



Strategy for regulation of health and safety risks - chapter 13: Leadership and culture

Leadership and culture

A positive culture is a key 'enabler', as it can further reduce the likelihood of a dangerous occurrence and make compliance with health and safety legislation much more likely as it promotes a willingness to think and do things in a healthy and safe way.

There is evidence that board members and executives in railway companies show a clear wide-ranging understanding of the business as a system; including how responsibilities relating to health and safety are defined. Most staff are also willing to work with management to improve health and safety and accept responsibility for their own health and safety and that of colleagues.

However, organisations should be looking to improve by:

- having a culture where there is a learning approach taken relating to reporting and discussing errors and near misses, so that the organisation develops a strong learning culture and can quickly adapt to lessons learnt and a changing environment;
- creating and maintaining an effective culture, to support the implementation of an effective health and safety management system. Organisations should be pro-active in monitoring what is being done to prevent accidents and occupational ill health; and
- having arrangements in place for leaders to regularly review health and safety performance and being able to take prompt action to prevent accidents and occupational ill health.

This will lead to stronger business performance, as good health and safety is good business.

Organisations with good health and safety performance have senior managers who are strongly committed to health and safety and are routinely involved in health and safety activities. There is also open communication and frequent contact between staff and managers.

ORR uses the Risk Management Maturity Model (RM3) to assess the issues involved in culture under a number of the RM3 assessment criteria, including, but not limited to: Criterion SP: *Policy, governance and leadership* and Criterion OC: *Organising for control and communication*. This gives ORR evidence of the effectiveness of the SMS and the commitment of leadership in maintaining and improving a positive culture.

Where ORR identifies a poor culture this will be brought to the attention of the organisation, supported by advice on the benefits of a positive culture to reduce the likelihood of incidents.

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Introduction

1. Culture can be described as ‘the way we do things around here’. It is a group’s understanding of how to behave in a certain surroundings, such as: at home, at work and at play. A more complex explanation is that culture is the shared sum of a group’s knowledge, experience, beliefs, values and attitudes that influences how the group behaves. It is an unwritten law that defines what is and what is not acceptable.

2. Health and Safety culture has been defined as ‘*consisting of shared values (what is important) and beliefs (how things work) that interact with an organisation’s structure and control systems to produce behavioural values*¹’.

3. An organisation’s culture can be supportive of, or hinder, the implementation of new initiatives and the achievement of an organisation’s overall goals. It can influence how effectively and quickly tasks can be performed; how receptive an organisation is to change and how employees interact with each other².

4. A strong culture can help attract and retain loyal and committed employees, which, in turn, can strengthen relationships with staff, clients and other partners. To be effective an organisational culture must be monitored and nurtured to ensure that it reflects the organisation and its vision. In an organisation that has a poor culture employees may focus solely on personal goals rather than organisational which may put the organisation at risk.

5. Moving a group toward a positive culture requires planning and commitment, with goals that are clear and attainable at a personal and team level.

6. Benefits of a strong culture include:

- Fewer incidents;
- Recruitment and retention of quality staff;
- Staff engagement, leading to efficiency, innovation and creativity;
- Reputational and commercial advantage; and
- Reduced threat of legal action (enforcement by the regulator / civil claim).

¹ Promoting a positive culture: A guide to health and safety culture (IOSH)

² Kenneth Desson and Joseph Clouthier - Presentation to the International Atomic Energy Agency, 2010

A positive culture has a consistency which is aligned to organisational goals and values, which are understood by people inside and outside the organisation.

A weak culture has poor alignment with organisational goals and values and has inconsistent behaviour.

Organisations with a positive culture should:

- Understand the context and the environment;
- Have a clear vision;
- Understand the legal obligations;
- Have employee engagement;
- Have effective communications throughout the organisation;
- Have the right policies and processes in place;
- Have objectives and plans to put them in place;
- Monitor and audit plans;
- Adopt tools and techniques to regularly test its culture;
- Regularly review / revise policies, strategies and plans; and
- Continually improve.

Culture as a key ‘enabler’ to support compliance with H&S legislation

7. A positive culture is an ‘enabler’; which should further reduce the likelihood of incidents and make compliance with health and safety legislation easier, as it will promote a willingness to think and do things in a safe way.

8. The Health and Safety at Work etc. Act 1974 (HSWA) requires organisations and individuals to take measures to prevent harm *so far as is reasonably practicable*. Tolerability of risk has been defined as ‘the willingness to live with a risk so as to secure benefits’.

