 55% in 2006) and in East Anglia (67% in 2008, compared with 54% in the previous survey).

In Scotland, the position regarding stress appears to have improved, with 46% of representatives regarding it as a concern, compared with 62% last time. However RSI is worse this time in Scotland, up from 27% to 34%.

## Section three

# managing health and safety

As well as questions about the main hazards at work, safety representatives were asked about the way health and safety is managed in their workplace. In particular, the TUC asked about health and safety policies, risk assessments and occupational health services.

### **Health and safety policies**

More than nine out of 10 (94%) of safety representatives in the 2010 survey said that their employer had a health and safety policy – very similar to the 93% figure for 2008. There was no difference between public and private sectors on this. In terms of industries, the worst offender was leisure services, where only 83% of employers had written policies.

Policies were quite evenly distributed across Britain, with the Northern region notable for the highest number of compliant employers, in 98% of cases. London employers were the least compliant, with only 87% of safety representatives in this region saying there was a written health and safety policy.

### **Risk assessments**

Under the Management of Health and Safety at Work Regulations 1999, and other regulations, employers have a duty to make “suitable and sufficient” assessments of the risks. Where there are five or more workers, they should also record the significant findings.

### **Adequate risk assessments**

The key building block of good risk management according to the Health and Safety Executive (HSE) is the ability of employers to conduct risk assessments. three in five (59%) of the safety representatives in the 2010 survey said their employer had carried out adequate risk assessments, slightly higher than in 2008 (55%).

Further analysis found:

- Almost two thirds (64%) of risk assessments were considered by safety representatives to be adequate in the private sector, compared to 58% in the not-for-profit sector and 56% in the public sector;
- The existence of adequate risk assessment varies widely across industrial sectors. The best sectors are in construction (89%) banking, insurance and finance (73%) and in energy and water (71%);

- The worst sectors for risk assessment – in which fewer than half of safety reps felt there are adequate assessments - were health services (49%), the voluntary sector (43%) and education (42%).
- In terms of the regions, the Northern and South West regions (both 67%) were best while London had the lowest proportion, with 53%.

Workplace size does not appear to make much of a difference for the adequacy of risk assessments, with all sizes of workplace clustered around the average. Workplaces with over 1,000 employees were slightly more likely to have adequate risk assessments (62%).

### **Inadequate risk assessments**

However, a slightly reduced proportion of safety representatives said that their employers' risk assessments were inadequate compared with two years ago. Just over one quarter (26%) of representatives came to that conclusion, compared with 30% in the last survey. Other findings were:

Some industrial sectors were more likely than others to have had risk assessments that were inadequate. The worst were the voluntary sector (36%) and education (35%) – two of the three sectors in which assessments are least likely to be carried out at all.

The region with the highest proportion saying assessments had been carried out but inadequately was East Anglia (30%) category, although this region also provided a higher-than-average rate of adequate risk assessments.

### **Risk assessments not done or done but not recorded**

A smaller proportion (5%) of safety representatives in 2010 than in 2008 said their employer had not carried out risk assessments, and 7% did not know whether they had been carried out, while 2% said they were not recorded.

The sectors with the highest proportion of risk assessment not done were, as in 2008, education (10%) and the health service (9%). Representatives in the voluntary sector (7%) and local government (5%) were the most likely to report that assessments had been done but not recorded.

### **Safety representatives' involvement in the risk assessment process**

Safety representatives have an unsurpassed experience and knowledge of the hazards faced in their workplaces. The Health and Safety at Work Act 1974 and the Safety Representatives and Safety Committees Regulations 1977 require that employers consult with recognised trade union safety representatives on health, safety and welfare matters.

However, many safety representatives still find the risk assessment process unsatisfactory in terms of their own involvement:

## rights of safety representatives

- Fewer than one in three (29%) safety representatives said they were satisfied with their involvement in risk assessments;
- Four in ten (40%) said they were not involved in helping their employer draw up risk assessment at all;
- Another 31% said they were involved, but not enough.

These figures were marginally better than in 2008, but not very much, indicating that, despite HSE efforts to cajole employers into including safety representatives, this is not happening on anything like the scale necessary.

