

GERMANY'S ALTERNATIVE DEMAND-BASED SUPERVISION PROJECT AB+: SUPPORTING OCCUPATIONAL SAFETY AND HEALTH COMPLIANCE (CASE DE3)

Introduction

Promotion of effective occupational safety and health (OSH) practices is a key element of safer and healthier workplaces. Improving arrangements and practices for managing OSH across a whole range of industry sectors and firm sizes — large, medium and small — is stimulated, supported and sustained by a range of institutional actors and processes both internal and external to firms. Scientific research highlights, among others, the critical role that state regulators for OSH, such as labour inspectorates but also prevention services, can play (EU-OSHA 2021). This case study is part of a research project¹ conducted in Germany to provide further insight into this topic.

This case study presents the 'Alternative, demand-based supervision Plus (AB+)' ('Alternative Betreuung Plus (AB+)') project. This pilot project has been carried out by the following institutions:

- German Social Accident Insurance (DGUV);²
- German Social Accident Insurance Institution for the raw materials and chemical industry (BG RCI);³
- German Social Accident Insurance Institution for the woodworking and metalworking industries (BGHM);⁴
- German Social Accident Insurance Institution for the administrative and management sector (VBG);⁵
- Public Sector Accident Insurance of the federal state Hesse (UKH);⁶
- Public Sector Accident Insurance North (UK Nord);⁷
- FSU Jena;⁸ and
- Systemkonzept GmbH.⁹

Description of the case

Employers are obliged to involve in-house or external experts (persons or services) to support and implement OSH prevention. This can be a challenge in terms of quality and the effects achieved, especially for SMEs. For example, if the risk assessment is taken as an indicator of the quality of OSH activities in a company the facts show that: its implementation drops significantly with decreasing company size; it is carried out much less frequently; and it is much less comprehensive and in-depth in terms of content.

¹ The full report is available at: <https://osha.europa.eu/en/publications/germanys-approach-supporting-occupational-safety-and-health-compliance-role-labour-inspectorate-and-prevention-services>

² See: <https://www.dguv.de/de/index.jsp>

³ See: <https://www.bgrci.de/>

⁴ See: <https://www.bghm.de/home>

⁵ See: https://www.vbg.de/DE/0_Home/home_node.html

⁶ See: <https://www.ukh.de/startseite>

⁷ See: <https://www.schleswig-holstein.de/>

⁸ See: <https://www.uni-jena.de/>

⁹ See: <https://www.systemkonzept.de/>

In Germany there are legal requirements that must be complied with when appointing OSH experts, in particular DGUV Regulation 2,¹⁰ which specifies different supervision models (regular supervision or alternative supervision) depending on the size of the company. The pilot project 'Alternative Betreuung Plus (AB+)' has expanded one of these models based on findings on the success factors of OSH support for SMEs. For instance, a quality-determining factor identified by existing research is the qualification and commitment of the employer. Employers must be able to assess where and when (triggers for action) they need to involve which experts. That's why AB+ has been developed putting the emphasis on, among others, the qualification and the direct involvement of employers.

DGUV Regulation 2 overview

DGUV Regulation 2 has provided the framework guidelines for the supervision of companies since 2011. It includes four annexes.

- The first two annexes of DGUV Regulation 2 describe 'standard supervision': Annex 1 applies to companies with up to 10 workers; Annex 2 consists of the basic supervision and the company-specific part for companies with more than 10 workers.
- The 'Alternative demand-based supervision' is described in Annexes 3 and 4. The company size limits of both models is in the hands of the statutory accident insurance institutions (UVTs), but most of them have set the numbers of up to 10 employees in the case of Annex 4 and up to 50 employees in the case of Annex 3. In the demand-based supervision according to Annex 3, employers are informed about OSH issues in the company and mobilised to implement the necessary measures. This is supplemented by further trainings. It is up to the employer to determine whether external support is necessary and to what extent. In addition to occupational safety specialists and occupational physicians, persons with special event-related expertise can also be called in (DGUV Deutsche Gesetzliche Unfallversicherung Spitzenverband 2012).

