

Scottish Hazards

Scottish Parliament Elections 2026

- a manifesto for safer, healthier, fairer and greener workplaces and communities



SCOTTISH HAZARDS

April 2025

Executive Summary

The social determinants of health (SDH) are the non-medical factors that influence health outcomes. They are the conditions in which people are born, grow, work, live, and age, and the wider set of forces and systems shaping the conditions of daily life. Scottish Hazards urges that priority be given to workplace health and safety in your election manifesto.

Scottish Hazards is a registered charity whose aim is to reduce injury, ill health and death caused by work/workplaces in Scotland. Our Scottish Hazards Centre provides free and confidential information, advice, support and training to (mainly non- unionised) individual employees and groups of employees.

Key commitments we seek from Scottish Political Parties

1. In our view only **full devolution of health and safety regulation** allowing convergence with existing devolved powers including health, environment, justice and local authorities will provide the necessary foundation for a health and safety system that protects workers and delivers justice for those impacted by health and safety failure. The Scottish Parliament and Scottish Governments have shown in the past, they can and will, take independent and positive action to protect worker health and safety. In recent years this has not been so evident.

Financial implications: Taxpayer funding for the HSE in 2019/20 was £167.6 million. Scottish Hazards believes a Scottish health and safety regulator could drive down workplace injury and ill health through proactive enforcement of health and safety regulation with indirect benefits for economic activity and improved environment within and beyond the workplace.

2. A major recommendation of the 2019 Scottish Government Health and Work Strategy Review Report was to *“Establish a single, integrated National Occupational Health body for Scotland.”* We seek a commitment to make a comprehensive **Scottish NHS based Occupational Health Service** a reality.

Financial implications: The HSE estimated total costs of occupational ill-health and injury across the UK to be £21.6 billion per year. Costs for Scotland are estimated at £1.8bn. Scottish Hazards is calling for a programme of **preventative** spend to develop a national Occupational Health Service. This needs to be linked to better mechanisms for the recognition of occupational diseases in Scotland, this should include recovery of treatment and related costs of occupational disease from those responsible. This would be in line with previous proposals for a costs recovery bill.

3. Support for **Scottish Government funding for our Scottish Hazards Centre**. There will be a need to expand our advice and support service to ensure fair work is available to all, especially if we are to have an economy where all workers have an effective voice and opportunity and where jobs are secure, respectful and fulfilling.

Financial implications: A cautious estimate is that over the Covid period the Centre has brought health and safety improvements for at least 2000 Scottish workers. We seek £100,000 annually to maintain and expand our services.

4. To ensure all aspects of **Fair Work** as identified in the Fair Work Framework are fully implemented. We welcome the Scottish Government’s commitment to improving the quality, safety and security of work in Scotland. We welcome the Framework’s emphasis on the importance of worker involvement, trade unions and partnership. More needs to be done to improve access to fair, safe and healthy work and to address particular issues surrounding exploitation of gig economy workers.

Financial implications: The Fair Work Framework states: *“Researchers have pointed to international evidence on the links between high quality work and good business and economic outcomes,”* and gives detailed supportive evidence.

5. As indicated in Fair Work First, to use **public sector funding streams and procurement** to drive improvements in health and safety and support for Scottish jobs, including just transition.

Financial implications: In making this commitment, the Scottish Government has stated: *“Adopting such practices can make businesses more competitive by improving talent attraction, reducing staff turnover and absenteeism while improving motivation and workforce engagement.”*

6. To build on the support the Scottish Government gave **Roving Health and Safety Representatives** during the pandemic and to eventually enshrine their position in law.

Financial implications: There is clear evidence, accepted by the Health and Safety Executive and the Government, that Trade Union organised workplaces are significantly safer than other workplaces. However, only one third of the Scottish workforce is unionised. Roving, well trained and experienced TU H&S representatives have the capacity to extend this ‘union safety effect’ to many more workers and their employers.

7. To ensure Public Health Scotland and local public health departments work in partnership with others to ensure strong **public health action and messaging** recognizing that work and the work environment is a key factor determining the population’s health, and that improving workplace health is a key part of reducing inequalities in health

Financial implications: During the pandemic, the inextricable links between occupational and public health have become clear: protecting the health and safety of individual workers also protects public health and the economy.

8. To support the development and adoption of a Scottish **Toxics Use Reduction Strategy** which would provide resources and tools to help businesses, local authorities and communities to find safer alternatives to toxic chemicals.

Financial implications The HSE estimated (2014/15) 13,000 UK deaths per year linked to exposures to hazardous substances at work. Between 1990 and 2016, companies in Massachusetts reduced toxic chemical use by 66%, by-product production by 72% and onsite releases by 92% through TUR.

9. Support for moves toward a **national free at the point of need social care service** and within that a specific commitment to the establishment of collective bargaining in the social care sector. The Fair Work Convention, along with many others, has recognised the need for “urgent interventions by policy makers, commissioners and leaders in the social care sector to improve the quality of work and employment for the 200,000 strong workforce in Scotland”

Financial implications: social care worker pay will be largely put back into the local economy and that social care jobs are ‘green’

10. Support for proposals to amend the law on **culpable homicide** in Scotland to ensure all those responsible for involuntary deaths by homicide are prosecuted consistently, regardless of where that death occurs, whether in our communities or workplaces, large or small, serving as a deterrent and helping prevent future loss of life.