### Employer provision of occupational health services

An occupational health scheme is a service which gives access to a range of professional advice and services to employees. Nine out of 10 safety representatives (90%) said that their employers provide some sort of occupational health service, similar to the figure in 2008 and a significant increase on previous years.

The proportion of those provided externally is virtually the same as in 2008 but higher than in previous years. Some 46% of safety representatives said their employer provides an occupational health service through an external provider (46% in 2008), compared with 43% saying they had an in-house service (44% in 2008).

However, access to occupational health services varies according to workplace size and industrial sector. These differences are set out in *Tables 9 and 10*.

**Table 9: Provision of occupational health services by workplace size (%)**

Number of workers	Occupational Health Services provided		
	2010	2008	2006
Under 50	86%	85%	83%
50-100	91%	91%	84%
Over 100	87%	87%	87%
Over 200	90%	90%	90%
Over 1000	94%	98%	95%

*Table 9* indicates that access to occupational health services varies according to workplace size and the pattern has not varied significantly in the past two years apart from indicating a small decline among the largest workplaces.

Workers in the largest workplaces, with over 1,000 employees, are the most likely to be provided with an occupational health service – almost all (94%) being covered in some way. Workers in smaller workplaces are worse off, with those in small workers with fewer than 50 employees with the lowest coverage

(85%). However, the smallest workplaces have improved significantly since 2004, when just over three-quarters (77%) were covered.

**Table 10: Provision of occupational health services by sector (%)**

Sector	Occupational Health Services provided		
	2010	2008	2006
Agriculture & Fishing	77%	88%	83%
Health Services	98%	98%	97%
Distribution & Hotels	83%	78%	77%
Energy and water	94%	100%	78%
Voluntary Sector	79%	86%	80%
Education	86%	86%	79%
Manufacturing	94%	92%	90%
Banking, insurance and finance	100%	93%	97%
Leisure Services	61%	73%	80%
Construction	89%	59%	79%
Local Government	95%	94%	92%
Central Government	91%	94%	90%
Transport & Communications	88%	92%	86%
Other Services	87%	87%	85%

Table 10 shows how levels of occupational health service provision differ widely according to the individual economic sector. A number of sectors are well covered by occupational health services – notably banking, insurance and finance (100%), health (98%), local government (95%) and energy and water and manufacturing (both 94%). Workers in leisure services, however, are very hard-done-by, with just 61% of their workplaces covered – a fall from 73% in the last survey.

A much higher proportion of construction safety reps say their employer provides an occupational health service in 2010 than in 2008, up from 59% to 89%.

The regional distribution of occupational health services is fairly even (between 86% in London and 93% in the South West of England). However further analysis reveals some significant differences. For example over three quarters (76%) of occupational health services in the Northern region are provided in-house, whereas two fifths (42%) of those in London are in-house.

### **The role of occupational health services**

The term “occupational health services” covers a wide variety of provision. The TUC survey sought to find out the type of provision available, in order to help assess the quality of service available to workers. The survey asked safety representatives about particular forms of provision, including sickness monitoring, first aid, prevention and treatment. The proportion of representatives who said these were provided is in Table 11.

## rights of safety representatives

**Table 11: Types of occupational health services provided (%)**

Service provided	2010	2008	2006
Sickness monitoring	69%	68%	63%
Health surveillance	59%	53%	52%
First aid	51%	50%	55%
Pre-employment medical screening	49%	41%	44%
Access to rehabilitation	48%	38%	35%
Disciplinary assessments	44%	43%	36%
Advice on prevention	44%	38%	34%
Treatment	26%	21%	23%
Records which safety reps are given	14%	12%	11%

*Note: percentages do not total 100% because respondents could tick any relevant services provided.*

These figures indicate a worrying change in the last two years, with reports of pre-employment medical screening up to 49% from 41%.

Sickness monitoring (69%) and disciplinary assessments (44%) remain at the high levels of 2008 and first aid still appears in only half (51%) of the workplaces surveyed, despite the legal requirements to do so. And provision of records to safety representatives is only reported by one in seven (14%), indicating wide scope for improved information and consultation.

