# EU OSHA E-TOOLS SEMINAR 2019

## Occupational safety and health OSH e-tools in the policy context

## Bilbao, 18 & 19 September 2019

## E-tools seminar introduction

Our previous seminars in the area of e-tools for occupational safety and health have highlighted the importance of integration of e-tools into the policy context. This integration we see two-sided, first we mean that (1) the tools are used to support legal compliance, or the achievement of established policy or strategic goals, and second we mean that (2) policy and legal approaches allow the use of e-tools to enhance prevention.

For example, the e-tools that have been created by Member States have the objective to enhance compliance of SME's by helping them carry out risk assessment (see the first goal). At the same time, the enforcing authorities have accepted that employers using online risk assessment are complying with the legal requirements of risk assessment (see the second aim, the law/policy having the scope to adapt to the new approach).

In the 2019 seminar the same format has been followed as previous years, this year starting with introductory speakers on the topic as perceived from their viewpoint (government, employers, employees), followed by expert speakers from three Member States on their experience with the implementation of a specific e-tool or set of e-tools. Lastly, the approaches and examples have been discussed in groups.

The seminar has focused on three key questions:

   a) What are the drivers and barriers to achieving this integration of e-tools into the policy context?
   b) What are the success factors for tool developers and policy-makers to achieve this?
   c) How will the situation change in the future?
      I.   Are there new areas where there can be greater integration (e.g. economic incentives, supply chain) or
      II.  Are there new technological developments coming to help or hinder the process?

Attendees have been invited via the Focal point network including social partners and Commission, as well as other interested groups (e.g. SLIC, ILO)

Viewpoints, practices, and experiences have been shared in the seminar and also there has been opportunities for networking for collaboration in the future.

## Introductory presentations and presentations from the member states.

All presentations given at the seminar have been attached in this Seminar Online Summary (SOS). First, EU-OSHA introduced the seminar and its objectives and the program of the two days (see presentation Annick Starren). To set the scene, a definition of an e-tool was presented. An e-tool is an IT- based, online/ web-based tool, used via phone or computer. E-tools are interactive and adaptive (tailored outcome based on the data input), and are focused on health and safety issues. E-tools guide the user through the process of decision making instead of other more static tools, like 'checklists'.

EU-OSHA is supporting the use of e-tools, as well as developing tools their own (e.g. OiRA). Web based tools (e-tools) have also been referred to by DG Employment in relation to the support of OSH risk assessment, especially to be embedded in national legal systems and to reach out to SME's, and to have strong engagement with social partners. E-tools are helpful in promotion and dissemination and especially supportive to reach the groups that are hard to reach, mainly SME's. Next to benefits, there are also drawbacks, for example related to privacy and the fact that they can only support but not ensure compliance. In addition there is not enough known yet about their impact.

Next Zinta Podniece provided an update from the perspective of the European Commission. The need to improve the compliance of SMEs is seen as one of the (persistent) challenges, related to the evaluation of the EU OSH legislative framework. The number of SMEs is increasing effective risk prevention and is recognised as key priority in the context of the European Pillar of Social Rights to avoid social dumping (see principle 10). Web-based tools are recommended to facilitate risk management and support dialogue. The (financial and technical) support on implementing OIRA and other IT-based tools in Member States to facilitate compliance is also included in the OSH Strategic framework 2014 2020.

In the next two presentations the viewpoint is given from the social partners, worker and employer perspective. Mario van Mierlo, representative from VNO-NCW employer organisation in the Netherlands, brings us back to the beginning years of the digital risk assessment (RIE). Looking back to the objectives at that time, the project can be seen as a huge success, for example in relation to clarity, priorities, social dialogue and reduced use of paper and OiRA nowadays. However, challenges in relation to SME's, social dialogue and administrative burden still exist.

From the workers perspective Victor Kempa (ETUI) emphasises the role of e-tools, next to EU Strategic Framework in OHS and the EU OSHA's priorities, also in:

- the Communication from the EC (Safer and Healthier Work for All - Modernisation of the EU OSH Legislation and Policy / 2017);
- the Opinion on Future Priorities of EU OSH Policy /ACSH 2019 (Towards better health and safety in the workplace) to make use of use of web-based tools and to embed the use of web-based risk-assessment tools in MSs legal systems.

In relation to the e-tools the monitoring of workers is a concern. From the ETUC perspective strengthening collective bargaining, extending its coverage and promoting workers' participation is the best way to improve the working and living conditions and to shape the future of the world of work.