Financial implications: The HSE’s Cost to Britain publication estimates the cost of each work-related fatality at approx. £2.14million, since the introduction of the Corporate Homicide legislation we believe 367 Scottish workers have lost their lives in fatalities at work - at a cost to the economy of £785.3million in 16 years. This does not, and could never, include the immeasurable pain and suffering of bereaved families affected.

11. To ensure **work related suicides** are subjected to full and thorough investigation by the COPFS and Police Scotland and make any necessary change to legislation allowing for deaths by suicide related to work to be

subject to mandatory Fatal Accident Inquiries.

Financial Implications: Costs are unknown as the number of suicides related to, or partly related, to work has ever been recorded

12. To address an anomaly in workplace deaths subjected to mandatory Fatal Accident Inquiries. Excluding work related deaths by suicides from mandatory FAIs and not funding legal aid denies families bereaved by work related suicide natural justice.

Financial Implications: Costs would be in line with those normally associated with introducing new legislation

13. Continue, and expand support for marking **International Workers' Memorial Day** in Scotland each year . We welcome the fact that the Scottish Government and Parliament recognise and support IWMD as do all Scottish Local Authorities in some shape or form. We want to raise the profile of IWMD and to see all elected politicians supporting and joining in local commemorations.

Financial Implications: the growth of International Workers' Memorial Day in Scotland is down to local trade union activists and Councils working together to establish local memorials. Most often these memorials are funded by trade unions and other public donations with minimum costs for ongoing maintenance.

14. Support the introduction of a **work-related violence reduction strategy** to combat increasing attacks against public facing workers.

Financial Implications: the cost of absences related to work-related violence is hard to measure as not all attacks will result in a seven-day+ absence from work. There are also costs to communities as transport links may be withdrawn or shops may close because of these attacks.

15. Support a parliamentary inquiry into hotels and other sleeping accommodation in Scotland. An inquiry should include records of fire safety training for all staff, management culture, staff representation and lessons learned from previous tragedies.

Financial Implications: Apart from the costs associated with holding a committee inquiry we would anticipate any ongoing costs to be borne by operators in respect of implementing any committee recommendations.

Scottish Parliamentary Election 2026

– a manifesto for fairer, safer, healthier and greener workplaces

This Scottish Hazards manifesto is written in the context of the next year's Scottish Parliament election and is aimed at all political parties which are standing candidates. It is a call for each party to include, and give priority to, workplace health and safety in its election manifesto and to commit to building a sustainable economy in Scotland with fair, healthy and safe work at its foundation.

Every political party must accept that reducing economic inactivity is far more than a numbers exercise. It is about treating people with dignity and respect, ensuring workers in danger of falling out of work have access to good occupational support at all times, and those returning to work get the assistance they need to be rehabilitated into work environments that may have changed drastically from the ones they left.

We ask that this be at the forefront of your minds and that you incorporate lessons from it into your manifestos.

Who we are

Scottish Hazards is a registered charity whose aim is to reduce injury, ill health and death caused by work/workplaces in Scotland. This includes the impact of workplaces on the local community and environment. Our Scottish Hazards Centre provides free information, advice, support and training to (mainly non-unionised) individual employees and groups of employees, with an emphasis on those workers who are known to be most at risk, including those in precarious employment, migrant workers, workers from black and ethnic minorities, workers with a disability, workers with underlying health conditions, older workers and young workers.



Scottish Hazards is concerned that lessons have not been learned from COVID, by far our busiest period. We are participating in the Scottish COVID 19 Inquiry and our evidence has focused on our experience dealing with nearly 500 cases, supporting workers and their families' facing difficulties at work during COVID. Our evidence demonstrates the important role trade unions have in advancing health and safety at work. The cases we dealt with demonstrated non-unionised employers appeared to have little understanding of their legal obligations and continually exposed workers to risk.

Scottish Hazards has built a grassroots network of people active at both workplace and community level in improving working conditions throughout Scotland. The majority of our network of over 200 are trade union representatives in individual workplaces. Others include local community group representatives, individuals involved in specific campaign/support groups and occupational health and safety specialists.

Partnerships/Collaborations

We work closely with the [Scottish Trade Union Congress](#) (STUC), local Trade Union Councils and individual trade unions in Scotland.

We work closely with [Healthy Working Lives](#), a part of Public Health Scotland.

We are an active member of the [Partnership on Health and Safety in Scotland](#) (PHASS).

We are an active part of the UK Hazards Campaign, the European Work Hazards Network and the Alliance for Cancer Prevention. We are affiliated to [ANROEV](#) and [Electronics Watch](#)

We are part of the Scottish Parliament Cross Party Group on Accident Prevention and Safety Awareness. Further information is available on our [Scottish Hazards website](#)

Key commitments we seek from Scottish Political Parties:

1. Devolution of Health and Safety

Actions taken before and during the Covid-19 crisis show that Scotland can, and will, take independent and positive action to protect worker health and safety. In our view only full devolution of health and safety regulation and enforcement allowing convergence with existing devolved powers including health, environment, justice and local authorities will provide the necessary foundation for a health and safety system that protects workers and delivers justice for those impacted by health and safety failure.