On the other there has been a significant improvement in access to rehabilitation, with 48% of representatives reporting this compared with 38% in 2008, and health surveillance is reported by 59% of safety representatives compared with 51% in 2008. The provision of advice on prevention has risen substantially (to 44% from 38%), and provision of treatment is also more widespread, indicated by safety representatives in around one in four workplaces (26%) from 21% two years ago.

# rights of safety representatives

## Rights of safety representatives

Safety representatives have wide-ranging rights and powers under the Safety Representatives and Safety Committees Regulations 1977 and other subsequent health and safety legislation. The TUC biennial survey 2010 asked safety representatives about the extent to which they have been able to exercise these rights and powers.

## Training

Employers must permit safety representatives to attend training during working time without loss of pay. The Approved Code of Practice (ACOP) to the Safety Representatives and Safety Committees Regulations 1977 states that this training, approved by the TUC or independent unions, should take place as soon as possible after the safety representative has been appointed. The ACOP also allows for further training as necessary.

Unionlearn, the TUC's learning and training wing, provides a range of courses through the network of trade union studies centres in further and higher education colleges and through the Workers' Education Association (WEA). Individual unions also provide their own approved training courses for induction and a range of safety matters. In addition, some employers provide training on specific issues.

The 2010 TUC survey asked safety representatives about the range of training they had received. The responses are set out in *Table 12*.

**Table 12: Training received (%)**

Health & Safety training received	2010	2008	2006
TUC/Union Stage 1	73%	72%	64%
TUC/Union Stage 2	44%	44%	37%
Own union introductory course	34%	27%	29%
Other TUC/Union courses	17%	18%	15%
Course provided by employer	21%	16%	18%
Joint union-employer course	9%	8%	6%
TUC Diploma/Certificate in OSH	19%	17%	12%

*Note: percentages do not total 100% because respondents could tick any relevant courses attended*

## rights of safety representatives

The survey shows that union training in health and safety continues to thrive, with a higher proportion of safety representatives than in previous surveys receiving either TUC or own-union training.

Almost three-quarters (73%) have completed the stage 1 course, maintaining the high level achieved in 2008. The proportion of those completing stage 2 courses remains level at 44%.

The most advanced course, the TUC diploma/certificate in occupational safety and health, continues to rise in popularity. It was attended by almost one in five (19%) safety representatives this time compared with 17% two years ago and just 12% in 2006.

But the most substantial jump is in safety representatives' attendance at their own union's introductory courses (34%), suggesting that interest in the role of safety rep remains buoyant.

The provision of courses by employers has risen this time after falls between 2004 and 2008. More than one in five (21%) have attended a course provided by the employer in the 2010 survey compared with just 16% in 2008. And slightly more safety representatives are attending joint union-management courses (9%).

### Training and experience

The TUC survey 2010 also examines whether the training safety representatives receive varies depending on the amount of time they have been in the role. *Table 13* compares the training received by safety representatives who have been in the role for different time periods.

**Table 13: Training received by term as a safety representative (%)**

Health & Safety training received	Under 1 year	1-5 years	Over 5 years
TUC/Union Stage 1	70% (63)	74% (74%)	73% (76%)
TUC/Union Stage 2	17% (14%)	45% (48%)	55% (57%)
Own union introductory course	24% (17%)	33% (28%)	38% (33%)
Other TUC/Union courses	5% (7%)	15% (15%)	25% (27%)
Course provided by employer	12% (7%)	17% (13%)	30% (26%)
Joint union-employer course	3% (3%)	5% (6%)	17% (15%)
TUC Diploma/Certificate in OSH	5% (4%)	15% (16%)	29% (27%)

*Note: Figures do not total 100% because respondents could tick any relevant courses attended. Figures in brackets indicate the results from the 2008 survey.*

A number of key points stand out from *Table 13*:

The proportion of safety representatives in post for less than a year who have taken a TUC/union Stage 1 has risen from 63% in 2008 to 70%. While this is a welcome rise, the proportion among more experienced safety representative has not risen, and in fact has gone down among those in post for more than five years (73%). In other words, more than that one in four safety

representatives have never been on this basic course despite having been a safety representative for over five years.

The same pattern is apparent with the Stage 2 course: there has been a rise among those with less than a year in their role as safety representative - 17% have undertaken it compared with 14% in 2008 - but a fall among more experienced representatives.

