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focus on health and safety

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TUC biennial survey of safety reps 2012

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executive summary

This is the tenth biennial TUC safety representatives' survey. It is designed to provide the TUC and its affiliated trade unions with valuable information to help shape safety campaigning and organisation in the period ahead.

Key findings

Hazards

The most frequently cited hazards in 2012 were stress, bullying/harassment, overwork, back strains, and slips, trips and falls on a level.

Stress – already by far the most widespread top-five concern for reps across all industries in 2010 – has become an even more pervasive problem in 2012:

- 69% of representatives identified stress as a main hazard compared with 62% in 2010;
- 36% said stress was the *most important* hazard in their workplace – compared with 27% in 2010;
- Stress is even more prevalent as a top-five concern in the public sector (identified by 75% of representatives) than in the private sector (62%);
- It is the most common or second most common hazard in all 14 industrial sectors;
- Stress is the most common concern in all sizes of workplace but the figure has risen dramatically in smaller workplaces;
- Stress is most widespread in the Midlands and Yorkshire and Humberside.

Bullying/harassment has become an even more widespread concern in 2012, listed as a top-five concern by 41% of representatives – up from 37% in 2010. It features in the list of the five most common concerns in 10 different industrial sectors, compared with 5 two years ago.

Concern about **overwork** has become more prevalent, with 33% of representatives saying this was a top-five concern compared with 29% in 2010. The result is that it has jumped from fifth place in the list to third.

Violence and threats is now the ninth most commonly cited hazard, the proportion of reps identifying it going from 18% to 20%.

The proportion of health and safety representatives placing **high temperatures** in their top-five concerns has fallen from 19% to 14%. And just 8% put **slips, trips and falls from a height** in the list this time compared with 11% in 2010.

Managing health and safety

While 82% of health and safety representatives overall say their employer has conducted formal risk assessments at their workplace, some industries have lower compliance on this. In banking, insurance and finance the figure is 77%; in health it is 76%, and in education it is only 69%.

Just 65% of representatives in establishments where there have been risk assessments feel they were adequate. This figure is worse in the public sector (63% saying they were adequate) than the private sector (67%). The worst industrial sector on this score is health, where just 59% feel the risk assessments were adequate.

Many health and safety representatives still find the risk assessment process unsatisfactory in terms of their own involvement;

- Just one in three (33%) are satisfied with their involvement in drawing up risk assessments;
- The same proportion (33%) were involved, but not enough; and
- 34% were not involved at all.

Occupational health services are provided by 92% of employers – slightly more than in 2010 (90%) – and they are slightly more common in the public sector than in the private sector.

Half of occupational health services (50%) now provide disciplinary assessments among their services – up significantly from two years ago (44%) – but a smaller proportion now conduct pre-employment medical screening (43% compared with 49%).

Health and safety representatives' rights

More representatives have undertaken TUC and union stage 1 and 2 courses than in previous biennial TUC surveys, although completion of the TUC diploma/certificate in occupational safety and health dipped from 19% to 17% of respondents.

Fewer health and safety representatives than in 2010 have attended courses provided by the employer (19% compared with 21%) and joint union-employer courses (7% compared with 9%).

A higher proportion of new health and safety representatives (those who have been in post for under a year) have attended TUC/union stage 1 and 2 courses than had in 2010. However, fewer have received training provided by an employer.

Two in five respondents have been unable to attend training courses at some time, most commonly because they were too busy at work.

On consultation over health, safety and welfare matters, 27% of health and safety representatives are never automatically consulted by their employer – representing a significant increase since 2010 when 21% said this. The situation is worse among workplaces with fewer than 1,000 than among larger establishments.

Enforcement

The survey suggests worryingly low levels of inspection by health and safety enforcement agencies:

- A little under half (45%) of health and safety representatives said that, as far as they know, a health and safety inspector has never inspected their workplace;
- Another one in 10 (10%) said the last inspection was over three years ago, while a further 16% said it was between one and three years ago;
- Just 28% said their workplace had been inspected over the last 12 months.

There were no sectors where a majority of respondents reported an inspection in the last 12 months. Even in construction, just 41% said there had been an inspection in the past year. And in transport and communications, just 13% said their workplace had been inspected in the past 12 months, with 66% of representatives saying that, as far as they knew, their workplace had never been inspected.

Under half (45%) of health and safety representatives were aware of the most recent inspector's visit in advance, and only 37% said they or another representative had spoken with the inspector.

The proportion of employers who make some attempt to improve health and safety because of the possibility of an inspection has declined quite sharply since 2010, from 61% to 53%. And only 27% said the employer had made improvements after hearing about an enforcement notice or prosecution of *another* company.

Just 17% said their employer had at some point received a legal enforcement notice compared with 22% in 2010. However, there has been a significant improvement on employer responses to legal enforcement notices.

introduction

The survey

This is the tenth biennial TUC survey of health and safety representatives. The report is analysed by senior TUC policy officials and union health and safety specialists in order to understand the changing experience of health and 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 health and safety representatives and safety committees to discuss and use the report to help with their ongoing work.

A total of 1,875 health and safety representatives responded to the questionnaire either on paper or online in the period May-July 2012, compared with 1,819 in 2010. Their answers provide a wealth of information about the profile of health and safety representatives, the work they do to improve safety and the help (or otherwise) they get in this from employers and enforcement agencies.

Profile of safety representatives

The profile of respondents to the survey serves as an approximation of the profile of health and safety representatives in Great Britain in 2012.

Thirty per cent of the health and safety representatives responding were women – slightly more than in 2010, when the figure was 27%, but the same as in 2008.

Some 94% described themselves as white – exactly the same as in 2010. Four per cent described themselves as one of the following: “Asian or Asian British”, “Black or Black British”, or “Chinese”. This compares with 3% in 2010, the increase coming from those saying they were Asian or Asian British. Another 1% said they were “mixed race”.

Only 8% of representatives were under the age of 35 while 22% were aged between 36 and 45 and a massive 62% were between 46 and 60. Another 9% were over 60 years of age.

These figures suggest that the age profile of health and safety representatives has increased noticeably over the last two years (see table A).

Table A: Age profile of respondents

Age group	2012	2010
16-35	8%	10%
36-45	22%	27%
46-60	62%	56%
60+	9%	7%

Just over three in five representatives (63%) work for organisations in the public sector and 35% in the private sector. The other 2% work in the not-for-profit/voluntary sector.

