

A personal view of health and safety in UK after Lord Young, Professor Lofstedt, Old Uncle Tom Cobley and all.

Written by NASHiCS member David Vallender – January 2014

Soon after the new coalition government came to power they asked Lord Young to carry out a review of health and safety in the UK. What the resulting report (“Common Sense, Common Safety”) said was not a surprise to anyone who is a health and safety professional because they had been saying much the same things for years. After Professor Loftsted also joined in with another weighty tome it seemed the consensus was that we needed outdated legislation to be removed and Regulation simplified. Again hardly rocket science or ground-breaking thinking.

There seems to have been an agenda, driven presumably by government pronouncements, that elf and safety (as opponents love to refer to it) is a force for bad driven forward by something akin to the followers of Beelzebub and to be attacked at every available opportunity. This must be done by extremist examples being constantly quoted in the press and by every half-baked comedian and commentator who is seeking a cheap laugh.

On the other hand, health and safety has increasingly been used by some people since 1974 as a stick to beat people with rather than a means of protecting them. But this misuse of Regulation has not in the main come from professionals but from people who have used fear of the law for the own ends or to further their own agenda. In addition, unscrupulous lawyers have used the “no win, no fee” pretext to push forward a compensation culture that has harassed employers and again brought health and safety into disrepute.

In this mix, people taking personal responsibility for their own actions has been all but lost as a concept and many people now seek somebody to blame as their first response to any calamity however small it may have been. The kind of warnings now seen on packaging and products are not there because they should be but to protect the producer from prosecution. So we now see, for example, a warning on a hot coffee container that it may in fact contain “hot” liquid and that if you are making it yourself from a machine that the hot water tap may actually dispense “hot” water!

This is a sad, sad situation. All the hard work of the last forty years is in danger of being lost and reduced to silly newspaper stories and sensationalism. Hidden in all of this is the real truth that accident rates have fallen, ill- health at work has been reduced and many unsafe practices have been outlawed forever, making the modern workplace the safest it has ever been.

Of course that doesn't mean that we don't need to stop trying to improve things or that accident rates don't matter anymore. Every serious incident has effects far beyond any damage to the individual involved and there is still much work to be

done. But many of the big threats to employee health have now been controlled or removed forever and sensible risk assessment has been used as a force for good.

That of course is the real point here, the application of sensible health and safety decision making is the real way forward. The main thrust of Lord Young's report was that we should all take a common sense approach to health and safety. That is exactly what many of us have been trying to do for some years now, basing our decisions upon a balanced and sensible methodology and not a knee-jerk reaction to a situation or slavish adherence to every word in Regulations.

That means judges, lawyers and everyone else involved taking a combined stance against examples of stupidity in the risk assessment process and fighting back against outrageous compensation claims. It also needs the government to take a lead in setting an agenda of sensible health and safety, not attacking the profession and tarring everyone with the same brush.

Sadly it is unlikely that these recent government reports will be the catalyst for real change but they may chip away at the edges, in updating legislation for instance. My worst fear however is that selective interpretation of the reports may give succour to those who would like to abandon health and safety, take risks again with people's lives and relinquish the assessment of risk.

But isn't the whole idea of assessing risk that we take responsibility for making decisions based upon local information and intimate knowledge of a particular situation and then apply suitable control measures to mitigate the risk? If those decisions challenge the normal way of doing things isn't that exactly the point – that health and safety precautions should grow, develop and improve over time?

It has been said that any organisation that does health and safety well is likely to do other things well too. That is because it is essentially a quality management system that requires attention to detail mixed with a good dash of common sense. Did we actually need these expensive government reports to tell us that all is not well or should we as professionals have done more to promote good practice over the last forty years?

Should we have challenged more the over-eager zealots, the "jobsworths" and those who blackened the name of health and safety and used it as an excuse not to do some things? Should we have pushed harder for reform of the compensation culture?

Over the years I have known many people who have tried to do just those things but have found it hard to get their views listened to. Perhaps one good thing that may come out of the current slagging of health and safety and all the soul-searching is indeed the sensible approach that most of us seek.

Thanks to David for his personal view