A growing number of the safety representatives with over five years experience have taken the TUC diploma/certificate in occupational safety and health. Well over one in four (29%) say they have completed this course, compared with 27% in 2008.

There has been a big jump across all groups having been through employer-provided courses – especially the least experienced safety representatives of whom 12% have done so compared with 7% two years ago. However, this type of training is still much more frequently received by more experienced safety representatives, with 30% of those with more than five years' experience participating in them. This group is also more likely to undertake joint union-employer courses (17%).

### **Time off for training**

The regulations and subsequent court cases have established the right of safety representatives to time off for training. However, almost two in five (37%) of those responding to the 2010 survey say they have been unable to attend training courses.

The most common reason cited is being “too busy at work”, listed by 18% of all safety representatives in the survey. But, most alarmingly, 14% say they have been unable to take up courses because management has refused permission to take time off.

Eight per cent of safety representatives say that family responsibilities prevented them from taking time off to take up training, while 7% said the course was not at the right time of the day or week.

### **Consultation in “good time”**

Safety representatives have the right to be consulted on health, safety and welfare matters by their employer. The TUC 2010 survey asked about consultation in two different situations: first, under normal conditions when consultation ought to be automatic, and secondly, when safety representatives ask or make requests. The responses to these questions are contained in *Table 14*.

## rights of safety representatives

**Table 14: Management consultation with safety representatives (%)**

Consultation	Frequently	Occasionally	Never
Automatically	28% (27%)	51% (49%)	21% (24%)
When you ask	41% (37%)	53% (56%)	7% (7%)

*Note: Figures in brackets refer to the results of the 2008 survey*

The figures for 2010 are again very similar to previous surveys, which is disturbing in the light of HSE's worker involvement programme.

More than one in five (21%) safety representatives are never automatically consulted by their employer over health, safety and welfare matters, although this is a slight improvement on the 2008 proportion. A small proportion (7%) are never even consulted when they specifically ask to be.

Further analysis of these figures by economic sector, workplace size and region also reveals some differences.

The situation is worst in banking, insurance and finance and in other services, where almost a third (30%) of safety representatives say automatic consultation never takes place. Poor levels of automatic consultation were also found in leisure services (29% saying never) and construction (28% saying never). Ironically, however, construction also has one of the highest proportions of safety representatives (38%) saying they frequently consult automatically.

And construction is the worst industry for requested consultation: one in five (20%) safety representatives in the sector say they are never consulted even when they ask. More than one in seven in agriculture and fishing say they are never consulted on request.

Middle-sized workplaces are the worst culprits for consultation, which is different from 2008 when it was the smallest workplaces. One in four (26%) safety representatives in establishments with 200-1,000 workers never consult representatives automatically, and one in 10 never even consult on request. Workplaces with over 1,000 workers were the best, although even there fewer than half (45%) frequently engaged in automatic consultation with safety representatives.

Safety representatives in London are the most likely to say their employers never consult, either automatically (27%) or by request (10%). And they are, by some margin, the least likely to say employers frequently automatically consult (18%).

Those in the South West display the opposite experience – they are most likely to have frequent consultation, both automatically (38%) and on request (50%).

## **Inspections**

The right to inspect the workplace is one of the most crucial rights safety representatives have to identify hazards and highlight action to be undertaken by management. The ACOP states that safety representatives can inspect every three months, or more frequently by agreement, as long as they notify the employer in writing.

The 2010 survey found a huge variation in the frequency of inspections, as well as some confusion as to what constitutes an inspection, rather than a more frequent intervention (which might take place every day or every week). Of those who answered the question about the number of inspections they had carried out in the last 12 months, the following results were obtained:

- One in five (21%) had conducted one inspection;
- One in six (17%) had conducted two inspections;
- More than one in four (28%) had conducted three or four inspections.
- One in seven (14%) had conducted more than four inspections.

These figures are very similar to those in the 2008 survey except there was a fall in the proportion conducting three or four inspections (from 33%).

Further analysis reveals that more experienced representatives tend to carry out more frequent inspections. Two-thirds (68%) of safety representatives with more than five years in post carry out more than two inspections a year, compared with 62% of those with between one and five years' experience. (The figure for those in post for less than a year is 34%, but clearly they have not had a full year in which to have carried out inspections.)