The largest group of health and safety representatives by industry, apart from those in “other services” (20%), work in education (17%). Local government and transport and communications account for 12% each, central government 11% and manufacturing and health services 9% each.

Just under a third (30%) work in workplaces with less than 100 workers, while 22% work in workplaces with over 1,000 workers. Overall more than half (53%) work in workplaces with over 200 workers.

One in six (17%) health and safety representatives responding said they had been doing the job for less than a year (compared with 21% in 2010). Two in five (40%) had done it for over five years and slightly more (43%) for between one and five years.

Just over half (51%) of those who responded were also union stewards, while just under half (49%) were only health and safety representatives.

Health and safety representatives are widely distributed across the UK. The largest groups of respondents came from the Midlands (16%), the North West (16%) and the South East and South (14%).

The survey showed that online access by health and safety representatives continues to grow. More than nine in 10 (94%) of those answering this question have access to the internet at home compared with 92% in 2008. And 83% have access at work compared with 78% two years ago.

This was reflected in the response to the survey. More than four in five returned questionnaires (83%) were completed online in 2012, jumping from two thirds in 2010 and half in 2008.

Respondents in the private sector were more likely than those in the public sector to respond online (89% compared with 80%). And the industrial sectors most likely to provide their responses online rather than on paper were: leisure services (94%); energy and water (92%); distribution, hotels and restaurants (92%); manufacturing (92%); and banking, insurance and finance (91%).

Regionally, representatives in the South West were more likely than any other region to provide their responses online, 93% having done so, while those in South East and South were the least likely to do so (76%).

There was no difference between the sexes on this issue.

Section two

hazards at work

Main hazards

Health and safety representatives were asked to identify the main hazards of concern to workers at their workplace, and then to 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

Top-five concern	2012	2010
Stress	69%	62%
Bullying/harassment	41%	37%
Overwork	33%	29%
Back strains	32%	33%
Slips, trips, falls on the level	32%	32%
Repetitive strain injuries	27%	28%
Display screen equipment	26%	28%
Long hours of work	21%	21%
Violence and threats	20%	18%
Working alone	18%	21%
Handling heavy loads	16%	18%
High temperatures	14%	19%
Low temperatures	11%	10%
Noise	9%	10%
Asbestos	8%	9%
Chemicals or solvents	8%	8%
Dusts	8%	9%
Slips, trips, falls from a height	8%	11%
Machinery hazards	7%	7%
Cramped conditions	5%	7%
Infections	5%	5%
Road traffic accidents	5%	7%
Workplace transport accidents	4%	5%
Dermatitis/skin rashes	3%	4%
Vibration	3%	3%
Asthma	1%	1%
Passive smoking	1%	1%

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

injuries (RSI) and display screen equipment (DSE) were in sixth and seventh place respectively.

The ordering of respondents' top-five concerns (in terms of how frequently they are cited) is very similar to that in 2010. However, there have been some changes in the proportions of safety reps citing certain hazards as being among their top-five concerns.

The first key finding is that **stress** – already by far the most widespread top-five concern for reps across all industries in 2010 – has become an even more pervasive problem. Almost seven in 10 (69%) reps now list this as a main hazard compared with the already high figure of 62% in 2010.

Another worrying development is the increased concern over **bullying/harassment**. This area had already seen a big jump in citations between 2008 and 2010, when 37% of health and safety representatives put it in their list of top-five concerns, and this has now seen another rise to 41%.

Concern about **overwork** seems also to be on the rise, with a third (33%) of reps saying this was a major concern compared with 29% in the last survey. The result is that it has jumped from fifth place in the list to third place. And **violence and threats** has moved from twelfth to ninth place (the proportion of reps citing it going from 18% to 20%).

In the other direction there has been a significant fall in the proportion of health and safety representatives placing **high temperatures** in their top-five concerns, from 19% to 14%. Similarly just 8% put **slips, trips and falls from a height** in the list compared with 11% in 2010. The proportion citing **DSE** as a main concern has slipped from 28% to 26%, and just 18% now list **working alone** compared with 21% in 2010.

Asked which is the *most important* hazard of concern in their workplace, stress dominates the selections. Well over a third of health and safety representatives (36%) said stress was their top concern - an even higher proportion than the 27% of 2010. Not only is stress a widespread hazard, then, but it is also widely seen as the most worrying hazard in the workplace.

In joint second place come overwork and bullying/harassment (7% citing these as their top concern in each case), followed by back strains and slips, trips and falls on the level (6%).

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

	Public	Private
Stress	75%	62%
Bullying/harassment	46%	33%
Overwork	39%	25%
Display screen equipment	31%	19%
Back strains	31%	38%
Repetitive Strain Injuries (RSI)	27%	28%
Violence	27%	10%
Slips, trips, falls on the level	26%	44%
Long hours	21%	21%
Working alone	19%	17%
High temperatures	15%	14%
Heavy loads	13%	21%
Low temperatures	12%	11%
Asbestos	8%	9%
Infections	7%	2%
Cramped conditions	6%	5%
Noise	6%	15%
Road traffic accidents	6%	6%
Chemicals or solvents	5%	13%
Dusts	5%	14%
Slips, trips, falls from a height	5%	15%
Machinery hazards	4%	12%
Dermatitis/skin rashes	2%	4%
Passive smoking	2%	1%
Vibration	2%	4%
Workplace transport accidents	2%	7%
Asthma	1%	1%

There are some marked differences between the public and private sectors. As in 2010, psycho-social hazards such as stress, bullying/ harassment and violence are far more significant in the public sector. So, too, are concerns over DSE and “overwork” (although “long hours” is equally prevalent in both sectors).

Working alone is of slightly more concern in the public sector than the private sector, but the difference is much less marked than in 2010.

On the other hand, health and safety representatives in the private sector are much more concerned than those in the public sector about back strains, heavy loads, noise, chemicals, dusts, machinery hazards and slips, trips and falls on a level or from height.

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

Stress is now one of the top-five hazards in all of the 14 sectors. It is the main concern in 12 of them and in the remaining two (distribution and hotels and

leisure services) is the second most important concern. Bullying/harassment is a top-five concern in 10 sectors and overwork in seven, both as in 2010.

While across the board a smaller proportion of health and safety representatives put DSE and RSI worries in their top five than two years ago, concerns over both have become more widely spread: DSE was a top-five concern in seven industrial sectors in 2012 compared with just five sectors in 2010. Similarly RSI was a top-five concern in eight sectors this time compared with five in 2010.