Next representatives form four members states have presented their good example (s) of implementation of etools as integrated in the policy context:

- The Netherlands: Digital RI&E in the Netherlands (Doreth Valk, Ministerie van Sociale Zaken en Werkgelegenheid, Mario Van Mierlo, VNO-NCW/MKB-Nederland).
- Ireland: BeSMART e-tool and national policy (Helen Hourihane, Health and Safety Authority).
- Denmark: The use of smart devices for inspections (Kirsten Brink, Danish Work Environment Authority).
- Sweden: Swedish Noise and Light exposure apps (Johanna Bengtsson Ryberg and Per Nylèn, Swedish Work Environment Authority).

## *General observations from the presentations:*

For the Dutch Risk Assessment tool RI&E the Support Point, a centralized service point to help branches and small business with implementation, has been a success factor. The RI&E is mandatory; however, since 2011 there has also been the possibility for a "recognized branch RI&E" which takes away the obligation for a review. The involvements of social partners and the branches has been successful. It is the branch (sector): "owners" who make it sustainable. In addition, the digital approach with less administration, less cost, less time has been a success. Still, ongoing financial support is important. The tools need greater accessibility. More autofill fields are important.

There has been no evaluation. Now, 45% of enterprises do Risk Assessment in the Netherlands, covering 85% of workers. Stress, MSDs, and the reach to SME is a weak point, which asks for extra attention. For the future, there should be looked at the opportunities of new digital options and new technology should be examined. Final statement was on the importance to rethink how we use the e-tools now, and where we need it.

In Ireland the Besmart e-tools are promoted during inspections. Besmart was born out of the economic crisis. The combination of the risk assessment e-tool and inspection brings synergies to Besmart and to the national policy, like a good sense of what is going on and metrics sharing.

There is a lack of resources. Trust is an issue so data is not shared. It is very important that businesses know about the tool. There has to be a range of promotional activities, promotion during inspection, and organic promotion. Positive feedback has led to it being in the 3-year strategy, and also the verbal feedback at events is very good. To stay valid, the platform must be updated. This is part of the tool lifecycle. Data migration has its risks. The tools is part of the HSA e-learning portal so is packaged with other materials.

In Denmark the e-tool is used for simplification of the business process. Many inspectors work from home and with the e-tool, information can be shared and updated via the app in the most optimal way. It works fast and simple for workers as well as for inspectors. In the beginning, there has been resistance, but this has been overcome.

The user needs are vital: what does the workplace want. Usually the answer is simplification. The problem with dealing with MSEs is that they are hard to find and change rapidly. The inspectors have to have enough data to be able to plan their inspections. There is potential for data feedback and machine learning models.

In Sweden, the Noise and Light exposure apps have been presented. It is important that the instructions at the beginning on how to measure will be followed. The cost of updates to the light and noise tools are quite high; quality calibration is essential for reliability. Potential added tools could be photos / GPS where you measure.

The Spanish - Prevencion10 e-tool has been briefly presented additionally. This tool is part of the Spanish strategy for MSE's. An error they made was the need for the digital certificate before use, which badly restricted entry at the start. Once this was solved, there were much better used numbers .The website was updated and configured to operate on different tablets. A major conclusion is that the tool must be visible and attractive on all platforms and have a low barrier for entry.

Interesting in the examples is that initiatives for the e-tool have been started at the time of a change, policy change, change of budgeting and / or in crisis time. Economic necessity has driven tools. Another message is that data protection is a difficult area and cost-intensive that needs attention. Also simplicity is important. The tools need to be easy approachable (and free to use) to the end users. The tool should foster action in the workplace so it is not a "paperwork tiger". Also there is potential for use of metadata and data combination e.g. with sick leave and public health records. Finally, it was mentioned in the plenary discussions that psychosocial issues can be a weak point, and easily undervalued using the (risk assessment) etools.

The output from the presentations and the first plenary discussions has been the input for the group work.

# 1 The group discussions

The second day of the seminar started with an introduction of the group work (see presentation by Tim Tregenza). The groups had been pre-selected to have a good balance within the groups (MS's and type or organisation).

Below the main outcomes of the discussions of the three groups have been summarised, organised per question related to: Policy integration, Sustainability, Feedback, Incentives and Future.

