

HSE Annual Report

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The Health and Safety Executive (HSE) has recently published its annual report detailing its performance over the year.

The statistics relating to the number and type of cases for 2018/19 are broadly similar to the previous year with:

- 1.4 million work-related ill-health cases
- 0.6 million work-related stress, depression or anxiety cases (new or long-standing)
- 0.5 million work-related musculoskeletal disorder cases (new or long-standing)
- 69,208 non-fatal injuries to employees reported by employers
- 147 fatal injuries to workers (slightly up from 143 the previous year).

Timely completion of fatal incident investigations continues to be one of the HSE's highest priorities. However it only managed to complete 75% of its investigations into fatal incidents within 12 months from taking over primacy, as against a target of 80%. The report refers to a number of reasons for this including technical complexity, evidential challenges and delays, often outside of HSE's control. In respect of non-fatal investigations, the HSE met its aim of completing 90% of non-fatal investigations within 12 months of primacy (6771 cases v 6086 cases in the prior year).

In terms of sentencing, there were 7 prosecutions resulting in fines of over £1 million, and 54 HSE prosecutions resulting in custodial or community service/rehabilitation orders.

The number of prosecutions brought by the HSE reduced again and there has now been a reduction each year since 2016. There were 355 prosecution cases in 2019/20 down from 396 in 2018/19 which is a significant decrease compared to 682 in 2015/16. The 355 cases resulted in at least one conviction in 336 cases which represents a 95% conviction rate. The HSE emphasises that there have been no changes to HSE policy for decision-making but changes to sentencing guidelines for health and safety prosecutions that came into force in February 2016 have led to prosecutions taking longer. The report states that the HSE remain committed to prosecuting where there is sufficient evidence to provide a realistic prospect of conviction and it is in the public interest to do so and the HSE is reviewing the factors which impinge on its prosecution work.

The report notes that whilst performance in construction has improved it remains a hazardous industry, with the level of incidents and ill health remaining high. The HSE's health-focused initiatives for the past year included a sustained focus on work-related ill health, particularly respiratory hazards like asbestos and dusts such as respirable crystalline silica. The HSE ran two nationwide respiratory risk inspection campaigns which included approximately 1700 inspections across a broad range of industry sites and associated communication activity. The HSE found that the smaller employers had the highest levels of risk and although improvements had been made in health risk management and welfare standards, there was evidence of poor control over working at height.

The HSE's findings on performance within the industry and the improvements needed have been shared with CONIAN (Construction Industry Advisory Network) and with the Asbestos Leadership Council. They have also been publicised by Working Well Together regional groups for the benefit of smaller construction employers.

We await the publication of the HSE's business plan for 2020/21 but we know that the HSE will be continuing to focus on tackling ill health as part of the Health and Work programme which will include a sustained focus on work related ill health when targeting inspections on specific issues and activities. As part of its strategy the HSE will be sharing the learning from its expert science and research with those who can influence workplace health and safety performance.

The construction sector is likely to remain part of the HSE's focus in its quest to tackle ill health and reduce the likelihood of low-frequency, high impact catastrophic incidents.

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