Scottish Hazards' aim is to ensure Scotland's workforce enjoy the social as well as the economic benefits good work brings, as well as ensuring increased awareness and commitment to health and safety by public policy makers, employers and trade unions. We believe this stretching ambition can only be achieved if necessary powers over health and safety, employment and equality legislation are devolved.

What Scotland could achieve is outlined by Professor Andy Watterson, et al (2014):

"a) The introduction of a Work Environment Act that will establish a properly funded and staffed Scottish Occupational Health and Safety Agency (SOHSA). SOHSA would be geared to prevention policies and practice, located within the Scottish Government health department, with oversight from the Minister of Public Health, and accountable to a representative board of employers, employees, trade unions and citizens groups. The latter are need because workplace hazards such as open cast mining, mining, fracking and coal-bed methane extraction may become community hazards at some point in the future.

b) SOHSA should operate with a well-resourced labour inspectorate, along the Nordic model, that would advise, inform, inspect and regulate workplaces with regard to occupational health and safety, and also employment conditions that impact on worker health, safety and welfare. The inspectorate would have legal rights of entry to all workplaces

c) SOHSA would apply the precautionary principle in all policy development.

d) Bodies such as SOHSA, SEPA and the Health Protection Agency (Scotland) or their successors should be transparent and accountable to the communities they cover as there are currently major democratic deficits. Improved governance at national and regional level of all work environments and wider environments is needed with appropriate employer, worker and community input. All should be answerable to the Scottish Parliament.

e) Effective robust regulation and enforcement is required as the Scottish mechanism for enforcing the relevant laws relating to work and wider environments and not diluted 'better', 'smart', 'soft' or 'responsive' regimes that fail to make public health the first priority. "

For further information, see [Occupational Health and Safety in Scotland: an opportunity to improve work environments for all](#), Watterson et al, 2014

And [Devolving Health and Safety=Fairer, Healthier & Safer Work](#), Scottish Hazards, 2018

2. Scottish Occupational Health Service

A major recommendation of the 2019 Scottish Government Health and Work Strategy Review Report was to *“Establish a single, integrated National Occupational Health body for Scotland.”* We seek a commitment to make a comprehensive Scottish NHS based Occupational Health Service a reality within an agreed but realistic timeframe.



Scottish Hazards was extremely pleased that one of the major recommendations of the 2019 [Scottish Government Health and Work Strategy Review](#)ⁱⁱⁱ was to *“Establish a single, integrated National Occupational Health body for Scotland”*.

We are deeply disappointed that no progress has been made in achieving this objective, particularly as occupational health support is crucial in addressing economic activity in a fair and transparent way.

Scotland’s Fair Work Agenda should include the establishment of a comprehensive NHS based Occupational Health Service. This has been long standing policy for Scottish Hazards and the STUC.

We would argue that a comprehensive NHS Occupational Health Service would:

- be accessible by employers, unions and individual workers;
- be independent (e.g. NHS based or jointly appointed and managed by employers and workers);
- see pro-active prevention of work-related injury and ill health as a priority. Therefore, be open not only to those suffering injury or ill health, but to those with concerns about the possible impact of work on their health;
- have the ability to visit workplaces and to see this as part of their role;
- be free at the point of need (as are all NHS services);
- be multidisciplinary;
- provide a face to face service (i.e. not be only telephone or IT based).

The TUC estimates that over 20,000 UK British workers die each year through work related injury and ill health, the vast majority through occupational ill health. The Health and Safety Executive estimate that 12,000 die from occupational lung disease alone, and that 1.4 million workers suffer from work related ill health in 2017/18. (HSE, 2018). This translates into at least 2000 deaths per year in Scotland. Yet, it is now estimated that only 1/3 of Scottish workers have any access to Occupational Health Services and less than 15% to the kind of comprehensive service described above. (BMJ, 2015)

For further information, see [Occupational Health Service paper for Fair Work](#), Scottish Hazards, 2019 and , STUC, [Improving Occupational Health and Safety in Scotland](#)

3. Scottish Hazards Centre Funding

A commitment to argue for and support Scottish Government funding for our Scottish Hazards Centre which provides vital health and safety information, advice and in-depth support to individual workers and groups of workers who do not have access to such support



During the pandemic, Scottish Hazards worked closely with the Scottish Government, H&S enforcement agencies, public health, business bodies, occupational health professionals and the STUC to provide support for employers and employees as they work to ensure that work is carried out safely.

However, we are not convinced that the basic, although significant, failures we encountered related to just COVID risks. Not carrying out risk assessments and/or failing to consult with staff were commonplace, two obligations placed on employers that are central to our health and safety system. It is our view, and in our evidence to the COVID Inquiry, poor health and safety standards are likely to have existed pre-COVID and probably still do to this day.

Unfortunately, far more workers are employed in non-trade unionised workplaces and do not benefit from the positive health and safety effect trade union recognition delivers for their members. Worldwide research shows where workers have an independent trade union voice then incidences of work related deaths, injury and illness will be substantially less.

Scottish Hazards aims to fill the gap for workers in workplace where trade unions are not recognised and their workers are disenfranchised from collective bargaining and the effective safety voice that makes trade union workplaces safer, healthier and fairer.