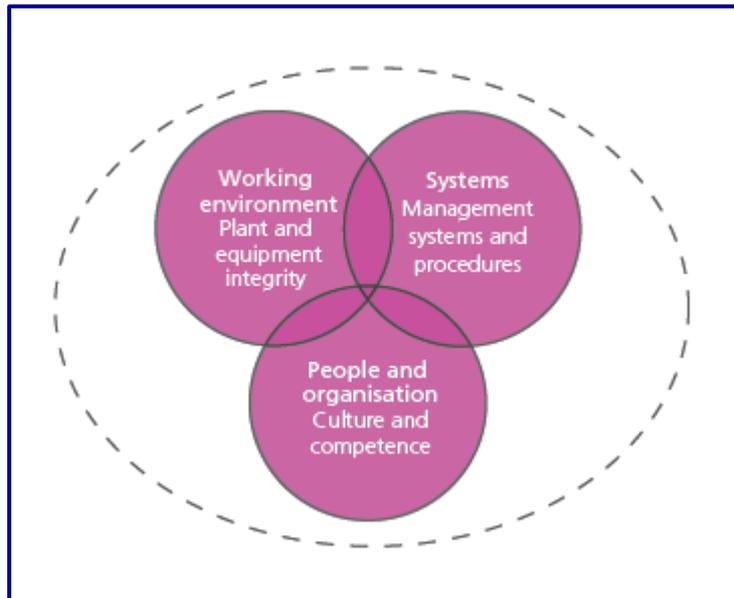
9. The European Union Agency for Railways believes ‘*there is a need to improve safety culture awareness within railway companies so that the development of Safety Management Systems within the companies is effective*³.’

10. The European Union Agency for Railways has identified several layers of a ‘culture’ in an organisation:

- *The individual’s culture (values, beliefs, assumptions, experience)*
- *The organisational culture for safety (an attitude towards safety that is supported by all staff in the organisation)*
- *The regional or national culture (influenced by society, economics, politics, judicial framework etc.)*

³ Application guide for the design and implementation of a Railway Safety Management System: Developing and improving safety culture in the organisation, 2013-12-19_ERA_GUI_SMS_Safety Culture_1

11. The Institution of Occupational Safety & Health (IOSH) recognises that 'health and safety management should embrace the interactions between the working environment, equipment, systems and procedures, and the people in the organisation'.



Promoting a positive culture: A guide to health and safety culture (IOSH)

A Just Culture

12. A just culture provides a safe environment to report and discuss errors and near misses so that the organisation develops a strong learning culture that can quickly adapt to lessons learnt and a changing environment. Members of a just culture are mindful about what they do, understand the implications of what they are doing and are allowed to challenge the way things are being done.

Safety management system

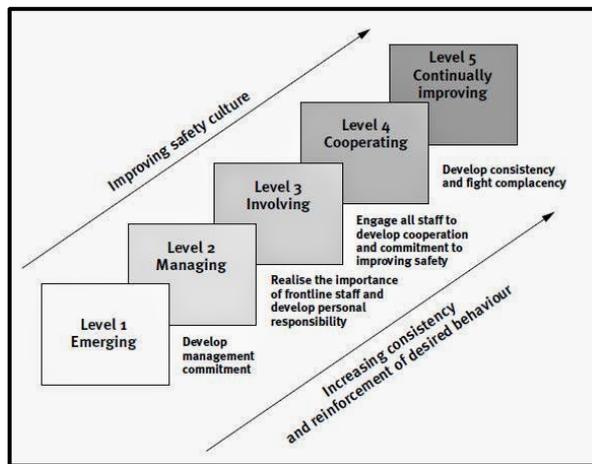
13. An effective safety management system is underpinned by a positive health & safety culture.

14. Effectively managing for health and safety is not just about having a management or Safety Management System (SMS). The success of whatever process or system is in place hinges on the attitudes and behaviours of people in the organisation – the culture.

15. Understanding what influences the health and safety culture in an organisation can make a significant contribution to changing the attitudes and behaviours in relation to workplace health and safety.

16. A safety culture maturity model⁴, developed by Dr Mark Fleming, recognises 5 levels of maturity:

⁴ 5 levels of a safety culture maturity, Dr Mark Fleming, Chartered Psychologist, the Keil Centre



17. There is further guidance on SMS on ORR’s strategic Chapter on health and safety management systems.

Failure to prevent harm

18. Negligence is a failure to exercise the care that a reasonable person would exercise in similar circumstances. The area of tort law known as negligence involves harm caused by carelessness, not intentional harm.

19. Society expects us to take care of each other. This is not an exclusive duty of the Health and Safety at Work etc. Act; it extends to all aspects of what we do. A person who suffers harm through the omissions of another can also pursue damages through the civil litigation process.

20. A positive culture can help reduce the likelihood of health and safety incidents and thus reduce the likelihood of legal action.

