

Hazards Campaign Fighting Back

We've been Con-Dem - ed: Now we fight for our lives!



The new coalition government of the Lib Dems and Conservatives severely threatens our health and safety and we will have to fight for our lives over the coming months and years. None of the political party manifestos for the general election said much if anything about workers' health and safety. The Tory manifesto, speeches and policy statements – e.g 'Regulation in a post bureaucratic age'- were very clear about their hostility to health and safety law and need for deregulation generally. The Lib Dem manifesto was also deregulatory in tone and included no more laws until one repealed. Labour manifesto was more of the same though the record of the last government on health and safety was not a good one. But no-one voted for what is happening now, with the ideological assault on the state using 'deficit reduction' as the excuse, and massive cuts in jobs, public services, privatisation in schools and hospitals and viscous attacks on benefits.

The coalition of Lib Dems with the Conservatives means the attack on health and safety comes from a government with a reasonable majority so it is a greater threat, and as the Lib Dems have made this possible, that makes them vulnerable to political pressure.

'We didn't vote to die at work' is the Hazards Campaign fight back against the Con-Dem government attacks on workplace safety and health. We need to fight against: deregulation; the misrepresentation of health and safety as silly red tape instead of our human right; the lie that health and safety is a burden on business; and against cuts in enforcement that are proposed by the new coalition government.

The coalition is moving on many fronts, including Lord Young's review of health and safety, Vince Cable's (Business Secretary) deregulatory review of all regulation, Nick Clegg's (deputy Prime Minister) requests to name a law to be cut, and the overall massive cuts in budgets which will reduce funding for the enforcement agencies - the Health and Safety Executive (HSE), Local Authorities, the rail regulator and others. We need to make the case that health and safety is not a burden on business, saves lives and health, and money. When it comes to poor health and safety, business does not face a significant burden, because business externalises the cost onto us all, paying less than 25 per cent of the costs arising from work-related deaths, diseases and injuries. Instead, it engages in cost shifting to the victims, their families, the public purse and the community as a whole

Our campaign is based on the evidence, on the facts from research, not on tabloid articles, or apocryphal bar room tales.

The background to how we got to Con-Dem nation

Labour Government 1997 to 2010

- Continued Tory Deregulation under 'better regulation' 'light touch, limited regulation' boasted that UK labour market more flexible in Europe and did not repeal Tory anti-trade union laws;

- Was very business friendly – supported the health and safety is a ‘burden on business’ argument;
- Promoted ‘work is good for you’, if you are ‘sick work will make you better’, undermining of trade unions action on workplace health by promotion of life style oriented ‘well being’ projects over traditional preventive health and safety;
- Allowed the collapse in enforcement described by Hazards Magazine see <http://www.hazards.org/deadlybusiness/onceinalifetime.htm> and Steve Tombs and Dave Whyte’s ‘Crisis in Enforcement’ and their latest book ‘Regulatory surrender: death, injury and the non-enforcement of law’;
- Did not champion workers health and safety;
- No increased rights for safety reps, no increased enforcement of Safety Reps and Safety Committee Regs, or statutory duties on employers;
- No Directors Duties- almost the last act of the government was to reject the recommendation for legal duties on directors for health and safety in Rita Donaghy’s report into the underlying cause of deaths in construction: ‘One death is too many’;
- There were some good moves in the early years but all too little; recognised Workers Memorial Day; passed weakened Corporate Manslaughter and Corporate Homicide Act without directors duties;
- They consulted us to death, gave us only crumbs and dribbles;