**Q1 (Policy) – How can stakeholders be persuaded to integrate e-tools into OSH policy and practice?**

- Having the use of e-tools in the EU OSH strategy – supports getting it into the national strategy (not all countries have an OHS strategy.
- Use an opportunity such as a political change; for example having the EU presidency your government will be more likely to want to take new initiatives.
- Drivers can also come from other (strategy) areas that are not OSH specific. OSH can be linked to environmental protection, e.g. in the case of a national e-government law to go paperless as in Germany. Or national bodies, like social insurance institutions, may develop on e-tools for risk evaluation. However national ICT/safety legislation can also be a hindrance, e.g. in Germany there is a law that prohibits tools provided by national authorities to be saved on servers outside Germany/EU.
- Make use of available external support and pressure to use the etools, e.g from SLIC[1]
- Taking a collaborative approach, including social partner backing, e.g. through the tripartite approach, and / or campaigning in a sector.
- Start with a pilot tool, which is easier to get government funding for. Such pilots can then be used to show the usefulness of such tool and might become a door-opener. Especially for digital tools such as the e-tools, the use of "pilots" are important, since digital tools can provide new solutions/dimensions that might lack people's imagination how this works online until they actually see/experience the usefulness.
- Make a business case to show how much money can be saved, on company level and on national level), and link the business case to corresponding objectives – government's commitment to ease burdens on SMEs, savings for government department by moving form paper to online, etc.
- Using best practice from other countries as part of the argument. E.g., see case studies on OiRA webpage for inspiration[2].
- Use a champion, leader or ambassador - not necessarily from the same area but someone with a lot of public visibility (e.g. in a different sector, like a famous chef/cook for a risk assessment tool for restaurants, etc.)
- Embed the e-tools in training in schools and the existing curriculum
- Last but not least: take care that the tools, although digital, are simple and easy.

**Q2 (Sustainability) – How can e-tools move from being a short-term project of being a long-term action?**

- The tools need to support the development of an OSH prevention culture. And this has to be recognised in the planning and support and strategic approach, But every enterprise is different so no one size fits all. Material and tools have to be targeted and so does the dissemination methods.
- Stakeholder ownership is important, together with ongoing long-term financial support. There has to be a visible cost benefit and a good evaluation.
- Showing the cost benefits to companies/ organisations but also internally to administration (political importance of being able to help companies saving money and dealing with OSH.)
- Continual evaluation needed, to show usefulness of the tool and also to be able to adapt the tool tool and improve its userfriendliness based on data.

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[1] SLIC: Senior Labour Inspectors Committee: available at: https://ec.europa.eu/social/main.jsp?catId=148&intPageId=685
[2] Oira case studies, available at: https://oiraproject.eu/en/promotional-resources-search?field_promotional_material_type%5B0%5D=289

- Using tools which produce a document which can be used as part of formal compliance with the legislation (ES, IT). However, according to the Member State context, something very simple may be more applicable (e.g Ireland)
- Tools can also be used to help the administrative process (e.g. an OSH/risk assessment certificate needed to be able to get a new business licence or a certificate needed to be able to apply for subsidies – see OiRA France case study: osha.europa.eu/en/tools-and-publications/publications/oira-promotion-france/view (EN)
- Good design and simple login
- Having a strong support system, e.g. a support centre/help desk (NL), counselling (AT)
- Technical updating is essential to stay resistant against technological evolution, including strong feedback loops (to developers in order to improve the tool and to end-users (workers and employers)
- Integration workplace tool / inspectorate tool (as seen in the "northern" examples)
- Grow the tool, e.g. by linking with other sources and information, including on-line training
- Mainstreaming into education: get the use of tools into colleges. Developing a tool for use in with school students and pupils – this way they would already be familiar with such tools when starting their working life.
- Can tools be linked to other daily business tools? MSE project shows that companies are looking for easy solutions that help them with several problems/areas at once.
- Integration in well-visited websites.
- Build communities around tools based on Open Source software, in order to enable growing support and low-cost improvements.

### Q3 (Feedback) – How can 'big data' from e-tools provide feedback into policy and practice?

- Data can show important issues/challenges arising from the field. Statistics of users are helpful for evaluation/know what is used by the practice/accepted. Reports on usage can be used to promote continued funding etc.
- Important finding the right indicators (KPI's), not only the classical ones but also e.g. sick-leave. Also include indicators/data from other sources e.g. tax, technical inspection bodies, social security
- Data need to be reliable, e.g. the quality of the produced data in the noise/light app ask for context information to be well interpreted.
- To promote openness: go to other companies in the same branch if a company is reporting a lot
- Presentations at conferences about the results

### Q4 (Incentives) What incentives are needed to ensure end-users (continue to) use e-tools?

- Tools need to be user-friendly
- Tools serving different needs of the companies in one tool, e.g. embed it in the Starter Kit for new entrepreneurs (e.g. DK)
- Continuous communication & promotion:
  o Campaigns e.g. targeting specific groups such as pharmacies and involving professional bodies
  o Word of mouth promotion
  o Involve stakeholders in promotion (trade unions, trade associations etc.)
  o Cooperation with insurance companies
  o Promotion by labour inspections – labour inspectors need to be well informed about the tool and how to use it
  o Free seminars

- Make use of marketing techniques, like 'nudging'.
- Promote the saving costs – value for the company/ organisation, target the business cases to specific aspects that are transferable to other companies.
- Get the right argument for your audience: figure out what are the needs for employers/workers/stakeholders in the specific sector and find the right promotional messages going along with these needs (e.g. reduce administrative burden, how to reduce staff turnover, what are the costs/risks for a company having a work place accident,would your business survive this economically, etc.)

