
RISK IN A CHANGING POLITICAL ENVIRONMENT

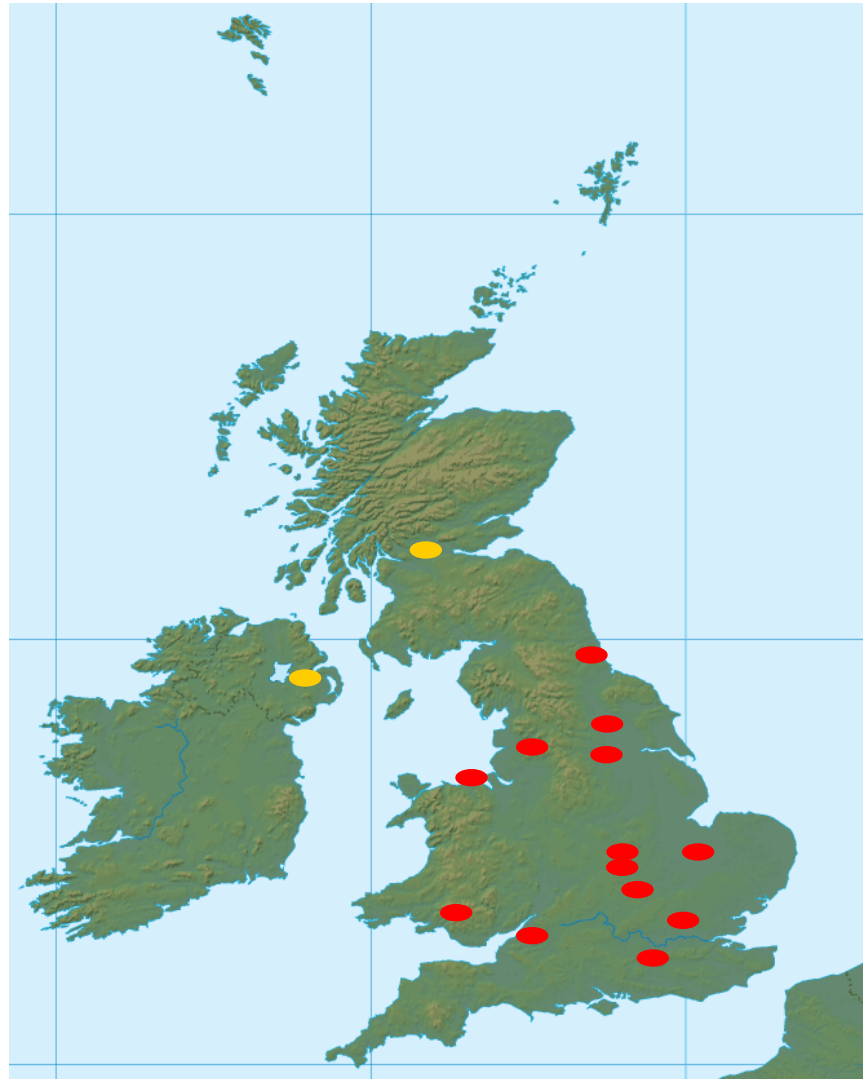
Steve Pointer

Head of Health and Safety Policy

eef

The
manufacturers'
organisation

ABOUT EEF



SOUNDBITES AND HEADLINES

“We will cut red tape with one-in, one-out regulation”

“A damaging compensation culture...”