Tory manifesto/policy pre-election

- Policy document: ‘Regulation in Post Bureaucratic Age’ set out the agenda;
- Set Lord Young to start looking at health and safety (He did similar job for The Thatcher government as mere David Young);
- Deregulation –claim health and safety is mere red tape and is strangling employers
- Support voluntary self –regulation schemes based on failed systems in USA, Ireland and UK, which were judged to be ‘ineffective, bureaucratic and costly’ in the US; caused an increases in injuries in Ireland and so were abandoned; support employers getting their H&S audited and if OK ‘earning autonomy’ and thereby being allowed to exclude inspectors from workplaces;
- Want to reduce the so called ‘burdens on business’
- In speech after speech by David Cameron and Lord Young they have rubbished H&S, denounced ‘compensation culture’, claimed offices are not dangerous, health and safety has gone too far, and made offensive and false remarks about emergency workers standing by while children die

Lib Dems

- Very little in their manifesto and little or nothing on health and safety in any policy statements, but generally Tory-Lite;
- Deregulatory;
- Buy into the false health and safety is a ‘burden on business’;
- No new laws until one removed.

Con-Dem Government

- Lord Young to carry out Review and report to Prime Minister -outside of the coalition agreement?
- Vince Cable – Business Secretary to carry out a Review of Regulation;

- Lord Browne ex BP appointed Government's lead Non-Executive Director in every Gov Dept.;
- Special Austerity Budget, Public Sector cuts – HSE and LA enforcement will be cut-consultations due out in Autumn, Comprehensive Spending Review settlements due in October
- This is Class War- a vicious ideological attack on the working class from cradle to grave in name of deficit reduction but really an attempt to slash the state. This will harm the poorest and most vulnerable in society, women will pay most, in terms of benefits, wages, pensions, jobs, housing, health and all other public services. Chancellor and PM say 'we are all in it together' but evidence says otherwise.

See 'Vote for your Lives' Hazards Campaign Election Demands

<http://www.hazardscampaign.org.uk/pressrelease/manifesto2010.htm>

Lord Browne: Created killer company- now creating killer government?

BP killed 15 workers and injured 170 in the 2005 Texas City refinery explosion that investigators found was caused by a very poor health and safety culture, and directly linked to cost-cutting decisions made in the UK board room. No directors ever faced any charges or appeared in court. Now they have done it again. Killed 11 workers in an explosion off Louisiana in the Gulf of Mexico, and created what threatens to be an epic environmental disaster. Did they learn after the Texas City explosion? Did they spend money on trying to make sure they would not kill others? Hardly. Lord Browne was boss of BP and presided over the regime that cut health and safety and now he has been appointed to oversee budget cuts in all government departments. This is beyond satire. We are all definitely in the (SH) IT now.

Many employers comply with health and safety law. But too many employers are very poor, many are serial health and safety offenders, and some are serial killers, such as BP, Corus and Biffa. Corus the steel maker has killed a number of workers over the past decade. In March/April this year it was in court three times. Fined nearly a quarter of a million for killing a worker and twice fined tens of thousands for very serious incidents that mercifully did not kill anyone. Did this stop them? Did they learn, did they improve their behaviour? Just after those convictions, on 23rd April they killed again, a 26 year old man at their Scunthorpe plant where they had killed another worker 2 years before. Biffa the large waste company, have killed 4 people in the past few years, the latest was an environmentally responsible man taking his grass clippings to recycle, when they dropped some heavy machinery on him.

Hardly any directors are ever brought to court to be held accountable for the decisions that cause these deaths because there are no legal duties on directors to be responsible for the health and safety of their organisation.

Lord Young Review

- Lord Young is all over media rubbishing health and safety, and compensation culture in a totally fact and evidence free, ideologically fixed manner, relying on stories in the tabloid press that have been often proven to be apocryphal, false or misrepresented. The period for comments was very short from 17th June to 6th July

Terms of reference of his review:

'To investigate and report back to the PM on the rise of compensation culture over the last decade coupled with the current low standing that health and safety legislation now enjoys and to suggest solutions. Following the agreement of the report, to work with appropriate departments across government to bring the proposals into effect.'