## **Time spent on safety representatives' duties**

Getting time off for training is not the only problem safety representatives face. It extends to time off for functions in the workplace, including for investigations, inspections, gathering information from members on hazards and meeting management. Previous TUC and academic research has identified the lack of time and facilities as serious impediments to safety representatives carrying out their functions.

The 2010 TUC survey asked respondents to quantify how much time they had spent on health and safety matters in the previous week. Their results were:

- a little over half (51%) had spent an hour or less;
- over one third (36%) had spent between one and five hours;
- just one in 14 (7%) had spent between 5 and 10 hours;
- some 6% had spent over 10 hours on safety matters.

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These figures suggest safety reps are tending to spend slightly less time on health and safety matters than they were two years ago.

Again, the more experienced representatives tend to spend longer on their health and safety functions. Some 18% of representatives with more than five years' experience spent over five hours a week on this work compared with 12% of those with one to five years' experience.

### **Joint union-management committees**

The work of safety committees has been identified as key factor in making safety representatives' work effective. The 2010 survey found that the proportion of safety representatives who said their employer had set up a joint committee was in line with previous surveys (85%) but that one in seven cases the committee rarely meets. This means that 15% workplaces do not have a safety committee, despite having accredited safety representatives and fewer than three quarters (72%) have one that meets more than rarely.

Not surprisingly, the larger the workplace, the more likely it is to have a safety committee that meets regularly, rising to a maximum of 81% of establishments with over 1,000 workers having a committee on paper at least.

There is significant variation in this across industrial sectors. The sectors with the highest proportion of safety committees meeting regularly are the voluntary sector (92%), energy and water (89%) and manufacturing (88%). The weakest sectors on this issue are leisure services (50%), construction (56%) and other services (63%). (Another 25% of leisure sector safety representatives said they had committees that rarely meet.)

There is less variation by region or country, but the best area for safety committees that meet regularly is Wales (81%) while the worst is Yorkshire and Humberside (68%).

## Section five

# enforcement

The TUC has asked safety representatives in the last four surveys about visits by Health and Safety Executive (HSE) inspectors and local authority environmental health officers (EHOs). This has generated more information about enforcement – a key concern for unions.

### **HSE and EHO inspections**

The 2008 TUC survey of unionised workplaces found that fewer inspections have taken place, continuing the trend from previous surveys. The 2010 survey finds the situation to be virtually unchanged from 2008. The key results were:

- Almost half (49%) of safety representatives said that as far as they know, a health and safety inspector has never inspected their workplace;
- Another one in 11 (9%) said the last inspection was over three years ago, while a further 15% said it was between one and three years ago;
- Just over one quarter (27%) said their workplace had received a visit over the last 12 months.

The sectors with the most inspection activity in the last year were construction (59%), manufacturing (56%) and distribution, hotels and restaurants (41%). By far the worst sector was the voluntary sector (8%) followed by central government (12%), agriculture and fishing (15%) and transport and communications (17%).

The survey also supported previous research, which found a strong relationship between workplace size and the number of inspections. In the 2010 survey, almost one third (33%) of the largest workplaces (with over 1,000 workers) had been inspected in the last 12 months, falling to less than half of that figure (16%) for small employers with less than 50 employees.

Over two-thirds (68%) of these smaller employers have never had an inspection, according to the safety representatives who responded. This compares with 38% of the largest workplaces.

The worst regions for inspections in the last 12 months are East Anglia (20%), London (22%) and the Midlands (24%). East Anglia is also the joint worst region, along with London, as measure by the proportion of safety representatives saying they had never known of an inspection at their workplace (55% in each region saying these).

## enforcement

### Inspectors and safety representatives

Contact between safety representatives and inspectors is patchy. Some 46% of safety representatives were aware of the most recent visit before it happened, marginally better than in the previous survey in 2008 (43%).

In terms of discussions during the visit, fewer than four out of 10 survey respondents (37%) say they or another safety representative had spoken with the inspector (compared to 40% in 2008) on their most recent visit. A slightly higher proportion say they did not (41%), while over a fifth (22%) do not know whether (other) safety representatives spoke to the inspector.