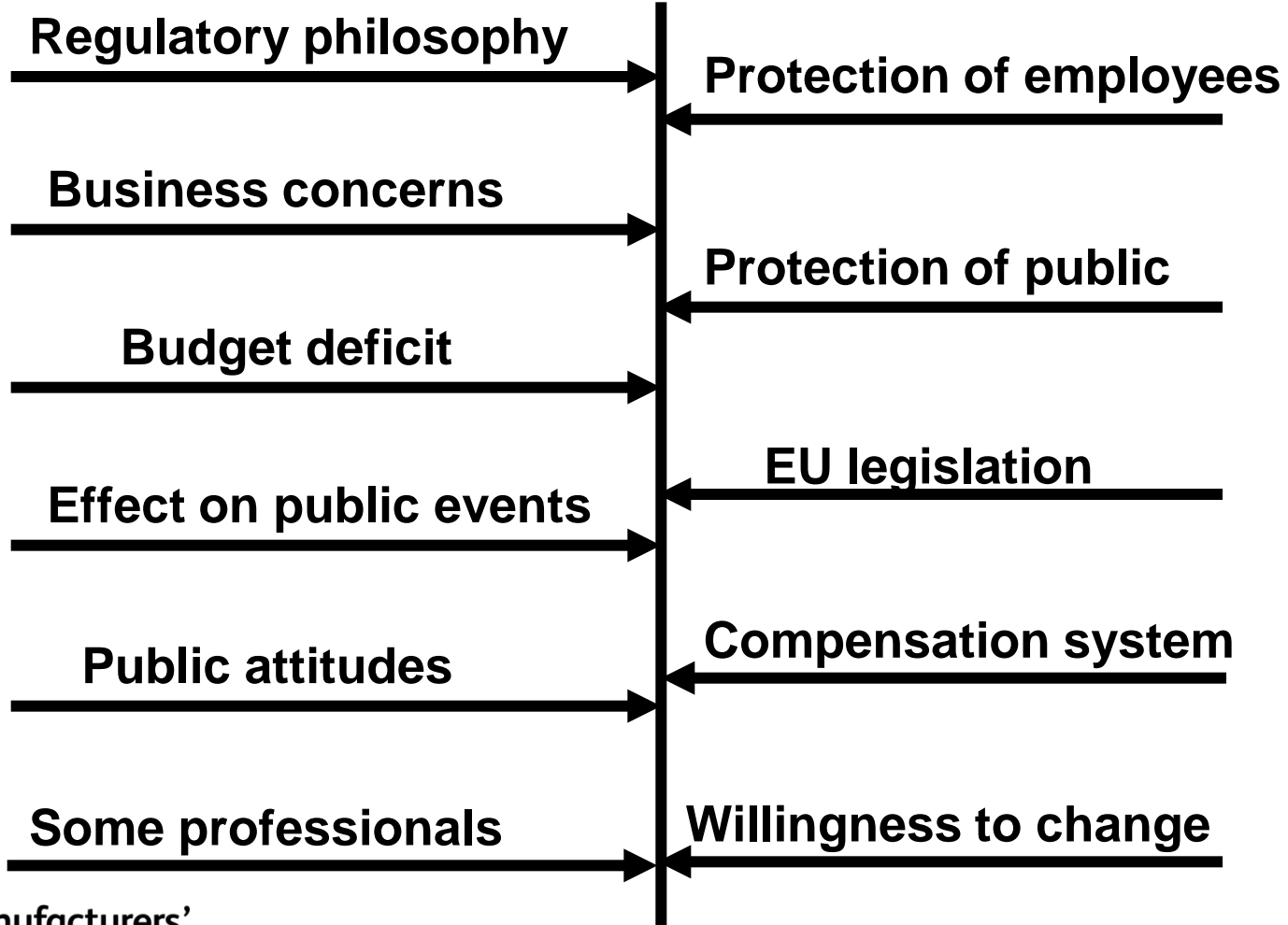
Common Sense, Common Safety

“...stultifying blanket of bureaucracy, suspicion and fear”.

“Government to cut inspections by a third”

“We will end ‘gold plating’ of EU rules and intervene earlier”