We have responded

- Hazards Campaign, FACK, TUC, TUs, Asbestos Groups, all responded challenging the Lord Young Review using the evidence, facts and figures based on research to show that:
- There is no work-related compensation culture: under 10% of sick or injured workers get any compensation at all www.hazards.org/littlebitofcompensation; many government and other reports show again and again that there is no compensation culture, <http://www.thompsons.law.co.uk/ltxt/lord-young-review-health-safety-compensation-culture.htm>
- voluntary measures are useless: guidance for directors doesn't work
- enforcement is not a burden: it works, saves life and health as international research shows again and again and in Ireland where using the voluntary models caused an increase in injuries, they then increased inspections and enforcement and saw a decrease in injuries; [www. http://www.hazards.org/votetodie/abuseofpower.htm](http://www.hazards.org/votetodie/abuseofpower.htm);
<http://www.hazards.org/votetodie/neutered.htm>;
<http://www.hazards.org/votetodie/slashandburn.htm>
- regulation is not excessive – it is less now than it was under last Tory government: 46% less regulation than 35 years ago and 37% less than just 15 years ago and over the last three years the HSE has reduced the number of forms used for collecting information from business from 127 to 54 – a 57.5% reduction. And the average firm spends approximately 20 hours and just over £350 a year on the administrative costs of complying with the management Regulations (mainly risk assessment). Given this figure includes a considerable number of very large firms, it is clear that the normal cost for smaller companies will be considerably less, http://www.tuc.org.uk/h_and_s/tuc-18203-f0.cfmTUC.
- real burden on workers not business- the cost of poor health and safety employers failing to comply with even basic standards causes injury, death and illness on a massive scale and costs the whole of society as minimum estimate over £30 billion each year –. Of that the employers who create 100% of the risks but pay less than 25% of the cost of the damage they cause! Workers bear the major cost followed by state then employers last <http://www.hazards.org/deadlybusiness/whopays.htm>
- the real toll of work is far greater than that publicised by HSE. HSE stats only count those reported to HSE under RIDDOR and the The UK Statistics Authority in its assessment of the HSE's compliance with the code of practice for official statistics, May 2010, states that the 'HSE does not produce an overall figure for work-related fatalities in Great Britain.' and makes recommendations that they 'investigate the feasibility of producing statistics on the total number of work-related injuries and fatalities' [Statistics on Health and Safety at Work](http://www.gmhazards.org.uk/The%20Whole%20Story%20SHP%20December%202008.doc); Hazards estimates (pre-recession) up 1,500 in incidents and up to 50,000 from work-related illness every year see The Whole Story <http://www.gmhazards.org.uk/The%20Whole%20Story%20SHP%20December%202008.doc> ; www.hazards.org/jobtodiefor?

FACK asked for a meeting but Lord Young offered a telephone conversation on 5th July in which FACK outlined all the facts and arguments as above. Lord Young said he agreed with us on a lot of things, (except me saying some employers were serial killers), and wanted to reassure us there would be no removing of laws on H&S in most hazardous industries, accepted he couldn't repeal laws as they were European wide, repeated his notion that offices are not dangerous, rejected my arguments that there was widespread dangerous ill-health in offices causing stress related illness, cardio-vascular and other illness and deaths, said you can't legislate against bullying, that long hours are voluntary – when said maybe for someone like him but not for ordinary people on minimum wage struggling to make ends meet, he claimed to be ordinary man like me - ended by saying he thought we should stop worrying, that he felt we would be pleasantly surprised by his report! FACK open letter to Lord Young <http://www.hazardscampaign.org.uk/fack/news/lordyoungletter.htm>

Planning the fight back

- Lord Young's Review probably not the main threat but it is softening up for the cuts in enforcement - by rubbishing the whole idea of health and safety, as something unnecessary when the cuts in public services are announced, it'll be easier to cut enforcement if the inspectors are seen as pointless jobsworths; his report due end of summer – 8th September now possible date;
- There will also be more attacks on TU facility time – already going on in some councils, and Taypayers Alliance carrying out FOI searches on costs of facility time in public services;
- Cuts in enforcement will come via the Comprehensive Spending Review in October cutting money given to local authorities, and to the HSE via the DWP next year;
- We all need to be active participants in our workplaces, in our unions, locally and nationally, to make the case to your employer, to your MP, to the local press, that good health and safety is essential, that it save lives and health and co-incidentally money; that poor health and safety kills workers and members of the public and cost vast amounts of money –cutting the £30 billion a year cost of poor H&S would help wipe out the deficit! – and that employers externalise the costs of their bad behaviour onto all of us so we pay twice;
- Continue to use Safety Reps and Safety Committee Regulations to protect your members.