Table 3: the five main hazards of concern by sector

Sector (number of reps responding to the question)	1 st concern	2 nd concern	3 rd concern	4 th concern	5 th concern
Agriculture & fishing (17)	Stress (71%)	RSI (53%)	Back strains (35%)	DSE and low temperatures (both 29%)	
Banking, insurance and finance (22)	Stress (86%)	DSE and RSI (both 64%)		Bullying/harassment (55%)	Overwork (50%)
Central govt. (200)	Stress (80%)	DSE and bullying/harassment (both 56%)		RSI (39%)	Overwork (34%)
Construction (27)	Stress (44%)	Back strains and working alone (both 37%)		Slips on a level and asbestos (both 33%)	
Distribution and hotels (48)	Back strains (56%)	Heavy loads and stress (both 48%)		Slips on a level (46%)	RSI (40%)
Education (311)	Stress (84%)	Overwork (61%)	Bullying/harassment (49%)	Long hours (36%)	Violence (24%)
Energy and water (86)	Stress (72%)	Slips on a level (45%)	DSE (31%)	Bullying/harassment (28%)	RSI (27%)
Health services (157)	Stress (75%)	Bullying/harassment (54%)	Back strains (48%)	Overwork (38%)	Violence (29%)
Leisure services (17)	Back strains (53%)	Stress (47%)	Overwork (29%)	DSE, heavy loads, long hours, noise, bullying/harassment (all 24%)	
Local government (222)	Stress (73%)	Bullying/harassment (41%)	Overwork (38%)	DSE and violence (both 37%)	
Manufacturing (164)	Stress (54%)	Slips on a level (45%)	Chemicals (35%)	Back strains (33%)	Dusts (31%)
Transport and communications (218)	Stress (63%)	Bullying/harassment (42%)	Back strains (41%)	Slips on a level (39%)	RSI (33%)
Voluntary sector (7)	Stress (71%)	DSE and working alone (both 57%)		Overwork and RSI (both 43%)	
Other services (336)	Stress (67%)	Slips on a level (44%)	Back strains (42%)	Bullying/harassment (38%)	RSI (30%)

Agriculture & fishing

This year again sees big changes in the top-five concerns in agriculture (although with only 17 reps in this sector, one or two responses can make a large difference).

Stress was the top concern, picked out by 71% of safety reps in the sector – more than double the proportion (34%) of 2010. In second place was RSI, cited by 53% of respondents compared with just 17% in the last survey. And back strains, which didn't feature in the top five in this sector in 2010, came in third place, listed by more than a third of safety reps (35%).

Banking, insurance and finance

The top-five hazards in this sector are the same as in 2010 but with some change of emphasis. A smaller proportion of safety reps – though still more than half – put bullying/harassment in their top five (the 2010 figure was 73%). And concern over DSE fell from 73% to 64%. However, a higher proportion this time selected RSI as a top-five concern (64% compared with 55%).

Central government

Stress remains far and away the most significant hazard in this sector with four in 10 health and safety representatives putting it in their list of top-five concerns. However, the main change since 2010 is the increased worry about bullying/harassment. This was cited by 56% of representatives, compared with 42% two years ago. Concern over RSI has diminished slightly, cited by 39% compared with the previous 44%.

Construction

The main concerns in the construction industry have changed since the last survey. Stress has now rocketed to the number one hazard, having not appeared in the list of top-five concerns in 2010, and was cited by 44% of health and safety representatives in the sector in 2012.

Working alone also did not feature in the 2010 top five but this time was cited by 37% of health and safety representatives and is joint second concern. Concern over slips on the level has replaced that over slips from a height, and the proportion expressing worries over asbestos has subsided somewhat, from 46% of respondents in 2010 to 33%.

Distribution and hotels

Back strains remains the most widely mentioned top-five concern in this sector, though rather fewer health and safety representatives cite it in 2012 (56%) than two years earlier (66%).

Stress has jumped up to join heavy loads in the number two slot, with 48% citing it compared with 38% in 2010. Slips on a level is also mentioned more frequently than before (46% compared with 35%), though RSI is slightly less commonly cited (40% compared with 45%).

Education

The most common hazard in education by some margin is still stress (cited by 84%), followed by overwork (61%). The hazards and the frequency with which they are mentioned are almost exactly the same as in 2010, although concern over long hours appears to be slightly more widespread, cited by 36% compared with 30%.

Energy and water

Stress remains the top concern and is more frequently cited in 2012 (72%) than in 2010 (67%), but the other most widespread hazards - slips on a level, DSE and bullying/harassment – were less frequently cited. RSI has replaced back strains in the five most widespread hazards list.

Health services

The main change in the health sector is the increased concern over bullying/harassment, which has moved up to the number two slot, behind only stress as the most common concern. More than half (54%) of health and safety representatives in this sector cited bullying/harassment as a main concern compared with two in five (39%) in 2010.

The other significant change is that violence has entered the list of the five most widespread concerns, with 29% citing it this year.

Leisure services

Leisure is a rare sector in that the proportion of health and safety representatives citing stress as a top-five concern has gone down – from 61% to 47%. Meanwhile the proportion citing back strains has risen from 33% to 53%, making it now the most widespread concern. (However, there were only 17 respondents from the leisure sector so the numbers are less reliable than in other industries.)

Local government

The main two concerns in local government remain stress and bullying/harassment and they are reported by about the same proportion of respondents. However, there is now rather more concern about overwork (38% citing it compared with 32% in 2010).

DSE has become one of the five most widespread concerns in this sector, reported by 37%, while back strains has fallen out of the list.

Manufacturing

This sector has seen some significant changes in the last two years, with stress jumping to the top of the list of concerns. In 2012 more than half (54%) cited

this as a top-five concern compared with a little over a third (35%) two years ago.

Chemicals entered the list of most widespread concerns with 35% selecting them as a main concern, but noise, which was second in the list in 2010, was not in it this time around.

Transport and communications

The most widespread concerns in this broad sector were more or less as in 2010, led by stress, which was slightly more frequently cited (63% compared with 59%), followed by bullying/harassment. Slightly more representatives reported concern over back strains (41% compared with 35%), while RSI replaced long hours as number five in the list.

