

HSE Response to the All-Party Parliamentary Group Working at Height report - Staying Alive: preventing serious injury and fatalities while working at height

Introduction

1. This paper sets out the HSE's response to the APPG report (<https://workingatheight.info/wp-content/uploads/2019/02/Staying-Alive-APPG-REPORT.pdf>) and forms the basis of ongoing discussions on the issue of Work at Height between the APPG, HSE and Government.

APPG Recommendations

1. The introduction of enhanced reporting without an additional burden, through the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR), which at a minimum, records the scale of a fall, the method used and the circumstances of the fall.
2. The appointment of an independent body that allows confidential, enhanced and digital reporting of all near misses and accidents that do not qualify for RIDDOR reporting. The data collected by this independent body will be shared with government and industry to inform health and safety policy.
3. The extension of the Working Well Together – Working Well at Height safety campaigns to industries outside of the construction sector.
4. An equivalent system to Scotland's Fatal Accident Inquiry process to be extended to the rest of the UK.

APPG Opportunities for further consultation

1. The creation of a digital technology strategy, to include a new tax relief for small, micro and sole traders, to enable them to invest in new technology
2. A major review of work at height culture. This should include an investigation into the suitability of legally binding financial penalties in health and safety, funds which could be used towards raising awareness and training, particularly in hard to reach sectors

HSE's position on APPG Recommendation 1

The free text section of the online RIDDOR reporting form already allows recording of additional detail. The access sector could agree industry guidance on what should be included in the free text section to improve intelligence and consistency. HSE is willing to explore further with APPG to determine if changes are feasible or not.

HSE's position on APPG Recommendation 2

HSE would not object to an independent body being established but it would need to be independent of HSE. It is not possible to see how this could be achieved without the need for legislation. However, the industry may want to consider establishing such a body on a voluntary basis.

HSE's position on Recommendation 3

Though Working Well Together groups have HSE support, they operate in a largely autonomous way on a voluntary basis and are solely construction focused. When HSE consulted the WWT steering group at its March meeting they had no appetite to expand beyond the construction industry. However, HSE is happy to support the APPG efforts to extend the WWT campaigns into non-construction environments, recognising the challenges posed by this.

HSE's position on APPG Recommendation 4

The Ministry of Justice has provided the following response as it falls under their purview in England and Wales.

The Government has no plans to alter the current Coroner's Inquest system for England and Wales to bring it closer to the system of Fatal Accident Inquiries in Scotland. HSE are content that significant information on incidents is available in coroner's Future Deaths Reports.

HSE's position on APPG Opportunity 1

Her Majesty's Treasury has provided the following response as tax relief is a matter for them.

There is an existing tax relief available to help medium, small, micro and sole trader businesses to invest in plant and machinery. The Annual Investment Allowance (AIA) is a capital allowance which provides businesses with a 100% first year deduction of their investments in plant and machinery from their taxable profits, up to a current temporary level of £1 million p.a. (after which it will revert to its permanent level of £200k p.a.).

The Government announced this temporary increase to the AIA limit at Budget 18 to provide additional support for UK firms to invest and grow, including in new technologies. This was a response to a consistent ask from business groups. Raising the AIA level to £1 million means over 99% (99.7%) of businesses get 100% first-year relief on qualifying investment.

AIA is a highly popular relief for businesses who 'work at height': there were over 89,000 AIA deductions by businesses in the construction sector in 2016-17.

This Opportunity also suggests the creation of a digital technology strategy. More discussion will be required to explore what is meant by this.

HSE's position on APPG Opportunity 2

HSE has no plans to carry out a major review of work at height culture, however if the All-Party Parliamentary Group does want to proceed with such a review, HSE will provide written and oral evidence when appropriate.