DRIVERS FOR CHANGE

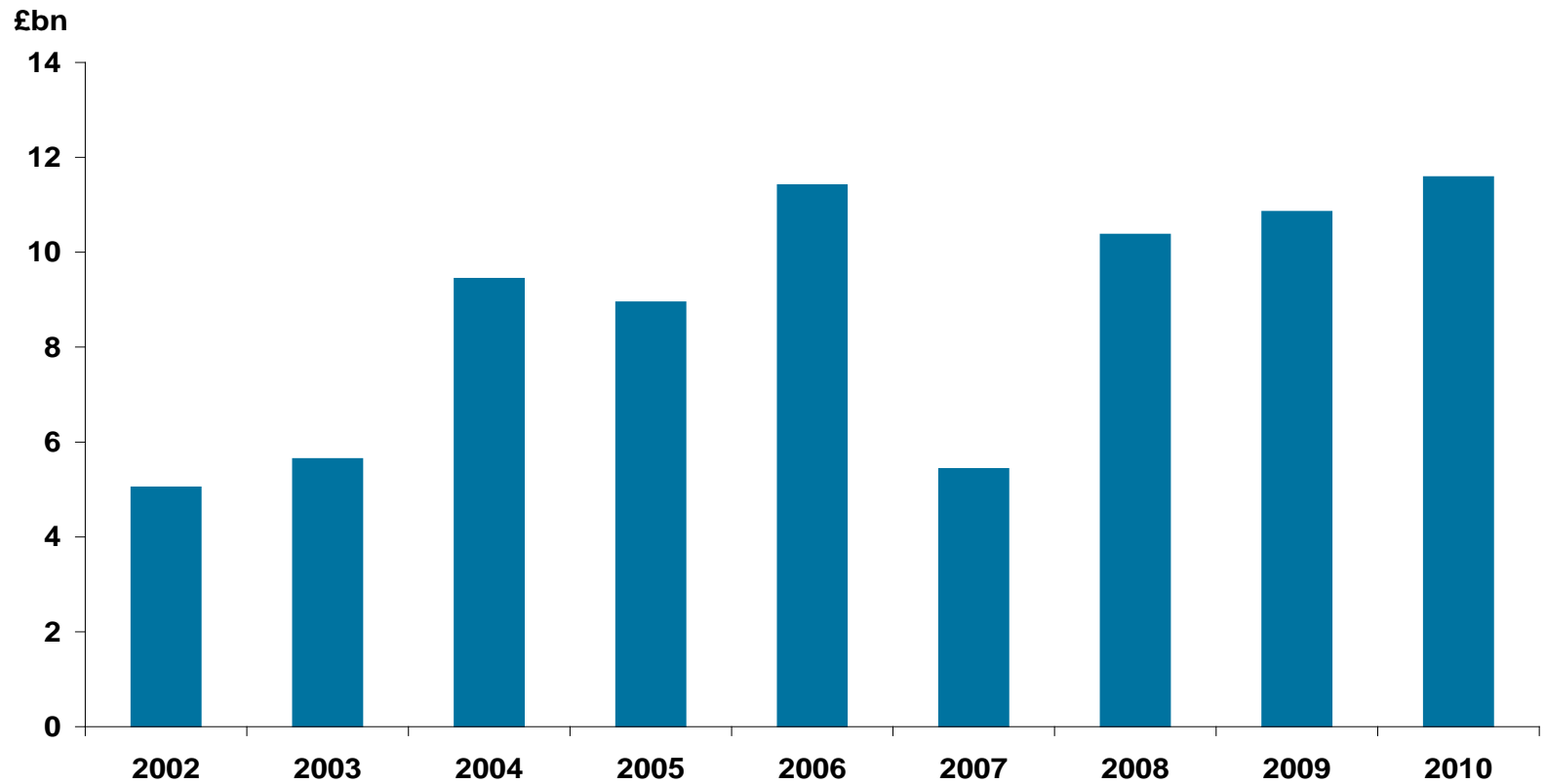


-
- Regulatory Reform
 - Health and Safety Reviews:
 - Common Sense, Common Safety
 - Lofstedt review
 - Budgetary Restraint
 - European Commission Approach
 - Compensation Reform

-
- **Regulatory Reform**
 - Health and Safety Reviews:
 - Common Sense, Common Safety
 - Lofstedt review
 - Budgetary Restraint
 - European Commission Approach
 - Compensation Reform