Voluntary sector

Bullying/harassment – the second most widespread concern in 2010 (cited by 64%) - has dropped out of the top five in 2012 (now cited by 29%). However, as there are only seven respondents in this sector it is not safe to draw comparisons. Stress is still the main concern in the voluntary sector.

Other services

The main hazards in “other services” remain more or less unchanged, led by stress which is reported by 67% of health and safety representatives compared with 62% in 2010. RSI replaces DSE as the fifth most widely cited concern.

Hazards and workplace size

Table 4 shows the five major health and safety concerns identified by health and safety representatives according to the number of people in their workplaces.

Table 4: Most common top-five concerns in workplaces of different sizes

Number of workers (number of responses in group)	1 st concern	2nd concern	3rd concern	4th concern	5th concern
Under 50 (283)	Stress (69%)	Back strains (37%)	Overwork (36%)	Bullying/harassment (30%)	Slips level (26%)
50-99 (259)	Stress (73%)	Bullying/harassment (44%)	Overwork (40%)	Back strains (30%)	DSE, slips level and long hours (all 27%)
100-199 (322)	Stress (68%)	Bullying/harassment (37%)	Back strains and overwork (both 35%)		Slips level (33%)
200-999 (574)	Stress (70%)	Bullying/harassment (44%)	Slips level (36%)	Back strains (34%)	RSI (33%)
1000 or more (400)	Stress (73%)	Bullying/harassment (48%)	Slips level and overwork (both 34%)		Back strains, DSE (both 29%)

Stress is the most common concern in all sizes of workplace, as it was two years ago. It has also become more widespread in each size category, but the figure has risen more dramatically in smaller workplaces. The biggest change is in workplaces with under 50 workers, where the proportion of health and safety representatives putting stress as a top-five concern has risen from 52% in 2010 to 69% in 2012.

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

Table 5: Most common hazards overall by workplace size

Hazard	Under 50 employees	50-99 employees	100-199 employees	200-999 employees	1000 or more employees
Stress	69%	73%	68%	70%	73%
Bullying/harassment	30%	44%	37%	44%	48%
Overwork	36%	40%	35%	30%	34%
Back strains	37%	29%	35%	34%	29%
Slips, trips and falls on a level	26%	27%	33%	36%	34%
Repetitive Strain Injuries (RSI)	25%	20%	24%	33%	29%
Display screen equipment	23%	27%	24%	29%	29%
Long hours of work	22%	27%	20%	19%	22%

While two years ago stress was clearly more prevalent in large workplaces than small ones, in 2012, with stress rising in importance in many workplaces, there are no longer sharp differences between different-sized workplaces.

Bullying/harassment is still rather more prevalent the larger the workplace (with the exception of workplaces with 50-99 employees). And concerns over slips, trips and falls on the level get slightly more widespread the larger the workplace.

Otherwise the level of concern over these hazards does not vary significantly according to the number of employees in the workplace.

Hazards by region/country

Table 6: Regions reporting most concern for each main hazard

Top-five concern	Worst area	2 nd worst area	% cited nationally
Stress	Midlands/Yorkshire and Humberside 75%		69%
Bullying/harassment	London 49%	East Anglia/South West 42%	41%
Overwork	Wales/Midlands 41%		33%
Back strains	South East 40%	Northern 38%	32%
Slips, trips, falls on the level	Northern 39%	South East 36%	32%
Repetitive strain injuries	Northern 33%	Wales/South West 32%	27%
Display screen equipment	Northern/North West 30%		26%
Long hours of work	Midlands 25%	London 24%	21%
Violence and threats	London 27%	Midlands/Yorkshire and Humberside 24%	20%
Working alone	Scotland 26%	Wales 24%	18%
Handling heavy loads	South East 21%	South West/Yorkshire and Humberside 20%	16%
High temperatures	Scotland/Northern 18%		14%
Low temperatures	Yorkshire and Humberside 15%	Scotland 14%	11%
Noise	North West 13%	Wales 12%	9%
Asbestos	South East 10%	North West 10%	8%
Chemicals or solvents	Northern/North West 12%		8%
Dusts	North West 13%	East Anglia 11%	8%
Slips, trips, falls from a height	South East 15%	Scotland 12%	8%
Machinery hazards	Northern/North West 11%		7%
Cramped conditions	London 9%	Scotland/North West 7%	5%
Infections	Northern/London 8%		5%
Road traffic accidents	South East 10%	East Anglia/South West 7%	5%
Workplace transport accidents	Northern 9%	East Anglia 7%	4%
Dermatitis/skin rashes	Northern/North West 5%		3%
Vibration	Northern/East Anglia 4%		3%
Asthma	Northern 3%	North West/East Anglia 2%	1%
Passive smoking	East Anglia 4%	Northern 3%	1%

Table 6 sets out which regions are the worst/second worst for each of the main hazards of concern. It shows that some regions/countries feature negatively in multiple areas.

The Northern region appears in the table with the greatest frequency, being the worst or second-worst area for 13 different hazards. It is the worst for slips on the level, RSI, workplace traffic accidents and asthma, and is the joint worst with the North West for DSE, with Scotland for high temperatures, with the North West for chemicals, machinery hazards and dermatitis/skin rashes, with London for infections and with East Anglia for vibration. It is second worst for back strains and passive smoking.

The North West is second most frequently cited place with nine worst or second-worst listings. It is worst for noise and dusts; it is joint worst for DSE, chemicals, machinery hazards and dermatitis/skin rashes; it is second worst for asbestos; and it is joint second worst for cramped conditions and asthma.

East Anglia also features regularly in this table, coming up as worst or second worst region for seven hazards. It is worst for passive smoking; it is second worst for dusts, workplace transport accidents and vibration; and it is joint second worst for bullying/harassment, road traffic accidents and asthma.