We envisage the need to maintain and grow our advice and support service to ensure fair work is available to all, especially in a time when growing the economy and tackling economic activity in a fair and transparent manner is going to be challenging. We want to help be part of the solution providing support for workers who have health and safety concerns and helping businesses improve their health and safety practices, therefore protecting their workforce, while also remaining viable. Scottish Hazards is the only Scottish charity supporting workers, and sometimes employers, with health and safety concerns.

A **safe and healthy working environment** is a fundamental principle and right at work¹. The International Labour Organization (ILO) added this as its fifth principle in June 2022. This is a **fundamental right for everyone**, not just those in trade unions and/or working for employers who understand the benefits good health and safety brings for their workers and their business.

We seek an ongoing commitment to exploring avenues that will ensure adequate and sustainable funding for Scottish Hazards and its information, advice and support service.

For further information on the ILO inclusion of safe and healthy working as a fundamental principal and right at work see [A safe and healthy working environment is a fundamental principle and right at work | International Labour Organization](#)

4. Fair Work

A commitment to ensure all aspects of Fair Work as identified in the Fair Work Framework are fully implemented. We welcome the Scottish Government's commitment to improving the quality, safety and security of work throughout Scotland. We welcome the Framework's emphasis on the importance of worker involvement, trade unions and partnership.



Scottish Hazards fully supports the concept of fair work although we remain disappointed the ambition of having a successful, growing economy with fair work at its foundation by 2025 has not been achieved. We believe that substantial investment by the Scottish Government and Local Authorities will be required if Scotland is to continue to plan for becoming a fair work nation.

Fair work will never be achievable if work is neither healthy nor fair, and the fair work agenda at present does not reflect the inextricable link between health and safety and fair work.

For further information and comment on each Fair Work Dimension and the link to delivering safer and healthier work, see [*Scottish Hazards Briefing: Healthy, Safe and Fair Work for All*](#) , Scottish Hazards, 2018.^{vi}

5. Procurement and Government funding streams

A commitment, as indicated in Fair Work First, to use public sector funding streams and procurement to drive improvements in health and safety and support for Scottish jobs, including just transition.

Scottish Hazards welcomes the commitment of the Scottish Government to use its financial power to make Fair Work the norm. We welcome the seven identified criteria which employers will be asked to commit to. Namely:

- investment in skills and training;
- no inappropriate use of zero hours contracts;
- action to tackle the gender pay gap;
- genuine workforce engagement such as trade union recognition;
- payment of the real living wage.
- offer family friendly and flexible working arrangements for all workers from day one of employment
- oppose the use of fire and rehire practices

Scottish Hazards would like a commitment from all political parties to ensure all public bodies use Fair Work First in public procurement exercises, and adherence to the Scottish Government's Procurement Journey at every stage of the process. This should include consultation with trade unions as stakeholders and their involvement in procurement decision making where appropriate.

We also believe those bidding for public contracts or grant funding should provide evidence of their capability to deliver the goods or services including verification by a trade union or other staff representative body that the seven Fair Work First criteria have been met.

6. Roving Health and Safety Representatives

A commitment to build on the support the Scottish Government gave Roving Health and Safety Representatives during the pandemic and to eventually enshrine their position in law. There is strong evidence that unionised workplaces and those with health and safety representatives are safer AND healthier workplaces and workplace research provides evidence to suggest that involving workers has a positive effect on health and safety performance.



However, there are many workplaces and groups of workers who do not benefit from this. There are many reasons for this, including:

- the high number of workplaces that are not unionised or where unions are actively discouraged;
- the high number of Scottish workers who are in low paid and/ or in precarious employment;
- worker's lack of knowledge about unions and the benefits they bring;
- cost;
- lack of organisational commitment to health and safety and worker engagement;
- employer's belief that they already have a good safety culture;
- employer's perception that there is no real business benefit in encouraging unionisation.

In Denmark and other Scandinavian countries, trade union health and safety reps have similar rights to those in the United Kingdom. However, in these countries certain accredited health and safety reps have the right to visit any workplace where that trade union has members. The TUC, STUC, most affiliated Trade Unions and Hazards have called for legislation in the United Kingdom to introduce roving safety reps in the United Kingdom,

We have welcomed the collaboration between the Scottish Government and the STUC to establish a roving representative scheme during the Covid-19 period and ask this is looked at again.

For further information see [The Union Effect, How Unions make a difference on Health and Safety, A TUC Guide to the Evidence](#) TUC, 2016^{vii} and [Safety Representatives, Getting More than the Minimum](#), TUC 2018^{viii}

7. Public Health

A commitment to ensure that Public Health Scotland and local public health departments will work closely with those tasked with protecting worker health, safety and welfare, including enforcement bodies, professionals, trade unions, and the business community to ensure strong public health action and messaging recognising that work and the work environment is a key factor determining the population's physical and mental health, and that improving workplace health, safety and welfare is a key part of reducing inequalities in health



During the pandemic, the inextricable links between occupational health and public health become clear. The pandemic showed protecting the health and safety of individual workers also serves to protect public health and the economy. We would ask that the Scottish Parliament, the Scottish Government, Public Health and regulators working across Great Britain such as the HSE, MCA and ORR acknowledge and publicise the real statistics regarding ill health,

injury and death due to work, and that the public be given readily accessible and well publicised advice and guidance on health and safety risks at work and how they can and should be reduced.