REGULATORY REFORM

Cost of New Regulation Increasing Steadily



REGULATORY REFORM

One-in, one-out



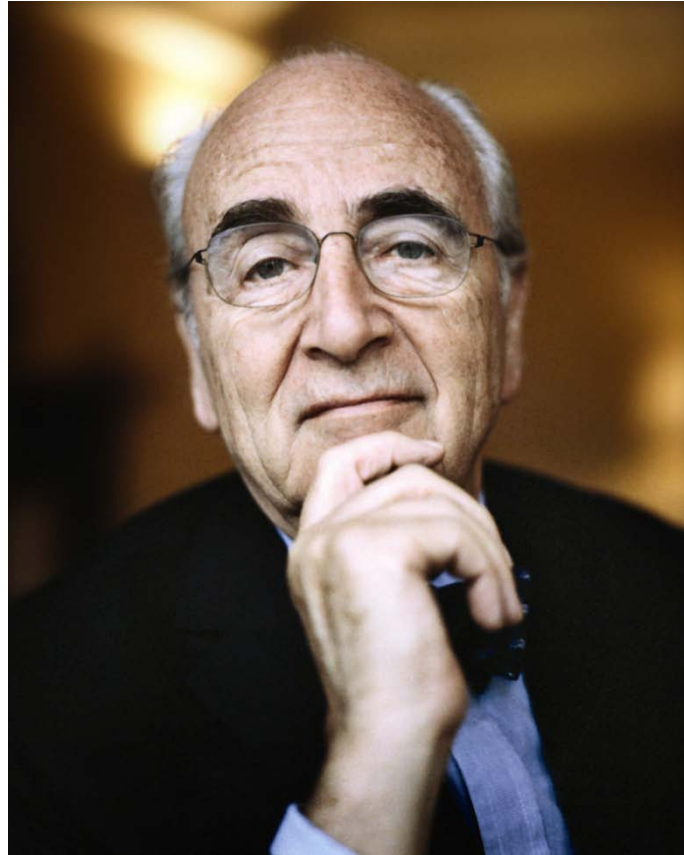
REGULATORY REFORM

One-in, one-out



-
- Regulatory Reform
 - **Health and Safety Reviews:**
 - **Common Sense, Common Safety**
 - **Lofstedt review**
 - Budgetary Restraint
 - European Commission Approach
 - Compensation Reform

COMMON SENSE - COMMON SAFETY



eeef

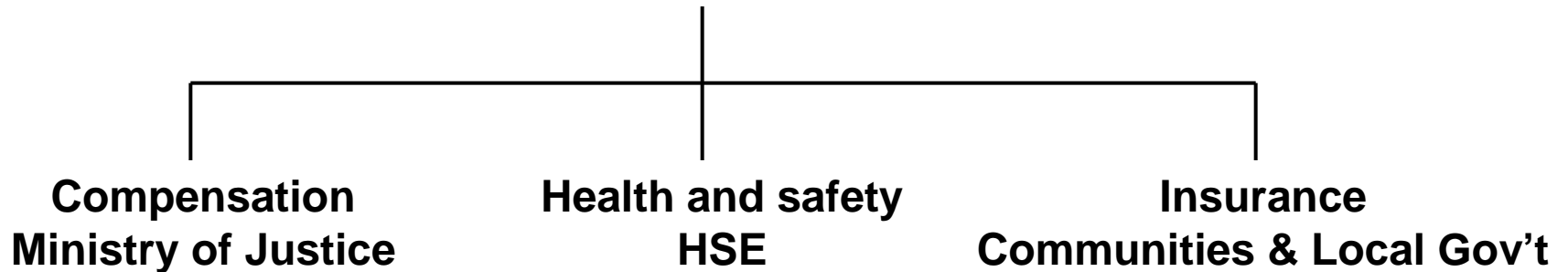
The
manufacturers'
organisation

COMMON SENSE - COMMON SAFETY

Implementation



Chris Grayling, Minister for employment



COMMON SENSE - COMMON SAFETY

- Simplification of guidance
- Public events
- Injury and ill health reporting
- Consultants' register
- Consolidation of regulations

LOFSTEDT REVIEW OF LEGISLATION

- Independent review of health and safety legislation, led by professor Ragnar Lofstedt
- Objective: to reduce bureaucracy & excessive responses to low risks, whilst maintaining protection against significant risks
- Options are very limited by EU Directives - expect a focus on influencing the EU

LOFSTEDT REVIEW OF LEGISLATION

In scope:

- Health and Safety Regulations (including those from EU directives)
- Approved Codes of Practice

Out of scope:

- Primary legislation, including the HSW Act
- Fire safety, food hygiene etc

COMMON SENSE - COMMON SAFETY

Review of Legislation

Will seek to determine:

- The scope for consolidating, simplifying or abolishing regulations
- Whether EU Directives have been 'gold-plated' in the UK
- What can be learnt from other countries
- Whether there is a clear link between regulation and positive outcomes
- Whether there is evidence of inappropriate litigation and compensation
- The need to clarify employers' duties where employees act irresponsibly

-
- Regulatory Reform
 - Health and Safety Reviews:
 - Common Sense, Common Safety
 - Lofstedt review
 - **Deficit Reduction**
 - European Commission Approach
 - Compensation Reform

DEFICIT REDUCTION

HSE

- HSE's government funding reduced by 35% by 2014
- Does not affect major hazards work for money comes from licensing and inspection fees, not government
- Cut will therefore fall on HSE's other inspection, investigation and information work
- Will combine savings in estate, staffing and admin costs with increased recovery of costs from businesses