Table 7: Main hazards of concern by region/country

Region/country	1 st concern	2 nd concern	3 rd concern	4 th concern	5 th concern
East Anglia	Stress 67%	Bullying/harassment 42%	Back strains 36%	Slips level 34%	Overwork 31%
London	Stress 71%	Bullying/harassment 49%	Overwork 40%	DSE 29%	Violence 27%
Midlands	Stress 75%	Bullying/harassment 42%	Overwork 41%	Back strains 30%	Slips level 28%
North West	Stress 69%	Bullying/harassment 40%	Slips level 35%	Overwork 32%	Back strains 31%
Northern	Stress 64%	Bullying/harassment 41%	Slips level 39%	Back strains 38%	RSI 33%
Scotland	Stress 68%	Bullying/harassment 39%	Overwork 34%	Slips level 33%	Back strains 29%
South East and South	Stress 66%	Bullying/harassment and back strains both 40%		Slips level 36%	Overwork 28%
South West	Stress 74%	Bullying/harassment 42%	Overwork 38%	Back strains and slips level both 35%	
Wales	Stress 72%	Overwork 41%	Bullying/harassment 40%	Back strains and RSI both 32%	
Yorkshire and Humber	Stress 75%	Bullying/harassment 39%	Back strains 33%	Slips level 32%	Overwork 28%

Across the country, the top-five concerns are stress, bullying/harassment, overwork, back strains and slips, trips and falls on the level. This is very consistent across the different regions/countries, the only variations being that DSE and violence feature in the top-five concerns in London (rather than back strains and slips on the level) and RSI appears in the top five in the Northern region (rather than overwork) and in Wales (rather than slips on the level).

However, there are variations in the breadth of the concern in different regions/countries. For example, although stress tops the list everywhere, it seems to be of more widespread concern in Yorkshire and Humberside and the Midlands (75% citing it) than in the Northern region (64%).

Back strains is of concern to a higher than average proportion of health and safety representatives in the South East and South (40%) and the North (38%). And four in 10 responding from London, the Midlands and Wales are

concerned about overwork compared with three in 10 on average across Great Britain.

The table also reveals some regional changes since 2010.

Concern over stress has shot up in a number of regions, notably the Midlands (75% now citing it compared to 64% in 2010), North (64% compared to 52%), Wales (72% compared to 50%) and Yorkshire and Humberside (75% compared to 60%).

There have also been large increases in reported concern over bullying/harassment in certain regions including East Anglia (42% compared to 33%), South West (42% compared to 31%) and Wales (40% compared to 28%).

And overwork now features in the five most concerns in nine of the 10 regions/countries compared with just three in 2010. The six regions which did not previously feature overwork in this list are: the Midlands - now the third most widely reported concern cited by 41%; the North West – now fourth, cited by 32%; Scotland – now third with 34%; the South West – now third cited by 38%; Wales now the second most widespread concern on 41%; and Yorkshire and Humberside – overwork is now fifth concern on 28%.

Section three

managing health and safety

As well as questions about the main hazards at work, health and 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 health and safety representatives in the 2012 survey (95%) said that their employer had a health and safety policy – very similar to the 94% figure for 2010. There was no difference between public and private sectors on this.

In terms of industries, the worst offender was agriculture and fishing, where only 82% of employers had written policies. In leisure services, the worst offender in 2010, 100% of the 17 respondents said their employer had a written health and safety policy.

The existence of policies varied only slightly across different regions/countries. The most compliant region was East Anglia, where all 97 respondents said their employer had a policy, followed by the South West and the South East and South, where 97% in each case said this.

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.

Risk assessments conducted

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. Eighty-two per cent of all respondents in this survey said their employer had carried out formal risk assessments, 8% said they had not and 8% did not know.

More than nine in 10 of these (93%) said the assessments were recorded and only a small proportion (1%) said they were not. However, 6% did not know whether they were recorded.

The larger the workplace, the higher the proportion of representatives said formal risk assessments were carried out. So while 88% of those in workplaces with 1,000 or more workers said formal risk assessments were conducted, the figure for those in workplaces of under 50 was just 78%.

Formal risk assessments were slightly more common in the private sector, where 86% of health and safety representatives said they had been conducted, than in the public sector, where the figure was 82%. The figure for the not-for-profit sector was the worst, at 80%.

The conducting of risk assessments varies considerably across industrial sectors. One of the worst sectors appears to be education, where just 69% said they had been carried out and 14% said they had not, although a large proportion (16%) did not know. Banking, insurance and finance was also poor, with 77% saying they had been carried out and 18% saying they had not. And in the health sector just 76% said assessments had been carried out with 11% saying they had not, another 11% saying they did not know.

The sector with the highest level of compliance on conducting formal risk assessments was construction, where 26 out of 27 respondents (96%) said their employer had carried them out and just one said they had not. Other relatively good levels of compliance were in manufacturing, where 96% said their employer had carried risk assessments; in leisure services, where all but one of the 17 respondents (94%) said they had; and distribution, hotels and restaurants, where 90% had carried them out.

There was little regional variation in the level of compliance on formal risk assessments. The Northern region displayed the highest level, with 88% of health and safety representatives saying their employer had carried them out, while the lowest level was in Wales, where 79% did so.

Adequacy of risk assessments

While most employers have conducted risk assessments, in less than two-thirds (65%) of those cases did the health and safety representative consider the assessments to be adequate (meaning just 63% of all respondents said their employer had carried out adequate risk assessments). One fifth (20%) of representatives where risk assessments had been carried out said they were not adequate while 15% did not know whether they were adequate.

Risk assessments in workplaces with more than 200 employees were less likely to be considered adequate than those in workplaces with fewer than 200. And those in the public sector were less likely than those in the private and not-for-profit sectors to be considered adequate (63% in the public sector saying they were adequate compared with 67% in the private sector and 78% of those in the not-for-profit sector).

Industrial sectors in which representatives were least likely to say risk assessments were adequate were health services (59% saying they were and

21% saying they were not), central government (61% saying they were and 26% saying they were not), education (62% saying they were and 21% saying they were not) and transport and communications (62% saying they were and 24% saying they were not).

London health and safety representatives were the least likely among regions/countries to say their employers' risk assessments were adequate, with just 56% they were and 25% saying they were not.

Safety representatives' involvement in the risk assessment process

Health and 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 Health and safety representatives and Safety Committees Regulations 1977 require that employers consult with recognised trade union health and safety representatives on health, safety and welfare matters.

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

- just one in three (33%) said they were satisfied with their involvement in drawing up risk assessments;
- the same proportion (33%) said they were involved, but not enough; and
- 34% said they were not involved at all.

These figures are somewhat better than in 2010, when 40% said they were not involved at all in drawing up risk assessments. However, progress on this is slow considering the HSE advises employers to involve health and safety representatives.

Employer provision of occupational health services

Occupational health schemes, which give access to a range of professional advice and services to employees, have become more prevalent in recent years, and now more than nine out of 10 health and safety representatives (92%) said that their employers provide some sort of occupational health service. This is slightly higher than the figure of 2010 (90%).

