



Department
for Work &
Pensions

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Hugh Gaffney MP
House of Commons
London
SW1A 0AA

5 November 2019

Dear Hugh,

Westminster Hall debate on Workplace deaths in Scotland

During the debate on workplace deaths in Scotland on 24 July 2019 my hon. Friend, Justin Tomlinson MP, the Minister for Disabled People, Health and Work gave an undertaking that the Government would write to respond to any outstanding points not answered during the debate.

As the Minister with responsibility for health and safety, I am responding on behalf of the Government. The responses to these outstanding points are contained in the attached Annex.

I am copying this letter to all the MPs who attended the debate: Paul Sweeney MP, Bill Grant MP, Joanna Cherry MP, Danielle Rowley MP, Stephen Kerr MP, and I will place a copy in the House library.

Debbie Stedman-Scott

Baroness Deborah Stedman-Scott OBE DL
Minister for Work and Pensions (Lords)

Annex: Outstanding questions from the debate

Debate Question

I urge the Government to reflect on the issues I have raised today and to look again at the cuts made to the HSE since 2010.

Response

DWP and HSE officials meet regularly to discuss resources and performance against its Business Plan objectives. This includes recognising the importance of enforcement as one of the tools employed by HSE to secure effective management and control of risk by employers in Great Britain workplaces. HSE has successfully delivered efficiencies and economies over the last 10 years to live within the reduced funding.

Debate question

I call on them to review the law around corporate homicide to see whether it can be strengthened.

Response

The Corporate Manslaughter and Corporate Homicide Act 2007 is the responsibility of the Parliamentary Under Secretary of State Chris Philp at the Ministry of Justice. Prosecutions for corporate homicide under that Act in Scotland are a matter for the Crown Office and Procurator Fiscal Service. I am aware of a proposal by Claire Baker MSP for a Culpable Homicide (Scotland) Bill which is a matter for the Scottish Parliament.

Debate question

I ask them to re-examine the effectiveness of RIDDOR and other reporting tools currently used by the HSE.

Response

RIDDOR reports are used by HSE to produce annual statistics in relation to workplace incidents and are also used to inform and support HSE's regulatory work. The regulations were revised in 2013 and a Post Implementation Review published in October 2018. The review concluded that the current reporting regime remained fit for purpose. There are no current plans to change the regulations.

Debate question

In agricultural deaths, there has been a demographic shift towards people aged over 60. Is that true generally of reported workplace deaths? What does he believe might be a root cause of that startling statistic?

Response

There is a clear age gradient in the fatal injury rate which is evident across almost all the main industry sectors, with workers aged 60-64 having a rate around twice as high as the all ages rate, and workers aged 65 and over a rate more than four times as high as the all ages rate. The HSE guidance about the health and safety of older workers, which is published on its website¹, discusses the issues likely to contribute to these statistics, and dispels some myths around older workers. Most of HSE's farm guidance is relevant to workers of all ages, but it does highlight the risks to older workers and need to consider physical abilities, particularly in relation to livestock handling.

HSE would be happy to discuss the above issues, or any others, further.

¹ <http://www.hse.gov.uk/vulnerable-workers/older-workers.htm>