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**CWU Conference 2018 – Health, Safety and Environment Department Fringe Meeting  
Monday 23rd April 2018:**

**To: All Branches**

Dear Colleagues,

Over one hundred and twenty Communication Workers Union health and safety reps and branch officials packed the Health, Safety and Environment Fringe Meeting at the CWU's Annual Conference in Bournemouth on Monday 23rd April 2018.

This year the delegates were delighted to hear from the excellent guest speaker Andrew Kingscott from the HSE Transport and Public Services Unit, Engagement and Policy Division at HSE Headquarters.

Opening the meeting, CWU NEC Health, Safety and Environment Committee Chair Shelly Banbury introduced CWU Health Safety and Environment National Officer Dave Joyce and Andrew Kingscott from the Health and Safety Executive HQ.

Dave Joyce started off by saying that we were celebrating 40 years of Trade Union Safety Representatives and the introduction of the SRSC Regulations. He said that Trade Unions came out of the struggle for proper Health and Safety at Work and that the Health and Safety at Work Act was one of the most important pieces of legislation ever to be introduced.

Dave also reminded the meeting that Workers Memorial Day would take place after Conference on Saturday 28th April and called for delegates to support Workers Memorial Day events, remembering those killed at work and committing ourselves to fight for the living and to protect health and safety.

Dave also informed the meeting of health and safety fines recently imposed. Although high - they were nowhere near as significant as those imposed on Royal Mail and BT, both £40 Million plus for regulatory offences. He said there were big gaps that needed to be addressed by the courts.

Dave informed the meeting that the HSE has just published its 2018/19 Business Plan which follows the HSE 5-Year Strategy "Helping Great Britain Work Well" and outlined the priority areas in the strategy which he pointed out were very relevant to CWU members; Work Stress, MSDS and Lung Disease. He then introduced the guest speaker.

Andrew Kingscott then addressed the meeting and gave a power point presentation.

Andrew said that he enjoys working with Trade Unions and has 26 year's experience as an operational Health and Safety Inspector with the HSE with a good knowledge of the HSE front line work.

He is now in HSE Headquarters leading on sector based work and was previously involved in the HSE's first Corporate Manslaughter prosecution. He said that the HSE was not scared to enforce the law.

Andrew said that we don't tend to celebrate our successes and that there are pockets of good practices that he seeks to share with others.

All HSE strategies are on the HSE website covering 21 sectors.

He praised the good publications that the CWU had made available to the fringe meeting.

Andrew then talked about the strategy for Helping Britain Work Well. He spoke about tackling ill health and a Health Priority Plan with three priorities:

- Occupational Lung Disease;
- Musculoskeletal Disorders (MSD) and
- Work-related Stress.

Andrew spoke about the Utilities Sector Plan where the HSE will lead and engage with others to improve workplace health and safety by supporting and promoting strategic industry initiatives that show leadership in tackling key problems and also work with key stakeholders, such as BT and Openreach and the Mast and Tower Safety Group.

On the HSE Transport Sector Plan he said this would include improving poorly secured loads, reducing the rate of ill health caused by MSDs and increasing engagement with work-related road risk.

The Chair then invited questions from the Delegates as follows:

Question: Are HSE inspections proactive or reactive?

Answer: Some are proactive but the HSE needs to know they are going to the right place. There are high risk areas such as food, agriculture and construction that are visited more. Much work is done on the back of reactive work.

Question: There is a big disparity between fines for Health and Safety breaches and financial ones. An example of an incident in Falmouth was given where very small fines were given when the matter came to court which was a serious injustice.

Answer: A lot of training goes into HSE inspectors to make sure that evidence is gathered and a good job is done. It was now more down to prosecution to make a submission of culpability and there are set tariffs on fines. He would have a look at that example of Falmouth.

Question: On proactive inspections, 10 years ago the HSE audited Royal Mail systems such as dog attacks, this no longer takes place and the feeling is that the HSE is failing.

Answer: Andrew said he would take that on board. The need was to balance priorities. He would take away the CWU publication on dogs to look at this situation.

Question: Where is the HSE going post Brexit?

Answer: Andrew doesn't see any step backwards on Health and Safety legislation. No one was working on this.

Question: On HSE re-inspections why doesn't the HSE inspector ask for a CWU Rep to be present?

Answer: Unfortunately this can happen but it is wrong, Andrew ensures that inspectors know to talk to safety reps on site.

Question: Does the HSE self-fund?

Answer: The HSE as a regulator does self-fund and seeks to recover costs through Fee For Intervention (FFI). It works on the same principle as "polluter pays".

Dave Joyce summed up the meeting and thanked Andrew Kingscott for attending and for his interesting and informative talk to the CWU Health and Safety Fringe meeting.

On the question of Brexit, Dave hoped that Health and Safety legislation doesn't change but he warned that Unions and the TUC will need to be ready for a battle to protect Health and Safety legislation.

Dave also said that the best way to achieve health and safety compliance is through enforcement and regulation and that the CWU will continue to support the return to a pro-active enforcement strategy by the HSE.

Dave also said that HSE funding had been slashed by Government and it was ridiculous that the HSE had to become a 'commercial organisation' to raise their own funds.

On the question of fines Dave said that progress had been made on increasing health and safety fines because of pressure by the Unions but were still too far short of competition and regulatory fines. The CWU would continue to campaign for appropriate fines.

Dave concluded that yet again the Health Safety and Environment Department's Fringe Meeting had been the best attended fringe meeting at CWU conference and he thanked all the delegates for their support and participation.

The Chair closed the meeting by thanking everyone for attending.

*[Report by Steve Mann Policy Assistant, CWU Health, Safety & Environment Department]*

**Attachment:** Andrew Kinscott HSE/HQ Presentation PowerPoint Slides

Yours sincerely



**Dave Joyce**  
**National Health, Safety & Environment Officer**