### Improvements and enforcement action

The TUC survey 2010 asked safety representatives about whether their employers had made improvements to health and safety management - either because of the possibility of a visit by inspectors, or because of enforcement action taken against other employers, such as a notice or prosecution. The results are set out in *Tables 15 and 16*.

**Table 15: Improvements because of the possibility of a visit (%)**

	2010	2008	2006
Not at all	22%	25%	22%
A little	20%	18%	22%
Somewhat	19%	15%	15%
A lot	22%	19%	18%
Don't know	17%	23%	23%

Table 15 indicates the extent to which safety representatives feel employers have made health and safety improvements because of the possibility of an inspection. The results suggest that the proportion of employers who make at least some attempt to make improvements (“a little”, “somewhat” or “a lot”) has jumped back up to 61%, after falling significantly between 2004 and 2008.

The proportion failing to see improvements because of the prospect of an inspector’s visit has fallen back slightly, from 22% in 2008 to 25% in the current survey.

Safety representatives were asked whether their employer had, in the last two years, made improvements to health and safety after hearing about an enforcement notice or prosecution of *another* company (see *Table 16*).

**Table 16: Improvements after hearing about a notice or prosecution (%)**

	2010	2008	2006
Yes	30%	21%	23%
No	24%	29%	32%
Don't know	46%	51%	45%

A little under one in three (30%) said their employers have made improvements because of this possibility, more than in previous surveys. However, almost half of the safety representatives do not know their employers' view on this vital matter.

The survey went on to ask safety representatives about actual notices served. Just over one in five safety representatives (22%) say their employers have at some point received a legal enforcement notice. This group were asked about their employer's response to the most recent enforcement notice.

First they were asked whether safety representatives were involved in taking steps to make improvements to comply with the notice (see *Table 17*).

**Table 17: Involvement of safety reps in taking steps to comply with a notice (%)**

	2010	2008	2006
Heard about it after the changes were made	22%	24%	21%
Heard about the changes planned but no safety reps involved in planning	39%	38%	38%
Safety rep(s) involved in planning after receipt of notice	39%	38%	41%

As in previous surveys, only a minority (39%) say safety representatives were quickly involved in planning the necessary changes. More than one in five said they only heard about the notice after changes were made, while two in five knew of the changes to be made but no safety reps were involved.

Secondly safety representatives were asked about how much the employers did in response to the notice (see *Table 18*).

**Table 18: Employers' response to a legal enforcement notice (%)**

	2010	2008	2006
Minimum to comply	30%	34%	34%
Comply and review other practices elsewhere	36%	43%	43%
Implement best practice, effect short term in one activity/area	24%	12%	11%
Implement best practice, effect longer term in one activity/area	14%	15%	12%

## **enforcement**

The results from this question do not make happy reading. Almost one third (30%) of employers do the minimum to comply with a notice.

However in some cases enforcement remains an effective stimulus to action. This effect is less widespread now than in the previous two surveys; just over one third of employers (36%) reviewed other practices in the company in different departments and/or work activities after their most recent enforcement notice. This compares with 43% in 2008.

The proportion of employers who implemented best practice with an effect that lasted at least several months in one work activity or area remains stable at 14% in 2010.

## Section six

# conclusions and recommendations

The main purpose of the biennial survey is to help the TUC and its affiliated trade unions better understand the hazards and problems faced by union safety representatives. This information should help unions and the TUC to improve the support they provide for safety representatives in workplaces, as well as to prioritise strategically in national political work with the Health and Safety Executive (HSE) and the government.

This section summarises the findings from the survey in context and suggests ways the TUC and unions can act to develop health and safety work.

### **Profile**

Unions still have much to do to improve the diversity of safety representatives, in line with the workforce they represent.

There is still a job to do to recruit more women safety representatives, more safety representatives from different backgrounds and cultures, and among workers new to the workforce. With a layer of experienced safety representatives nearing retirement, it is vital to replace them with others at earlier stages of their working lives.

There is also the need to recruit more safety representatives in the private sector, as part of union renewal in this area. Thirty years ago this was an area of strength for unions – it needs to become so again. However there are still opportunities in the public sector to take up huge issues, which will help improve union density where there is already a base and often recognition.