Scottish Hazards believes Public Health Scotland should work with the HSE and local authorities across Scotland to promote healthy workplaces contributing to healthier working and personal working lives and, at same time enforcing both the Public Health (Scotland) Act 2008 and the Health and Safety at Work Act 1974. Our public health regulator should jointly investigate the two conditions that, for many years, have driven people out of work or preventing them returning to work, work related mental ill health and musculoskeletal disorders.

Public Health has a clearly stated aim of reducing **inequalities in health**. The evidence is clear. The work a person does is an important factor in determining how healthy they are. The evidence is also clear that the lower you go down the social scale the greater the exposure of workers to occupational health and safety risks, thus contributing directly to the startling inequality in life expectancy between higher and lower social classes in Scotland. In addressing health inequalities, an advantage of putting resources into addressing work related injury and ill health is that the necessary action is clear and success achievable.

For further information, see [*Representation to the Scottish Parliament Health and Sport Committee on Workplace Health^{ix}*](#), Scottish Hazards 2015 And [*Occupational health and safety in Scotland after the Covid-19 pandemic: the case for new principles, policies and practices involving lessons we have forgotten, lessons we have learnt and lessons we should apply in the future^x*](#), Professor Andrew Watterson, Stirling University. 2020

8. Toxics Use Reduction

A commitment to support the development and adoption of a Scottish Toxics Use Reduction Strategy which would provide resources and tools to help businesses, local authorities and communities to find safer alternatives to toxic chemicals.



Scottish Hazards is working closely with others to pull together proposals for a Toxics Use Reduction (TUR) Strategy in Scotland which would benefit workers, business and the environment. TUR is a system that would provide resources and tools to help businesses, local authorities and communities in Scotland to find safer alternatives to toxic chemicals. Doing so would be clearly within the powers of the Scottish Government and, making best use of limited budget and resources, could be an example of good practice and lessons learned to other parts of the UK.

Proposals draw on a range of examples and evidence, including that from Nordic countries, Germany, elements of REACH and from the strategy in Massachusetts State and its Toxics Use Reduction Institute.

The results of exposure to toxic substances include occupational cancer, chronic respiratory diseases, adverse reproductive and developmental effects, immunotoxicity, neurological diseases, mental health impacts, and cardiovascular diseases. The removal or reduction of the number of toxic substances in use within the workplace must be a priority.

An example: the model used in Massachusetts has proved successful and acceptable across the political spectrum. It was enacted through the [Massachusetts Toxics Use Reduction Act \(TURA\)](#) of 1989. As part of the strategy, the Toxics Use Reduction Institute UMass Lowell collaborates with businesses, community organisations and government agencies to reduce the use of toxic chemicals, protect public health and the environment and promote the competitiveness of Massachusetts businesses.

The STUC, has for many years, enjoyed far more productive relationships with the Scottish Government than the TUC

has at UK level. We believe reducing toxics use lends itself to this approach, although this could be further enhanced by encouraging industry bodies to play a part in making our workplaces less reliant on dangerous chemicals.

In Scotland opportunities exist at many different levels to introduce or adopt more effective TUR policies through central and local governments, employers, trade unions and non-governmental organisations. Some sort of framework and legal structure is currently possible and achievable within Scotland using the Massachusetts TURA model as its basis. Such a measure would include registration of toxics substances with regard to large consumers of chemicals, preparation of TUR plans in large and small workplaces linked to training, technical support and advice from the TURI/TURA type body set up by the appropriate regulations. As the US experience has shown over almost a quarter of a century, this would be a cost-effective initiative beneficial to employers, workers, local communities and the environment.

In Scotland, the initiative could and should complement other national and international activities for example the Scottish Fair Work Initiative, the ILO Decent Work and Sustainable Development Agenda, and Just Transition Commission. Currently there are a range of initiatives in workplaces that would fit into a TUR model but they are often hidden, fragmented and may prove short-lived.

A first and crucial step will be to ensure that chemicals regulations adopted post Brexit are as strong or stronger than the REACH regulations.

A more detailed discussion of Toxics Use Reduction can be found at [TURI^{xi}](#) and [Toxics Use Reduction: Beyond analysis to action^{xii}](#)

9. Social Care

A commitment to support moves toward a national free at the point of need social care service and, within that, a specific commitment to the establishment of collective bargaining in the social care sector.



The Fair Work Convention, along with many others, recognised the need for “*urgent interventions by policy makers, commissioners and leaders in the social care sector to improve the quality of work and employment for the 200,000 strong workforce in Scotland*”

The Fair Work Convention went on to say “*The scale of the problems facing the social care sector requires radical thinking and whole systems interventions which include ensuring financial sustainability of the sector, fully integrating health and social care services, urgently reforming commissioning processes and addressing the lack of collective representation and collective voice of the workforce. (2019)*

In 2020 Scottish Hazards welcomed the establishment of the Scottish Government Independent Review of Adult Social Care and responded to the review. Subsequently, we have watched and been involved in developments around the Scottish Government’s National Care Service Bill first introduced in July 2022. We have been critical of many parts of the bill and been involved in proposing extensive amendments to it through our membership in the Common Weal Care Reform Group and our links with trade unions representing social care workers.