The proportion providing in-house services (43%) is the same as in 2010, but the figure for services provided externally is a little higher – at 49% compared with 46%.

Public sector employers are very slightly more likely to provide occupational health services than private sector ones (91% compared to 89%), and they are more likely to use external providers than in-house ones, whereas the reverse is true for private sector employers.

Employees' 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	2012	2010	2008
Under 50	82%	86%	85%
50-99	87%	91%	91%
100-199	86%	87%	87%
200-999	92%	90%	90%
1000 or more	97%	94%	98%

Workers in the largest workplaces, with over 1,000 employees, are the most likely to be provided with an occupational health service – almost all (97%) being covered in some way. Workers in smaller workplaces are worse off, with those in workplaces with fewer than 50 employees having the lowest coverage (82%).

It would appear that the increased coverage since 2010 has come about entirely through an increase among workplaces of 200 or more employees, as the figure has in fact declined among workplaces smaller than this.

Table 10: Provision of occupational health services by sector

Sector	2012	2010	2008
Agriculture & fishing	82%	77%	88%
Health services	96%	98%	98%
Distribution & hotels	77%	83%	78%
Energy and water	95%	94%	100%
Voluntary sector	100%	79%	86%
Education	82%	86%	86%
Manufacturing	95%	94%	92%
Banking, insurance and finance	91%	100%	93%
Leisure services	100%	61%	73%
Construction	93%	89%	59%
Local government	96%	95%	94%
Central government	96%	91%	94%
Transport & communications	95%	88%	92%
Other services	84%	87%	87%

Table 10 shows how levels of occupational health service provision varies according to industrial sector – although less so than in the past. There appears to be 100% coverage in the voluntary sector (though this is based on only seven replies from the sector) and in leisure services. The poorest provision is in distribution and hotels (77%), followed by education and agriculture and fishing (both 82%).

Levels of occupational health service provision do not vary massively by region/country. The regions with the highest coverage - of 93% - are Northern, North West, London and South East and South. However, employers in the South West and Yorkshire and Humberside are more likely than others to have in-house provision, while those in Scotland and London are more likely to rely on external providers.

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 health and 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*.

Table 11: Types of occupational health services provided

Service provided	2012	2010	2008
Sickness monitoring	71%	69%	68%
Health surveillance	54%	59%	53%
First aid	54%	51%	50%
Pre-employment medical screening	43%	49%	41%
Access to rehabilitation	46%	48%	38%
Disciplinary assessments	50%	44%	43%
Advice on prevention	46%	44%	38%
Treatment	25%	26%	21%
Records which safety reps are given	14%	14%	12%

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

The most common service provided is sickness monitoring (provided in 71% of cases), which has gradually become more common over the period of these TUC surveys. A sharper increase is recorded for disciplinary assessments, now performed by half of occupational health services. Disappointingly there has been a slight slippage in access to rehabilitation from 48% two years ago to 46% this year.

More positively, 2012 sees a slightly smaller proportion of services conducting pre-employment medical screening (43%) compared with 2010 (49%). And the proportion providing first aid has crept up from 51% to 54%.

Section four

rights of health and safety representatives

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

Training

Employers must permit health and safety representatives to attend training during working time without loss of pay. The Approved Code of Practice (ACoP) to the Health and 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 health and 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 2012 TUC survey asked health and 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	2012	2010	2008
TUC/Union Stage 1	74%	73%	72%
TUC/Union Stage 2	46%	44%	44%
Own union introductory course	32%	34%	27%
Other TUC/Union courses	20%	17%	18%
Course provided by employer	19%	21%	16%
Joint union-employer course	7%	9%	8%
TUC Diploma/Certificate in OSH	17%	19%	17%

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

The survey shows that TUC and union stage 1 and 2 courses continue to thrive, with higher proportions of health and safety representatives than in previous surveys receiving such training. Almost three-quarters of reps have completed the stage 1 course, and 46% the stage 2 course. Attendance at union’s own introductory courses slipped very slightly, from 34% to 32%, but at other TUC/union courses it rose from 17% to 20%.

However, fewer health and safety representatives than in 2010 have received courses provided by the employer (19% compared with 21%) and joint union-employer courses (7% compared with 9%).

And completion of the most advanced course, the TUC diploma/certificate in occupational safety and health, dipped from 19% to 17%.

Training and experience

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

Table 13: Training received by term as a health and safety representative

	Under 1 year	1-5 years	Over 5 years
TUC/Union Stage 1	75% (70%)	73% (74%)	75% (73%)
TUC/Union Stage 2	18% (14%)	41% (48%)	60% (55%)
Own union introductory course	23% (24%)	31% (33%)	37% (38%)
Other TUC/Union courses	6% (5%)	17% (15%)	27% (25%)
Course provided by employer	7% (12%)	16% (17%)	26% (30%)
Joint union-employer course	2% (3%)	4% (5%)	13% (17%)
TUC Diploma/Certificate in OSH	4% (5%)	12% (15%)	28% (29%)

Note: Figures do not total 100% because respondents could tick any relevant courses attended. Figures in brackets indicate the results from the 2010 survey.

On the positive side, a higher proportion of the new health and safety representatives (those who have been in post for under a year) have attended a TUC/union stage 1 course than was the case in 2010 (75% compared with 70%). Also, more have attended a TUC/union stage 2 course (18% compared with 14%). However, significantly fewer have received training provided by an employer (7% compared with 12%).

Long-standing health and safety representatives are also less likely to have received employer-provided training than in 2010 and seem to be more reliant on TUC/union-provided training. In 2012, 60% those in post for five years have been on a TUC/union stage 2 course compared with 55% in the 2010 survey.

A declining proportion of those with one to five years’ experience as a health and safety representative have received training of any sort except “other

TUC/union courses”. Just 41% had received TUC/union stage 2 training (compared with 48% in 2010) and 12% had completed the TUC Diploma/Certificate in Occupational Health and Safety (compared with 15%).

Time off for training

The regulations and subsequent court cases have established the right of health and safety representatives to time off for training. However, two in five (40%) of those responding to the 2012 survey say they have been unable to attend training courses.

The most common reason cited is being “too busy at work”, listed by 21% of all health and safety representatives in the survey. But, most alarmingly, 15% say they have been unable to take up courses because management has refused permission to take time off.