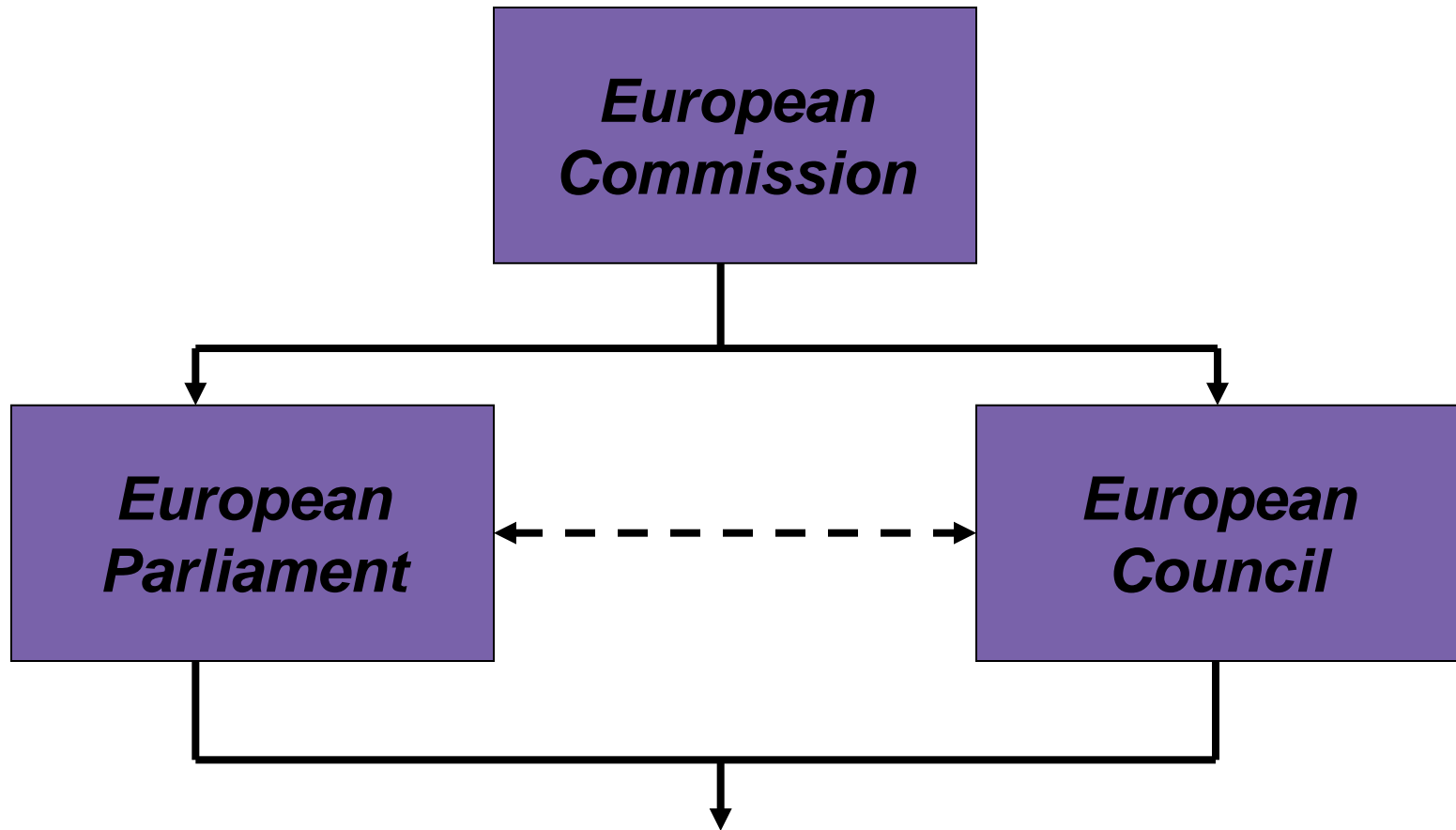
DEFICIT REDUCTION

HSE

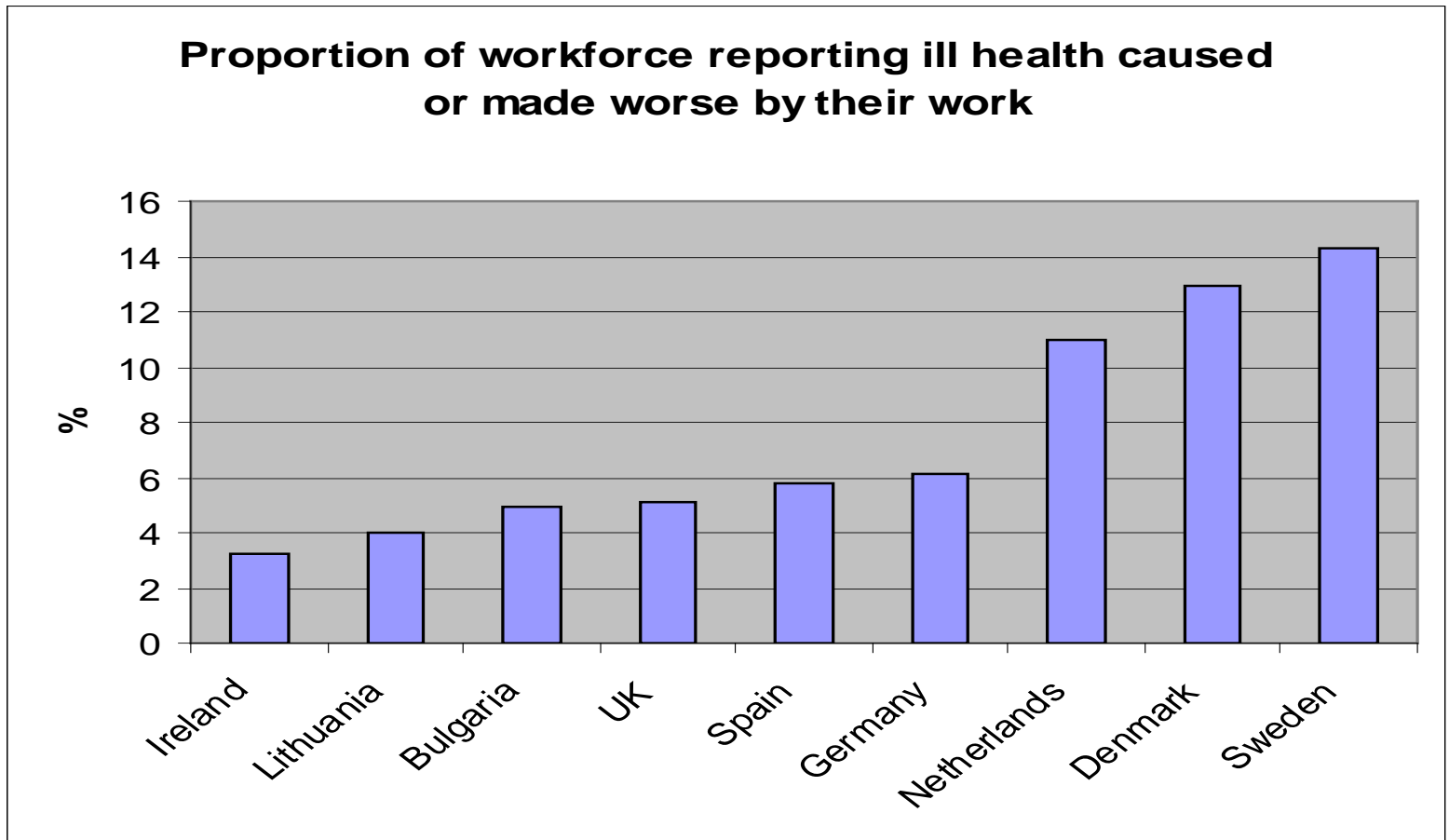
- More closely-targeted inspections, focussing on higher risk sectors & those with bad records
- Continued targeted investigations
- Unchanged enforcement policy
- Some form of recovery of expenses from those who significantly breach the law

-
- Regulatory Reform
 - Health and Safety Reviews:
 - Common Sense, Common Safety
 - Lofstedt review
 - Deficit Reduction
 - **European Commission Approach**
 - Compensation Reform