Risk from well-intentioned actions⁵

21. Violations or deviations from health and safety arrangements can be committed by well-intentioned individuals who may not understand the implications of their actions. These occur for many reasons, and are rarely deliberate acts of sabotage or vandalism. Most arise from a genuine desire to perform work satisfactorily by putting performance or time savings before health and safety.

22. If violations or deviations from laid down health and safety arrangements are not challenged, the reasons for them determined and actions taken to reduce them then the culture in an organisation is poor.

Leadership

23. For a health and safety culture to be successful and evolve it needs to be led and practised by the senior managers and embedded throughout the organisation. Strong leadership and management commitment is directly related to health and safety performance as it demonstrates to employees what is expected which influences the behaviour of the employees. Leaders and managers should also demonstrate risk comprehension and the desire to prevent accidents.

⁵ Improving compliance with safety procedures, reducing industrial violations (HSE)

24. According to the idea of transformational leadership⁶; an effective leader is a person who does the following:

- Creates an inspiring vision of the future.
- Motivates and inspires people to engage with that vision.
- Manages delivery of the vision.
- Coaches and builds a team, so that it is more effective at achieving the vision.

25. Effective leadership brings together the skills needed to do these things, thus supporting a positive health and safety culture. However, poor leadership will not, and may result in staff suffering from stress and anxiety.

26. The Risk Management Maturity Model (RM3) sub-criterion SP-1: Leadership gives examples of positive health and safety leadership characteristics.

Law

27. It should be remembered that health and safety law places duties on employers, employees, persons in charge of premises and manufacturers. Directors can be liable when these duties are breached. Members of the board also have both collective and individual responsibility for health and safety offences:

S36: Offences due to fault of other person

S37: Offences by bodies corporate

The current position

28. From ORR inspections, there is evidence that board members and executives in railway companies show a clear wide-ranging understanding of the business as a system including how responsibilities relating to health and safety are defined between board and the executive management.

29. Leadership in the railway industry is viewed as a senior management role. However, leadership should extend throughout an organisation. Senior management focus on improving ways to apply processes in a standardised way and the organisation is built around a command-and-control structure. There is also little emphasis on leadership at supervisory levels.

30. The health and safety policy and any other associated policies are used as a focus for a manager, which enables them to be interpreted in the same way by all staff.

31. Organisations recognise that employee involvement is essential for improving health and safety. Staff are actively involved in reviewing and revising the health and safety policy and how it is applied. Health and safety performance is monitored and the findings are used to make improvements.

32. Most staff are willing to work with management to improve health and safety – they accept responsibility for their own health and safety and that of their colleagues.

Climate survey tools

⁶ Transformational leadership is a style of leadership where a leader works with subordinates to identify needed change, creating a vision to guide the change through inspiration, and executing the change in tandem with committed members of a group.

33. **Safety climate** is what staff think about health and safety culture at a given point in time. It is the shared perception of the organisation's approach to health and safety. Safety climate is also a 'leading indicator' as it provides a sense of an organisations health and safety performance and potential for injuries before they occur.

34. Safety climate survey tools can be used to measure staff attitudes and perceptions towards health and safety at a given time. These can help organisations identify weak areas and put in place plans to make changes to improve the health and safety attitudes, and consequently improvements in health and safety performance. To give a full picture the surveys should include all levels of staff, including senior managers, as this could highlight different perceptions between levels that may need to be addressed.

ORR Activity

35. ORR does not normally look at leadership or culture in isolation as they are an integral part of most of our investigations and planned inspections. ORR uses the Risk Management Maturity Model (RM3) to understand the culture in the organisations it regulates. ORR inspectors will look at the issues involved in culture under a number of the RM3 assessment criteria including, but not limited to:

Criterion SP: Policy, governance and leadership

- a. *Sub-criterion SP1: Leadership*
- b. *Sub-criterion SP2: Safety policy (not including written safety management system)*
- c. *Sub-criterion SP3: Board governance*

Criterion OC: Organising for control and communication

- d. *Sub-criterion OC6: Organisational culture*

36. This gives ORR evidence of the effectiveness of the SMS and the commitment of leadership in maintaining and improving a positive culture. Where there is a positive health and safety culture there is likely to be good health and safety performance. Where a poor culture is identified this will be brought to the attention of the organisation supported by advice on the benefits of a positive culture to reduce the likelihood of incidents.

37. Emerging findings from RM3 audits suggest that a positive culture supports good health and safety performance. However, the findings should be treated with caution as we do not measure safety culture directly and the limited number of completed RM3 audits so far. We will continue to carry out RM3 audits which, in time, should provide more robust assurance in the assumption.

Glossary of terms	
Acronym	Definition
HASWA	The Health and Safety at Work etc. Act 1974
IOSH	The Institution of Occupational Safety & Health
ORR	Office of Road and Rail
RM3	Risk Management Maturity Model
SMS	Safety Management System



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