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

Consultation in “good time”

Health and safety representatives have the right to be consulted on health, safety and welfare matters by their employer. The TUC 2012 survey asked about consultation in two different situations: first, under normal conditions when consultation ought to be automatic, and secondly, when health and safety representatives ask or make requests. The responses to these questions are contained in *Table 14*.

Table 14: Management consultation with health and safety representatives

Consultation	Frequently	Occasionally	Never
Automatically	28% (28%)	45% (51%)	27% (21%)
When you ask	40% (41%)	52% (53%)	8% (7%)

Note: Figures in brackets refer to the results of the 2010 survey

The figures for 2012 are rather worse than in the 2010 survey in that 27% of health and safety representatives are never automatically consulted by their employer over health, safety and welfare matters – compared with 21% saying this in 2010. A small proportion (8%) 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, as in 2010, in the banking, insurance and finance sector where more than two in five health and safety representatives (41%) say

automatic consultation never takes place. One in 10 in this sector says their employer never even consults when requested to do so.

But the situation is also bad in the health services, where more than a third (34%) say their employer never consults automatically, and 12% say they never do even when requested. In education, 31% say there is never automatic consultation and 9% say there is never any consultation even when requested.

The construction sector is one of the best on this issue, with 52% of health and safety representatives saying their employer frequently consults automatically and just 12% saying they never do.

Consultation is most likely to take place in the largest workplaces. Just over a quarter of health and safety representatives in establishments with fewer than 1,000 employees (26%) say there is never automatic consultation compared to 15% of those in workplaces larger than this. Requests for consultation are also more frequently granted in workplaces of 1,000-plus employees.

Health and safety representatives in Wales are the most likely to say their employers never consult, either automatically (31%) or on request (10%).

Inspections

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

As in previous surveys, the 2012 survey found a huge variation in the frequency of inspections, with 23% saying they had conducted none in the last 12 months. Among the others:

- 22% had conducted one inspection;
- 16% had conducted two inspections;
- 24% had conducted three or four inspections; and
- 15% had conducted five or more inspections.

These figures are very similar to those in the 2010 survey except there was a fall in the proportion conducting three or four inspections (from 28%).

Further analysis reveals that more experienced representatives tend to carry out more frequent inspections. Almost half (49%) of those with over five years' experience carried out three or more inspections in the last 12 months compared with 26% of those with one to five years' experience. (The figure for those in post for less than a year is 20%, but clearly they have not had a full year in which to have carried out inspections.)

Time spent on health and safety representatives' duties

Getting time off for training is not the only problem health and 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 health and safety representatives carrying out their functions.

The 2012 TUC survey asked respondents to quantify how much time they had spent on health and safety matters in the previous week. The results were:

- more than half (54%) had spent an hour or less;
- almost a third (33%) had spent between one and five hours;
- just one in 14 (7%) had spent between five and 10 hours; and
- around 6% had spent over 10 hours.

The figures were similar to those in 2010 except that a higher proportion this time spent an hour or less (54% compared with 51% in 2010).

Again, the more experienced representatives tend to spend longer on their health and safety functions. One in five representatives with more than five years' experience (20%) spent over five hours a week on this work compared with 9% of those with one to five years' experience. This divide is sharper than in 2010 (when the figures were 18% and 12% respectively).

Joint union-management committees

The work of safety committees has been identified as key factor in making health and safety representatives' work effective. The 2012 survey found that the proportion of health and safety representatives who said their employer had set up a joint committee was lower (at 81%) than in the 2010 survey (85%). Furthermore, in one in five cases the committee rarely meets (compared with one in seven cases in 2010). This means that 20% of workplaces do not have a safety committee, despite having accredited health and safety representatives, and just two thirds (67%) 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. Nine in 10 establishments with over 1,000 workers (91%) have 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 leisure services, manufacturing and construction (all on 82%). The worst sectors for properly functioning safety committees are banking, insurance and finance (41%), followed by education (50%). More than a third of health and safety representatives in education (34%) said they had no safety committee at all.

Respondents in the North West and London were the most likely to have safety committees that meet regularly and the least likely to say there was no committee.

Section five

enforcement

The survey asked health and safety representatives about visits by health and safety inspectors. The 2012 questionnaire asked about visits from Health and Safety Executive (HSE) inspectors, local authority environmental health officers (EHOs) or “other relevant safety inspectors” (encompassing, for example, the Railways Inspectorate) and so was slightly different from previous surveys which only asked about HSE inspectors and EHOs.

Inspections

At first glance it would appear that more workplaces have received inspections than was the case in 2010. However, because the 2012 survey includes inspections by authorities other than the HSE and local authority EHOs, responses on frequency of inspections cannot be directly compared with those of earlier surveys.

The key results for 2012 are that:

- a little under half (45%) of health and safety representatives said that, as far as they know, a health and safety inspector has never inspected their workplace;
- another one in 10 (10%) said the last inspection was over three years ago, while a further 16% said it was between one and three years ago;
- just 28% said their workplace had been inspected over the last 12 months.

The industries that were most likely to have been inspected in the last 12 months, according to survey respondents, were manufacturing (47% had been inspected in the last year), distribution, hotels and restaurants (46% had) and energy and water (45% had).

There were no sectors where a majority of respondents said there had been an inspection in the last 12 months. Even in construction, seen as perhaps the most hazardous sector, only two in five health and safety representatives (41%) said there had been an inspection in the past year. And in transport and communications, just 13% said their workplace had been inspected in the past 12 months, with a massive 66% of representatives saying that, as far as they knew, their workplace had never been inspected.

The survey also supported previous research which found a strong relationship between workplace size and the number of inspections. In the 2012 survey, just over one third (34%) of the largest workplaces (those with over 1,000

workers) had been inspected in the last 12 months. But in organisations with less than 100 employees only one in five (21%) had been.

The worst regions for inspections were East Anglia and London. In East Anglia just 18% of health and safety representatives said their workplace had been inspected in the last 12 months and almost half (49%) said that, as far as they knew, it had never been inspected. And in London, one in five (20%) said there had been an inspection in the last year and more than half (51%) said there had never been one.

Inspectors and health and safety representatives

Contact between health and safety representatives and inspectors is still very patchy, with virtually no change since 2010. Only a minority (45%) of health and safety representatives were aware of the most recent visit before it took place.

In terms of discussions during the visit, fewer than four out of 10 survey respondents (37%) say they or another health and safety representative had spoken with the inspector on their most recent visit - the same proportion as in 2010. More say they did not (42%), while a fifth (21%) do not know whether (other) health and safety representatives spoke with the inspector.