We are deeply concerned by the findings of the Audit Scotland review on the performance of Integrated Joint Boards (2024) which reported that

- “The health inequality gap is widening, there is an increased demand for services and a growing level of unmet and more complex needs.”
- “Collaborative, preventative and person-centred working is shrinking at a time when it is most needed.”

We have watched continuing cuts to the funding of social care through Integration Joint Boards result in the deprioritisation of preventative and early intervention work when it is clearly the opposite of what is needed if people are to receive the care they need when they can benefit from it most and when it has the potential to stop or slow the development of need for more complex (and expensive) care.

We are not at all confident that the recommendations of this report will be met

- “service redesign focused on early intervention and prevention” won’t happen because there are not enough resource to meet those with urgent high level needs;
- “approaches focused on improving the recruitment and retention of the workforce” can’t work unless the Scottish Government provides to resources to improve the pay and conditions for staff;
- “commissioning approaches that improve outcomes for people” is incompatible with much care provision being outsourced to the private sector which puts profit before people;

Although moves toward a National Care Service for Scotland have faltered, we still believe Scotland should develop a National Care Service work alongside and of equal importance and status to the National Health Service.

In this Scottish Hazards manifesto, we echo what we said about a Care Service when making representation to the Feeley Review in November 2020

- The service should be, as is NHS care, free the point of need;
- There should be quality equity within local authority areas and across Scotland;
- Pay and conditions for the social care workforce should be based on national pay scales and national pay and conditions which are determined by national collective bargaining; ; Scottish Hazards has fully supported the Scottish Trade Union Congress in its call that: *“sectoral bargaining structures are put in place to ensure that future changes are brought about in partnership with workers, employers and the Scottish Government.”*
- There should be standardised, paid for, good training for workers throughout the sector;
- Conditions for social care workers should adhere to Fair Work criteria;
- There should be ‘effective voice’ for workers and users in social care. This should include a commitment to people being able to exert as much control over the care they give and receive as possible which could be done collectively rather than necessarily individually;
- Final arrangements for social care should be agreed through collaboration among government, local government, workers and users;
- Social care users and workers should not be cinderellas to those in the NHS;
- There should be an end to competitive tendering – price cannot be the priority factor in care provision;
- All care should be not for profit, as has been accepted is the case for children’s services, ***thereby retaining money within the sector;***
- There should be a commitment to seamless care across health and social care, whether they are integrated in one service or developed as two services;
- There should be an emphasis on early assessment, prevention and a commitment to support people to stay in their own homes and communities as far as possible. ***This would result in fewer and shorter hospital admissions, saving a considerable amount of money and freeing hospital beds for those with acute medical needs.***
- There should be coordinated and strong enforcement of care standards, of worker employment standards and of working conditions.

For further information, see [Fair Work in Scotland's Social Care Sector 2019^{xiii}](#), Fair Work Convention, 2019 [Scotland's Care Crisis](#), STUC, 2019 [Scottish Hazards Submission to the Scottish Government Independent Review of Social Care](#), 2020 [Integration Joint Boards' Finance and performance 2024 | Audit Scotland](#) Caring For All [Caring+for+All+SUMMARY.pdf](#), February 2022

10. Culpable Homicide and Deaths at Work

A commitment to address failures in our law of culpable homicide in Scotland to ensure all those responsible for involuntary deaths by homicide are prosecuted consistently, regardless of where that death occurs, whether in our communities or workplaces, large or small, serving as a deterrent and helping prevent future loss of life.



Scottish Hazards works with Families Against Corporate Killers (FACK), an organisation formed by family members who have lost loved ones as a result of work-related incidents. We firmly believe that far more needs to be done to ensure that victims' families receive effective justice and those culpable for the deaths of their loved ones are held to account.

Scottish Hazards has consistently argued that the Corporate Manslaughter and Corporate Homicide Act 2007 is not fit for purpose. In our evidence to the Scottish Government Expert Panel on Corporate Homicide in 2005 we feared that the proposals being put forward by the United Kingdom Government at that time would be largely ineffectual; this has very much proved to be the case. By the time the 2026 elections take place the Act will have been on our statute books for over 18 years, so far we have not had one charge laid let alone a prosecution. This indicates that the existing legislation is failing to punish offenders. If it fails to punish those who cause deaths, then the deterrent effect is lost, as is the opportunity to encourage employers to take their health and safety obligations seriously.

We are seeking support from all political parties for an inquiry into the failure of previous attempts to amend culpable homicide legislation to ensure all those responsible for involuntary deaths by homicide are prosecuted consistently, regardless of where that death occurs, whether in our communities or workplaces, large or small.

The Scottish Government's argument that health and safety legislation provide a strong deterrent to employers does not stand up to scrutiny. The maximum custodial sentence that can be imposed for breaches of health and safety legislation leading to a death of a worker is two years, far more severe sentences can be, and are, imposed for careless or reckless driving. Recent guidelines issued by the Scottish Sentencing Council advises judges that, in the most serious cases, those guilty should face a custodial sentence of between 7 and 12 years for those convicted of the most serious driving offences resulting in deaths. In England and Wales we have seen, in recent years significant custodial sentences imposed on individuals convicted of gross negligence manslaughter following the death of a worker. Scotland has no equivalent to the offence of Gross Negligence Manslaughter and this needs to be addressed.