Sitting on sidelines will kill us: Fighting back may save us

- Stand up publicly for our lives, speak out now for health and safety at work – if we don't do it how can we expect anyone else to and how can we get public opinion on our side?
- Sign up to the 'We didn't vote to die campaign, concentrate on building the case for health and safety now, and later we'll move on to developing the campaign against enforcement cuts;

Key Fight Back Messages

- Acknowledge the real cost of work;
- Be clear who bears the burden of poor health and safety;
- No deregulation of health and safety
- Don't cut enforcement - Make it effective, support Safety Reps

- No Exemptions – all workers covered by all H&S law and enforcement, Small business are often amongst the most dangerous, offices are not safe and begin places, occupational health that can lead to life threatening illnesses is rife in many workplaces
- Challenge the Lies about cost, who pays, compensation etc.
- Use the T-shirts and posters to brand your activities as part of the overall ‘We didn’t vote to die at work’ campaign and get a photo taken of a group of members for local press, to order T-shirts and posters contact use the FACK DVD to raise awareness at meeting of members, with managers, employers, invite MP to watch it or lend them a copy and get local press to follow up their response; to order it see <http://www.hazardscampaign.org.uk/fack/resources/facethefacks.pdf>;
- Join the ‘We didn’t vote to die at work’ Face book Group Join the Facebook Group and share your experiences <http://www.facebook.com/home.php?#!/group.php?gid=123746101003963>
- Lobby MPs especially Lib-Dems and Tories- remember if an MP gets 4 or 5 letters/e-mails about a topic they thinks it’s a big issue – use the facts and figures in the links provided and your own experience, your own stories of how safety reps prevent illness, injury, how risk assessments have saved lives, injuries and health, and injuries and illness caused by poor management of health and safety;
- Keep up to date with information by checking Hazards website as well as reading the magazine deadly business webpages: www.hazards.org/deadly business; Hazards Campaign www.hazardscampaign.org and FACK website: www.fack.org.uk
- Be prepared to take part in demos, protest, mass lobbying, write-ins, stage local events
- Work together with TUC, TUs to build a massive campaign against deregulation and enforcement cuts concentrate on building the case for health and safety now, and later develop the campaign against enforcement cuts.

Cuts in public services hurt: Cuts in health and safety, kill, maim and make us sick to death

JOIN US IN THE FIGHT FOR OUR LIVES!!

Hazards Campaign
www.hazardscampaign.org.uk

To buy ‘We didn’t vote to die at work’ T-shirts at £6.00 each inc p&p, send payment with your name and postal address, the number of T-shirts you want and the size (small, medium, large, XL, XXL and XXXL) To Hazards Campaign, Windrush Millennium Centre, 70 Alexandra Road, Manchester M16 7WD, Cheques made out to ‘Hazards Campaign’
‘We didn’t vote to die at work’ A4 posters are free, order via mail@gmhzards.org.uk Tel 0161 636 7557

To buy FACK DVD “FACE the FACKS: The human face of workplace killing” at £10.00 each inc p&p, send payment with your name and postal address to FACK, c/o Hazards Campaign, Windrush Millennium Centre, 70 Alexandra Road, Manchester M16 7WD. Cheques payable to GMHC with ‘For FACK DVD’ on the back. This money will help to cover the cost of production AND support FACK’s work – you can donate more if you want! THANK YOU. www.fack.org.uk