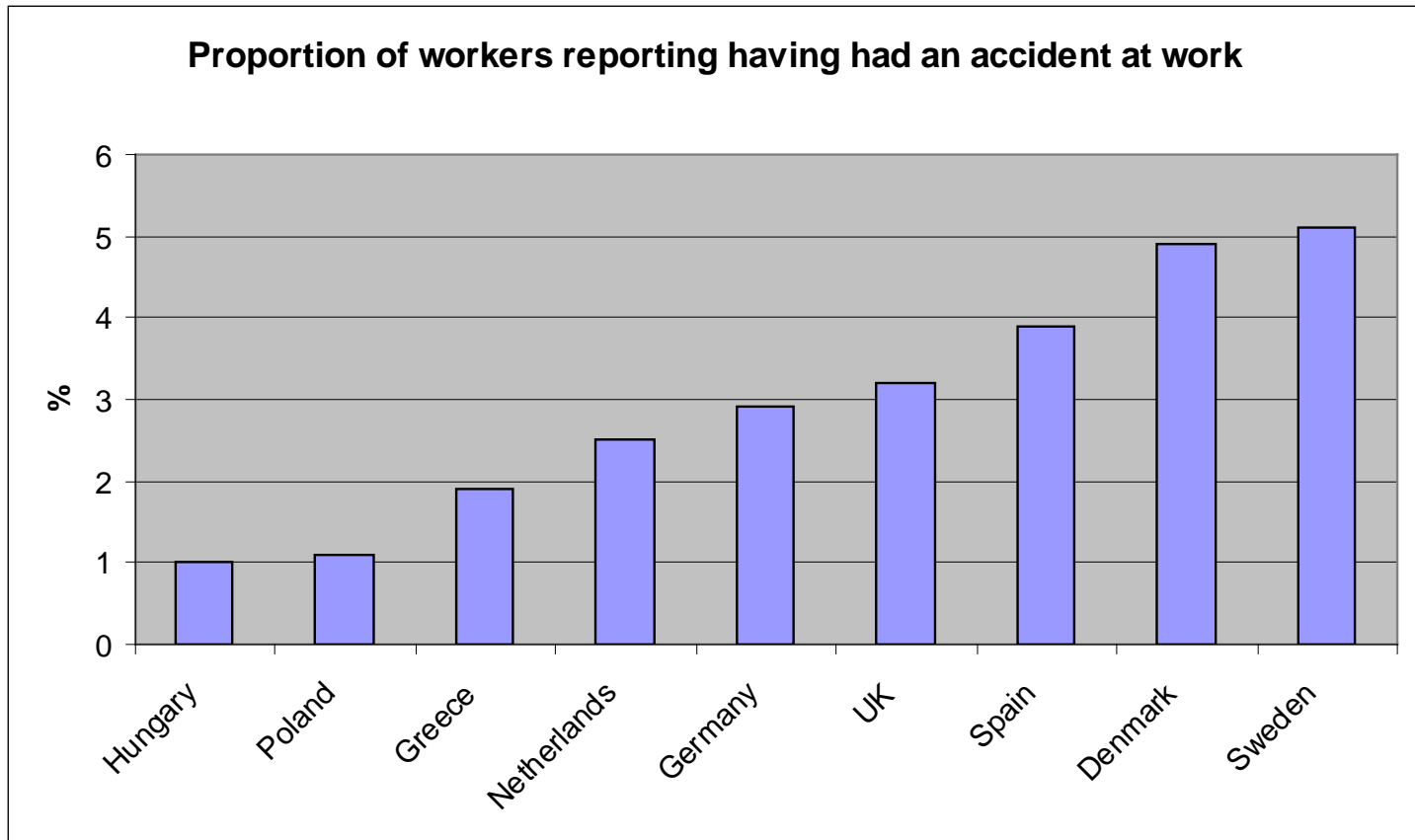
EUROPEAN DIRECTIVES



EUROPEAN COMMISSION



EUROPEAN COMMISSION



EUROPEAN COMMISSION APPROACH

Electromagnetic Fields



gwe66499938 [RF] © www.visualphotos.com

eef

The
manufacturers'
organisation

EUROPEAN COMMISSION APPROACH

Electromagnetic Fields

- Flexibility in limit values so no industrial processes are banned
- No absolute requirement to measure exposure – instead follow good practice guidance
- Training and signs required only for high exposures
- Implementation delay until at least 2014