Since 2008, when the Act was introduced, Scottish Hazards believes 376 people have lost their lives following incidents at work, around two thirds of these were employees.

The HSE's Cost to Britain publication estimates the cost of each work-related fatality at approx. £1.7M, so then cost to society of all these work related fatalities is just short of £624 million.

A justice system which serves as a deterrent and prevents loss of life, brings with it consequent financial savings. But of course, saving life is the paramount consideration.

For further information, see [SH Response Private Members Culpable Homicide Bill Proposals from Claire Baker, MSP](#)

11. Work Related Suicide

A commitment to support proposals to ensure that deaths by suicide are fully investigated by the Crown Office and Procurator Fiscal Service where the initial sudden deaths investigation suggests work pressures may have, in whole or part, contributed to the act of suicide.

The extent to which mentally unhealthy workplaces contribute to Scotland's suicide statistics is not known. Much more is known about the position in England and Wales where, although still not perfect, more work-related suicides appear to be investigated in the Coroner's Court than by the COPFS through our equivalent system, Fatal Accident Inquiries. In England and Wales Coroner's Courts are making findings that deaths by suicide are work-related.

The HSE flatly refuse to investigate acts of suicide potentially connected to work as they are not RIDDOR reportable. The COPFS appear to be reluctant to do so, even although they have the right to carry out health and safety investigations, regardless of HSE stance. It is the role of the COPFS to investigate all sudden deaths in Scotland unless, it would appear the sudden death is by suicide where they make no attempt to establish any connection between the individuals state of mind and work pressures.

In a letter to the Convenor of the Scottish Parliament Justice Committee the Lord Advocate states "**Section 2(3) of The Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 confirms that an inquiry is to be held into the death of a person if that death was the result of an accident**". The letter then goes on to say that a suicide relate to work is not an accident and, is therefore not subject to a mandatory Fatal Accident Inquiry. She does have the power to instruct a discretionary FAI be held if the evidence suggests this is justified.

Hazards Magazine has been investigating work related suicide at home and abroad for many years, their comprehensive evidence base contains few, if any, Scottish cases. Their evidence relating to GB cases is gathered from various sources including Coroner's report. Scottish Hazards believes this supports our view that our system of investigating suicides in Scotland is flawed, and insufficient enquiries are being made into the circumstances relating to deaths by suicide.

Furthermore, Hazards Magazine believes death by work related suicide are likely to exceed fatal injuries at work. Scottish Hazards agreed with this conclusion and find it hard to believe that out of 792 probable suicides in Scotland in 2023, not one could be established as being connected to work, in whole or part.

How can we expect to learn lessons and reduce work related suicide if neither the COPFS nor the HSE can accept that harm caused by psychological injury in the workplace should be treated in the same way as deaths resulting from a physical injury at work?

For further information, see [Work suicide - Hazards magazine](#) [Probable suicides 2023 - National Records of Scotland \(NRS\)](#)

12. Legal Aid for Fatal Accident Inquiries following Work Related Deaths

A commitment to support the extension of proposed legislation to provide non means tested legal aid to families bereaved by suicides in custody to all deaths subject to mandatory fatal accident inquiries, including worker related deaths.

In Scotland mandatory Fatal Accident Inquiries should be held when the death has occurred in the following circumstances,

1. following an accident at work.
2. the death of someone held in legal custody, and
3. the death of a child being kept, or detained, in secure accommodation.

In each of these cases, until very recently, if bereaved relatives wished to engage solicitors to represent their interests in an FAI they would have to apply for means tested legal aid. On the 22 March the Cabinet Secretary for Justice announced she planned to use Ministerial Powers to remove this need for deaths occurring while in custody. No similar commitment was made to families whose loved ones leave for work and never return, having lost their lives in incidents at work.

Every death by suicide is a tragedy, whatever the circumstances. Scottish Hazards believes that when these death results from failures by organisations where the death occurred and their actions, or inactions, may have contributed to the death then these should be subject to a mandatory FAI and all families should have access to support and advice through non means tested legal aid.

Scottish Hazards is not sure why the Cabinet Secretary for Justice has chosen to create a two-tier system to publicly funded legal aid and we welcome her decision, but this should not be at the expense of the families of loved ones killed at work. Protracted FAI hearings can last many days and not many bereaved families by work will have the personal resources to engage legal representation, and why should they?

Their loved ones were killed at work, and by work, and we question why the Scottish Government believes they should be treated any differently to families who suffer equally tragic deaths while their loved ones are being held in custody.

Not providing free legal aid leads to inequality of arms with employers engaging massively expensive lawyers while families have none as well as denial of natural justice and the right to have their voice heard.

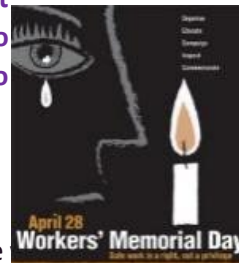
Scottish Hazards is seeking support from all political parties to commit to amending proposals for primary legislation on free legal aid for Fatal Accident Inquiries involving deaths to those held to investigate the circumstances leading to deaths at works.