The growing number of safety representatives with access to the internet offers new opportunities for spreading and sharing information, posting questions and answers and forming networks. Safety representatives have shown themselves to be able to adapt to changing technologies.

The TUC recommends that:

- Trade unions renew their drive to recruit safety representatives to reflect the full diversity of the workforce;
- Unions push to integrate safety representatives into workplace and branch level committees, so that the influence of health and safety can be brought to bear in other areas;
- Health and safety materials continue to be produced to contribute to the wider organising agenda.

## conclusions and recommendations

### Hazards

The top five hazards identified by the 2010 TUC survey were stress, bullying/harassment, back strains, slips, trips and falls on a level and overwork.

One of the most notable changes in 2010 is the rise in reporting of bullying/harassment and its entry into the “top five” list of main hazards. It is more widespread in the public sector and in larger workplaces, and features in the five most common hazards in 10 out of 14 industrial sectors. London safety representatives are the most likely region to report it as a concern.

Unions are campaigning for a change in the law to make bullying a specific offence, and the TUC have produced guidance to workplace representatives on the issue. Employment relations service Acas has also produced a guide to bullying which safety reps can use to negotiate policies and the Health and Safety Laboratory (HSL), part of the HSE, has published a detailed review of research on bullying.

Stress remains the top concern, despite several years of voluntary guidance for employers, in the shape of HSE’s stress management standards. Clearly many employers are failing to tackle the issue, and big public sector organisations such the central and local government, the NHS and education are major culprits. This is unlikely to be helped by the current environment of unfettered cost-cutting. However the private sector is also blighted by stress – in fact it is the most widespread hazard in 12 out of 14 industrial sectors. Regionally, the hazard is again most common in London.

Overwork was listed as a separate category from stress for the first time in the 2010 survey, and immediately entered the top five most commonly reported hazards in its own right.

Musculoskeletal disorders such as back strain and RSI do not show the kind of step change required, with thousands of workers suffering in agony while employers do little or nothing to help. It is clear from other indicators such as lifting heavy loads that it is not enough to produce guidance on manual handling. Workers in a range of sectors and workplaces experience these hazards.

The fact that slips, trips and falls on a level continue to be a major issue for safety representatives suggests that voluntary guidance and even ongoing publicity campaigns are insufficient to tackle this hazard.

The TUC recommends that:

- Unions should continue campaigning on stress with employers and HSE, including for specific legal regulations. In addition there should be more use of enforcement measures by inspectors and the stress management standards should be incorporated in an Approved Code of Practice (ACOP).
- Unions should campaign for a new European Directive on MSDs which

recognises the link between MSDs and stress and which addresses the issue of work organisation.

- There is a need for more training and materials on slips and trips, bullying and lone working.

### **Managing health and safety**

This year's TUC survey found only a slightly improved situation in relation to risk assessment carried out by employers, with still only three in five reporting adequate risk assessments. This is disappointing, given the prominence of risk assessment in the management of health and safety in recent decades.

The public sector is worse than the private sector, and the worst industries are health services, the voluntary sector and education.

These concerns are amplified by the lack of consultation. Employers are simply not listening to and discussing the risks with specialists in the workplace who have a unique and valuable perspective. While three in five safety representatives are involved in risk assessments, only a little over a quarter are fully satisfied with their role. If HSE is serious about improving the quantity and quality of risk assessment, it will need to take action in this area: safety representatives are best placed to ensure that risk assessments are carried out and are done to the required standard.

Given the scale of psycho-social and musculoskeletal hazards faced by workers in Britain, the absence of coherent and comprehensive occupational health provision is particularly disturbing. The level of provision remains virtually unchanged over the last two years.

The TUC 2008 survey found an accelerating trend of "buying in" the provision of occupational health services, but this has not overcome the differences in provision in some smaller workplaces and the situation has not changed much in 2010.

Most significantly, the draconian sickness absence culture promoted by some employers appears to have grown, with disciplinary and monitoring remaining at a high level. A rising concern is with pre-employment medical screening - now a function of half of occupational health services. Safety representatives revealed that even their well established right of access to records is often denied, and that other long-standing practices such as first aid provision are increasingly being put aside.

There was some encouragement, however, in the increasing numbers reporting access to rehabilitation - now provided by almost half of occupational health services - and a rise in health surveillance, prevention and provision of treatment.