Improvements and enforcement action

The survey asked health and 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

	2012	2010	2008
Not at all	26%	22%	25%
A little	18%	20%	18%
Somewhat	15%	19%	15%
A lot	20%	22%	19%
Don't know	22%	17%	23%

Table 15 indicates the extent to which health and 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 declined quite sharply since 2010, from 61% to 53%.

The proportion having not responded at all to the possibility of an inspection has risen from 22% to 26%.

The survey also asked health and safety representatives 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

	2012	2010	2008
Yes	27%	30%	27%
No	26%	24%	29%
Don't know	47%	46%	45%

Just 27% said their employers have made improvements because of this situation, less than in 2010 and back to the level of 2008. However, almost half of the health and safety representatives do not know their employers' view on this vital matter.

The survey went on to ask health and safety representatives about actual notices served. Only one in six health and safety representatives (17%) said their employers have at some point received a legal enforcement notice - fewer than the 22% reporting this in 2010.

This group were asked about their employer's response to the most recent enforcement notice.

First they were asked whether health and 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

	2012	2010	2008
Heard about it after the changes were made	22%	22%	24%
Heard about the changes planned but no safety reps involved in planning	36%	39%	38%
Safety rep(s) involved in planning after receipt of notice	42%	39%	38%

As in previous surveys, only a minority (42%) say health and safety representatives were quickly involved in planning the necessary changes. However, this is a slight improvement compared to 2010. More than one in five (22%) said they only heard about the notice after changes were made, while 36% knew of the changes to be made but no safety reps were involved.

Secondly health and 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

	2012	2010	2008
Comply and review other practices elsewhere	47%	36%	43%
Implement best practice, effect longer term in one activity/area	12%	14%	15%
Implement best practice, effect short term in one activity/area	17%	24%	12%
Minimum to comply	30%	30%	34%

There has been a significant improvement on employer responses to legal enforcement notices. Although still fewer than half (47%) say their employer complied with the notice and also reviewed other practices in the organisation, this is a substantial increase on those saying the same in 2010 (36%).

However, this advance was slightly offset by the reduced numbers saying the employer had implemented best practice with an effect that lasted at least several months in one activity or area (12% compared to 14%).

The proportion saying employers did the minimum they could to comply with the notice remained the same at 30%.

Section six

conclusions

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 and the Government can act to develop health and safety work.

Hazards

It is clear that the economic climate is having a significant effect in the workplace. The issues that grew in concern most were stress, bullying and harassment, overwork and violence and threats. Clearly issues around work and work organisation are becoming a far bigger concern as the consequences of the spending cuts and growing job insecurity begin to be felt. This was greatest in the public sector. It is also the area that far less is being done by the government and regulators.

The TUC believes that these “psycho-social” issues are having a significant detrimental effect on the health and well-being of the workforce and need to be both recognised and addressed. They are most likely to be an issue in sectors that the government considers “low-risk” and where pro-active inspections have now been withdrawn. Only by reversing that and having an enforcement programme aimed at ensuring that employers take action to reduce the risks can these issues be resolved.

A number of hazards have also seen a decrease in the number of times they have been reported as being a major concern. The biggest fall was with high temperatures, but that probably reflects the particularly wet summer rather than any real improvement in the workplace. There was also a welcome fall in the number of representatives who has concerns over the risks from slips trips and falls.

Managing health and safety

While the majority of employers are conducting risk assessments (in only 8% of cases did the health and safety representative say that no assessment had been done), there were concerns over the quality with only 63% saying that

the assessments were adequate. Even more worrying is that only a third of health and safety representatives were satisfied in their level of involvement. Clearly employers need to do much more in this area.

Occupational health provision was another area where the figures were of concern. Although a slightly higher number of respondents say that their employer is providing occupational health services, the level of provision has fallen significantly in smaller workplaces. Equally concerning is that, for many workplaces the level of provision is limited to sickness monitoring. There had also been a big increase in the involvement of occupational health services in disciplinary assessments.

The figures indicate that there has been a fall in the number of employers who provide health surveillance or access to rehabilitation, often the most useful part of an occupational health service. While the fall in the number of occupational health services providing pre-employment medical screening has fallen, it is still a matter of concern that a considerable number of employers are seeking this, given that most forms of screening are likely to be in breach of the 2010 equality Act. The TUC would wish to see an investigation into what level of compliance with the Act there is with occupational health providers.

Rights of health and safety representatives

While the vast majority of health and safety representatives are getting high-quality training through either the TUC or their union, many are finding difficulty in getting time off either because their employer has refused permission or because they are simply too busy and their employer has not provided cover or support.

The TUC is also concerned about the fall in workplace consultation that the survey shows. Fewer health and safety representatives are being consulted by their employer on health and safety issues, despite that being a legal requirement.

Despite that health and safety representatives are still doing a great job with over three-quarters having inspected their workplace in the past year and 80% of workplaces have a joint safety committee.

Inspections

This year's survey included inspections by other regulators, not just the HSE and so local authority and ORR inspections are included. However even with that extra coverage only 28% of health and safety representatives said that their workplace had been inspected in the past year and 45% said their workplace had never been inspected.

When inspections take place there is no evidence that inspectors are making an active attempt to speak to health and safety representatives, as they should do, with only 37% of representatives saying that the inspector had spoken to them

during the most recent visit. This requires urgent action from the regulators to ensure that inspectors always seek to talk to any health and safety representatives on the premises.

However there is strong evidence that inspections work, with 53% saying that employers had made improvements because of the possibility of an inspection. However this is a considerable fall since the last survey and may reflect the fact that far more employers know that, since the recent change in inspection policy there is little chance of a visit. This means that the deterrent effect of pro-active visits is being lost. Let health and safety representatives also reported that their employer had made improvements as a result of hearing about a notice or prosecution, however there was still a significant number who said that this had made a positive difference.

Where an employer themselves had been served with a legal notice the majority, over 70% still went over and above the minimum required to comply showing that enforcement action is a major driver to change.

Clearly, recent changes to enforcement policy, with the reduction in visits, introduction of charging and cuts in the budgets of the HSE and local authorities, combined with the negative messages coming from central government on health and safety regulation and enforcement could have a significant effect on the deterrent value of inspections and prosecutions and the TUC will be campaigning on this issue over the coming year.



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