For more information, see [Procedure for applying for legal aid for Fatal Accident Inquiries for a death in custody - Scottish Legal Aid Board](#)

13. IWMD

A commitment to continue and expand support for the marking in Scotland of International Workers' Memorial Day each year on 28 April. We welcome the fact that the Scottish Government and Parliament recognise and support IWMD and all 32 local authorities recognize the day to varying degrees. We are seeking support from existing MSPs and prospective candidates to encourage wider recognition of the day by public, private and third sector organisations.

International Workers' Memorial Day is held annually on the 28th of April. This internationally recognised day is to remember all people who have died through work and to refresh our resolve to fight for safe and healthy working conditions for working people in Scotland and throughout the



Every year we remember those who have died across the world due work-related fatal injury or disease. The day has taken on added significance since the pandemic, when so many frontline workers fell victim to the disease after being exposed at work.

Our working lives are at risk of becoming even more pressurized as employers try to squeeze more out of a smaller workforce. Artificial intelligence will only lead to increased intensification of work as jobs and activity become measured by algorithms rather than humans.

We should also use the day to fight for improved health and safety in our workplaces to prevent families having to endure the needless pain and heartache inflicted on so many families because of health and safety failures.

The message of International Workers Memorial Day is to “Remember the Dead, Fight for the Living”. Every year in Scotland HSE statistics show around 19 workers lose their lives at work in Scotland. Sadly, this is far from the true picture, it does not include deaths investigated by other regulators such as the Marine and Coastguard Agency, the Civil Aviation Authority and, sadly more recently, by Police Scotland when workers have died following violent attacks at work. The figure also does not consider workers who, due to work pressures, take their own lives and it does not include drivers who lose their lives in work related road traffic accidents. It does not include those who die because of occupational disease. All of those added together show a total annual Scottish work-related death toll of at least 2000.

Scottish Hazards is seeking political support to make Scotland a fairer, healthier and safer place to work. Health and Safety may be reserved to the UK Government, as is the case with other safety regulators but the most fitting tribute to Scotland's fallen workers is to scrutinise our health and safety performance across devolved and reserved functions periodically.

For more information, see [STUC International Workers Memorial Day Events](#)

14. Work Related Violence

A commitment to tackle the growing problem of workers being physically and verbally abused in the course of their employment.

In the early years of this century Scotland was at the forefront of tackling the growing problem of work-related violence against public facing workers. “When the Customer Isn’t Right” was published in 2004 following joint work between the Labour led Scottish Executive of the time and the STUC and coincided with the passage of the Emergency Workers (Scotland) Act 2005 into legislation.

This was to lead to a wider range of non-legislative measures aimed at highlighting violence and aggression against public facing workers and providing advice and risk assessment tools to help employers understand and address the issues. Managing Occupational Violence and Aggression in the Workplace— Tools and Strategies was a comprehensive toolkit developed by the Scottish Centre for Healthy Working Lives, the STUC and its public sector affiliated unions and then

rolled out to all public, private and third sector employers. Although the original publication is no longer available a similar toolkit was later developed for retail workers and the link to this can be found below.

The Scottish Parliament has taken action to protect workers from violence, despite health and safety legislation being reserved to the UK Parliament, by introducing Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Act 2021.

Scottish Hazards is calling for action by the next Government to revisit previous work carried out in Scotland and create an occupational violence and aggression reduction strategy, reclaiming our place as a leading nation in protecting workers from physical and psychological harm at work.

For more information, see When the Customer Isn't Right

https://webarchive.nrsotland.gov.uk/20201121201743mp_/https://www2.gov.scot/Resource/Doc/25725/0025012.pdf
[Managing Workplace Violence in a Retail Setting](#)

15. Building Regulations and Fire Safety

A commitment to address challenges linked to public safety post Grenfell as well as tragic fatalities in hotels and other sleeping accommodation in Scotland. Scottish Hazards believes the failures will not be resolved by solely focusing on building regulations and unsafe construction materials, but an inquiry needs to be held industry wide examining ownership, worker competence, health and safety representation etc.



The Grenfell tragedy revealed how closely the strands of public safety, building standard, materials and worker health and safety and fire services were intertwined. In Scotland we have had two separate incidents involving a combined total of five fatalities. Two in the Cameron House Fire in 2017, then in 2023 three guests lost their lives following a fire in the New County Hotel. There have been other fires in properties classed as sleeping accommodation such as the one in Elgin in June 2024, where fire broke out in a former hotel used for short term lets. There was no management representative staying in the building, and the lives of several guests were placed at risk in what appears to have been a fire started deliberately.

There have also been several fires in derelict hotel accommodation, sometimes used for shelter by the homeless, clearly placing the lives of the homeless at risk as well as the firefighters attempting to rescue them.

Scottish Hazards continues to support the mother of one of those killed in the Cameron House Fire, she remains convinced further hotel fires are inevitable, and it is hard to disagree without a review of our hotel sector including management practices, ownership and health and safety.

We also want more accountability to be placed on owners of derelict hotels and other properties to ensure they are secure and kept free from vandalism and the risk of willful fire raising, thereby not endangering the lives of firefighters and others.

Scottish Hazards is seeking support to ensure our hotels, other sleeping accommodation, derelict and high-rise buildings are kept safe by strong regulation and regular pro-active enforcement.

**Scottish Hazards
April 2025**