- Interactive applications instead of simple checklists
- Use by the general public for a tool such as a noise app (for 'who can burp the loudest' contest!)
- Include tools/information in obligatory activities (e.g. training courses for new employers and similar).
- Targeted communication to groups/by sectors, and make use of benchmarking.
- Zero bureaucracy, e.g. because of the recognition of (sector) Risk Assessment tools checks are not necessary anymore ( NL).
- Trust on continuity.

**Q5 (Future) – What changes are likely to occur that will help or hinder the integration of e-tools into policy?**

What will help:

- Advances in digitalisation and software development in general will help
- Multilinguism: Incorporate the possibility for applications to be done in other languages - part of "building a community around your tool to support it"/share the burden of developmental costs (open source etc.)
- Keeping it in the EU/national OSH strategy and funding opportunities; continued support from EU-OSHA
- Open source software provides new opportunities for development.
- Digitalisation is changing everything. Translation options is beneficial. Software will continue to develop. Maybe an education e-tool for kids. Cyber security remains an issue.

What will hinder

- New software developments can mean quick obsolescence.
- Having sufficient cyber security if restricted to the government hosting the data (e.g. requirement in Germany).

# E-tools seminar: general conclusions

The seminar has brought together interesting experiences from varying viewpoints on the implementation of e-tools within the policy context, and moreover an interesting range of opportunities for the future, as well as persisting "challenges". One thing is clear: e-tools play an important role in the implementation of OSH regulation, and wider use of technology could make their role probably even more prominent.

The presentations have informed us about different kinds of e-tools. In the OSH field there are e-tools developed for the support of risk assessment: general Risk Assessment tools mostly for SMEs (e.g. OiRA) and more specialized Risk Assessment tools for different OSH domains (in all kind of companies/sectors). These e-tools can be embedded within the inspectorates or independent. Other e-tools have been developed to facilitate and optimise the inspection process within the Member State's labour inspectorates (planning, follow-up, compliance effectivity, etc.). In addition, there are private (commercial) e-tools available, e.g. for handling dangerous substances, and/or semi- private initiated e-tools. All type of e-tools have advantages and disadvantages. For example, when the e-tools are implemented together with the inspectorate, there is optimal opportunity of making use of available data for policy purpose. On the other hand there is the risk that companies will not share (make transparent) all their company data. For the latter purpose, the e-tools as implemented by social partners are more beneficial. Without the inspectorate involved, there is less fear for sharing data. The responsibility for improving OSH results lies within the company and/or sector and could be more realistic for that reason. However, in this case it is more difficult to link the company achievements (data) to policy actions. This could be solved by (smart) benchmarking and monitoring of trends.

Regarding future opportunities, the current developments in the field of sensors are interesting as well as smart combinations of data, including external relevant data. Developments around Big Data and artificial intelligence should be looked into, into their possibilities as well as their threats. Great care should be given to privacy issues and the most recent insights of their pitfalls e.g. related to biases.

Another future development could be the rise of (semi-) commercial applications. Partly private initiatives have advantages and disadvantages. However missing the reliability of government initiative, an advantage can be

the independency of private undertakings from policy changes, e.g. policy flaws, and their faster adaptation to market developments (customer needs). For the future it is interesting to look at smart mechanisms for controlled stimulation of private initiatives.

A lot of opportunities were mentioned in the discussion groups related to the stimulation and persuasion of the integrated use of e-tools in policy. From branch approaches, the use of business cases, well-"timed" policy conditions, collaboration with external parties e.g. the environmental field (les paper) and/or general business /administration services (efficiency gains), to the use of recent marketing developments (e.g. nudging).

Also persisting problem areas have been noted, which are the stimulation of qualitative risk assessment in - the larger part- of smaller companies (SME's and micro companies), as well as the more or less overseen/ underestimated (and at times even taboo) topic of psychosocial risks.

Getting into the supply chain would be interesting. This could require collaboration with labour inspectors or others who enforce the supply chain. And finally, those wishing to develop tools may need support in accessing funding, such as that produced by EU OSHA for its OiRA tool.