**The Government Response to the Triennial Review of the**

**Health and Safety Executive was issued on 26th. June.**

**This is the first of the now mandatory triennial reviews of the HSE.**

Even at the opening of the report it states that this is the Governments response to recommendations and implementations “where appropriate”- thus cherry picking the parts it wants and ignoring the recommendations it does not agree with. The underlying principle that the tax payer should not pay for businesses to bear the costs of serious breaches of health and safety law is welcome but the fee for intervention [FFI] has already made businesses baulk at paying for safety.

Whilst claiming that the Government is committed to delivering the recommendations from Professor Löfstedt’s review ‘Reclaiming Health and Safety for All’ they have allowed the Professors recommendation for some self-employed workers to be exempt from health and safety law to be interpreted as all including the bogus self-employed – the Professor was quite clear that he was only, solely and just referring to those whose work activities pose no potential risk of harm to others. He used the analogy of the author in their home office, the musician at home writing a score or practicing their instrument; there is no record of anyone ever being prosecuted in any such a scenario. He was not referring to self-employed sub contract work. The HSE consultation on this opened on 7th. July 2014 asking for views on the proposed definitions of those self-employed people who will continue to have duties under health and safety law, unions should engage with this and the Coord will do so.

There is reference to the cost of the HSE, the costs to business but no reference to the costs to the NHS. Lessening safety enforcement is likely to increase injuries. Businesses are not inclined to spend money on a new machine guard when they can run the risk – in the worst case scenario they can always just pay the compensation for the lost finger.

We have concern over EU regulation being effectively implemented and enforced – the Government insist on this being proportionate and equal across the EU. The driver here is not in workplace safety but in making sure that companies in other countries pay the same as UK companies.

Much is made of the commercialisation of the HSE and the Coord have talked of this previously. Whilst the response says it welcomes Martin Temple’s “recommendations on the commercialisation of the HSE” they go on to ignore them and say that they intend to go further to allow the HSE to become “more commercial in outlook and in delivery”. The response merrily claims that this will add a new income stream for the Government – no mention of making the workplaces of the UK safer. They close this section by a adding that they will change the law if needs be to complete this; probably before the sale of the HSE.

One issue which may make people think is the HSE interaction with other Government bodies such as the Department of Energy & Climate Change, “work more closely together” the response says. Considering that the DECC has offshore environmental regulatory responsibilities I would have hoped that they already were working very closely together.

The most bizarre part of the whole response is in celebrating reducing health and safety inspection; *“Previous reforms introduced by the Government this way have already been successful in reducing proactive LA health and safety inspections by nearly 90%......”* This just defies any rationale comment.

In the summary and just on one page there is a clear indication of the direction of the HSE. The “commercialisation” of the HSE is mentioned once, the “commercial development” of the HSE also mentioned once but “commercial acumen” gets two votes.

Overall then - the Government is proud of a cut back in inspections and looking forward to forcing the HSE into making money.

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**8th. July 2014.**

**Triennial Review of HSE 0714**