The TUC recommends that:

- More needs to address the poor compliance with risk assessment legislation,

## **conclusions and recommendations**

and seek to back this up. There is a need for more support to be given to SMEs on what risk assessment entails but also for more action against those employers who do not comply with the current regulations.

- The HSE must start taking enforcement action against those employers who do not consult with their workforce. This survey provides more evidence that the requirement on employers to consult with safety representatives on risk assessment needs to be reinforced in regulation.
- There is a clear need for an integrated occupational health strategy, covering all areas from prevention to rehabilitation. This should be about making all work decent, quality and safe work – alongside supporting those who suffer from work-related injury and ill-health.

### **Safety representatives**

Although safety representatives have wide powers under the Safety Representatives and Safety Committees Regulations 1977, these have not been adequately enforced by HSE inspectors or through prosecutions. In particular rights such as getting time off for training and functions, being consulted by employers and management, getting facilities for inspectors and taking part in effective health and safety committees need to be better enforced.

The TUC biennial survey 2010 found that the majority of safety representatives are still rarely being consulted automatically by their employers over vital matters in the workplace. One in five are never automatically consulted, and this rises to almost one in three in some industries including banking, insurance and finance and other services.

Although the majority of workplaces have joint health and safety committees, a stubborn minority still do not. Since safety committees are a vital element in ensuring safety representatives are effective, this finding suggests the need for enforcement by inspectors.

Safety representatives are still experiencing problems in getting time off to fulfil their functions. Around half the safety representatives surveyed said they could only spend an hour a week on their safety work.

And almost two in five indicated that they had been unable to take up training aimed at safety representatives. These concerns about training are particularly worrying, because training is another factor that makes safety representatives so effective in the workplace. Despite a small improvement in the 2010 survey, still over quarter of new safety representatives had not done their stage 1 in their first year.

Nevertheless, the survey did register that safety representatives at all levels of experience are increasing their knowledge and expertise in safety matters. More safety representatives than before said they had completed TUC stages 1 and 2, and the third stage Certificate/Diploma. And there was a big jump in safety representatives' attendance at their own union's introductory courses.

The TUC recommends that:

- Employers should implement existing law on safety representatives' rights and powers, and HSE and environmental health officers should enforce this law, issuing notices where compliance is found to be lacking;
- There is a need for a strengthening of the regulations on time off for training;
- Unions should continue to campaign for extended rights and powers for safety representatives, particularly on roving representatives, provisional improvement notices and stopping the job.

### **Enforcement**

The TUC and its affiliated unions have consistently raised concerns about the lack of enforcement of health and safety law with government and HSE for a long time. The picture looks set to worsen given the likely effects of the cuts in public spending.

Low levels of health and safety enforcement remain virtually unchanged on the poor situation of two years ago, the 2010 survey shows. Almost half the safety representatives who took part said they had never known an inspector visit their workplace, whilst only just over a quarter had had a visit over the last 12 months. Small workplaces were particularly under-inspected but even among workplaces with over 1,000 workers, only one third had been inspected in the last year.

Despite the low level of inspection, safety representatives generally believe that visits are effective in improving employers' compliance with health and safety law. Two in five believe their employer has taken some action because of the *possibility* of an inspection, and two thirds of employers do more than the minimum to comply with a legal enforcement notice. These figures suggest that the law, the threat of enforcement and actual prosecution remain key drivers of change.

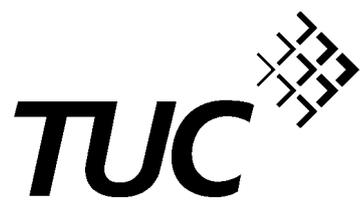
HSE inspectors and local authority environmental health officers could also do more to involve safety representatives. The majority of safety representatives were not aware that a visit was planned and a majority did not speak to inspectors when they did come to the workplace.

The TUC recommends that:

- The campaign against the cuts in HSE and local authority funding should be a priority for the TUC and unions at all levels.
- Enforcement authorities should ensure that inspectors liaise fully with safety representatives in order to make their visits most effective.
- Employers should consult fully with safety representatives after receiving an enforcement notice and after a prosecution, so that the necessary changes can be implemented.







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