EUROPEAN COMMISSION APPROACH

Musculoskeletal Disorders

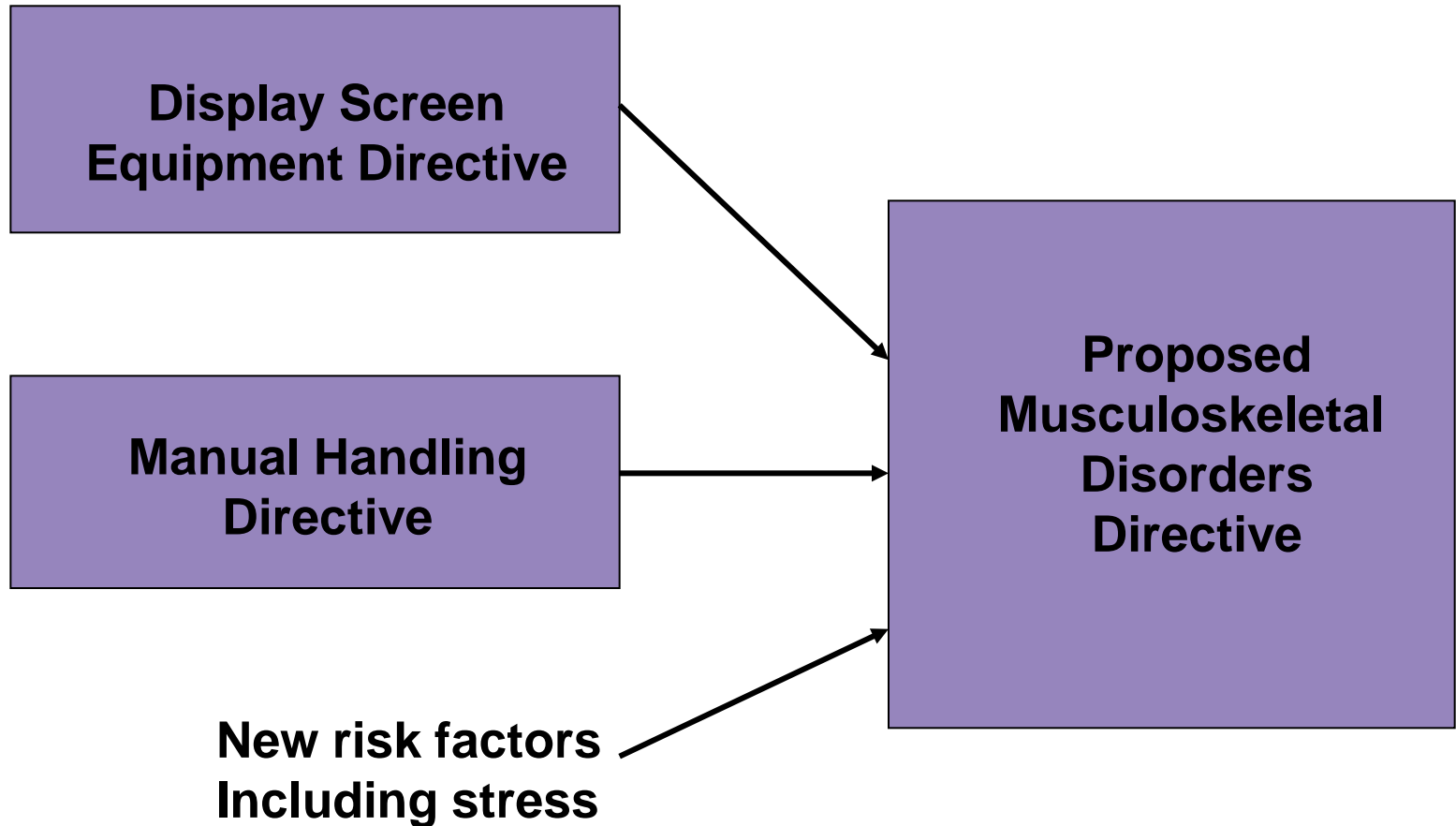


eeef

The
manufacturers'
organisation

EUROPEAN COMMISSION APPROACH

Musculoskeletal Disorders



-
- Regulatory Reform
 - Health and Safety Reviews:
 - Common Sense, Common Safety
 - Lofstedt review
 - Deficit Reduction
 - European Commission Approach
 - **Compensation Reform**

COMPENSATION REFORM

- Limit no win, no fee payments to lawyers & ban referral fees – technical consultation completed
- Consultation launched on introduction of a fast-track system for claims under £10k
- Combination aims to take the profitability out of the compensations system

COMPENSATION REFORM

- The compensation system is very paperwork-heavy
- The 'Woolf Reforms' in the late '90s identified documents that may be useful in deciding a claim quickly
- This 'Woolf List' is being treated as an absolute requirement by insurers and lawyers



Conclusions

eef

The
manufacturers'
organisation

CONCLUSIONS

We are very likely to see:

- Some form of 'fee for fault' charging system
- More closely-targeted inspections
- Continued investigation & enforcement
- Amendment of RIDDOR
- An Electromagnetic Fields Directive
- Some revision of MSD legislation
- An emphasis on better communication

CONCLUSIONS

We might just see:

- A change of approach in the EU?
- A major shift in the effects of the compensation system?
- An open debate about public safety legislation and responsibilities?



Questions?

eef

The
manufacturers'
organisation