The established 'alternative supervision' according to Annex 3 of DGUV Regulation 2 is an effective supervision model under certain quality criteria. By qualifying the entrepreneur, compliance in OSH is strengthened and improved. However, it is limited to companies with up to 30 or 50 workers and only involves the collaborating entrepreneur. As a result, a large part of compliance potentials remain unused.

Pilot project 'AB+'

'Alternative Betreuung Plus (AB+)' was initiated by the DGUV, BG RCI, BGHM, UK Nord and UKH, FSU Jena and systemkonzept with the aim of expanding the demand-based supervision according to Annex 3 of DGUV Regulation 2 also for medium-sized companies with 30-70 workers (for the Public Sector Accident Insurance (*Unfallkassen*, UK): up to 250 workers).

In addition to the extensive involvement of employers, their management level is also involved and trained. Targeted, needs-based support from occupational safety specialists and occupational physicians, as well as other OSH experts, is promoted and facilitated by the accident insurance institutions through an OSH support management.

By involving other OSH players, the aim is to ensure efficient and effective use of sometimes scarce resources (especially occupational physicians).

Aims

In order to improve compliance in SMEs, the following effects should be achieved with the further developed AB+ model:

- Direct involvement of those responsible (employers and managers).
- Improved management quality by fostering more management action integrated into OSH.
- Targeted continuous improvement of safe and healthy working conditions.
- Demand-based, efficient and effective OSH experts support for SMEs, also with other professions than occupational safety specialists and physicians in view of scarce resources (especially occupational physicians).

¹⁰ See: https://www.dguv.de/en/prevention/rules_regulations/dguv-regulation_2/index.jsp

The AB+ model should also have an impact on the UVTs:

- Improved cooperation of the UVTs with the companies, especially regarding initiating continuous improvement of OSH and OSH organisation in the SMEs.
- Improved quality assurance of safety and occupational health support.
- Further development of prevention activities of the UVTs towards company needs.
- Prevention activities of the UVTs to close the OSH support gap in SMEs.

Target group

The target group is SMEs with 30-70 workers and in particular their managers and entrepreneurs.

Another target group is the UVTs and here in particular the prevention departments and supervisors.

On the part of the UVTs, personnel resources are required for management training and OSH support management, including a hotline. However, OSH support management can also be carried out as part of the normal monitoring activities of the labour inspectors if the UVTs' prevention strategy is developed accordingly. In this case, the resources required are reduced considerably.

In some cases, the UVTs have provided start-up financing for needs-based support by additional experts.

In the companies, time is required for the implementation of the management training as well as for the identification of needs and the implementation of the goals. Depending on the type of measures to be taken, additional financial expenses are incurred. However, it should be emphasised here that both the time and financial expenditures would also be necessary independently of the AB+ model. The AB+ model rather limits the operational expenditure due to the OSH support management and the demand-based orientation. The companies benefit from the model, and it strengthens the competitiveness of SMEs.

What was done, and how?

The alternative supervision according to Annex 3 of DGUV Regulation 2 was expanded by including the following essential elements (see Figure 1):

- **Access** to the model is only available to businesses that meet certain requirements:
 - companies with up to 70 workers (companies from public sector with up to 250 workers);
 - willingness to qualify the managers; and
 - readiness for needs assessment, target agreement, action on the job and progress monitoring by OSH support management.

Obliging the participating companies prevents them from dealing with OSH-related topics.

- **Competence development** of managers.
- External **OSH support management** by specially trained prevention staff or labour inspectors from the UVTs.
- **Referring to suitable experts** (if needed). If the support provided by any occupational safety specialists and occupational physicians available in the company is not sufficient to achieve the goals, the support management team will refer to suitable experts from the required profession from an existing network of experts as needed.

In the first phase of the project, tools and procedures for OSH support management were developed and selected prevention staff and labour inspectors (UVT) were trained in OSH support management. A participation-oriented blended learning training course was designed to develop the competencies of managers. This training focuses on safe and healthy leadership, including self-awareness and self-management.

In the second phase of the project, these elements were tested in participating companies:

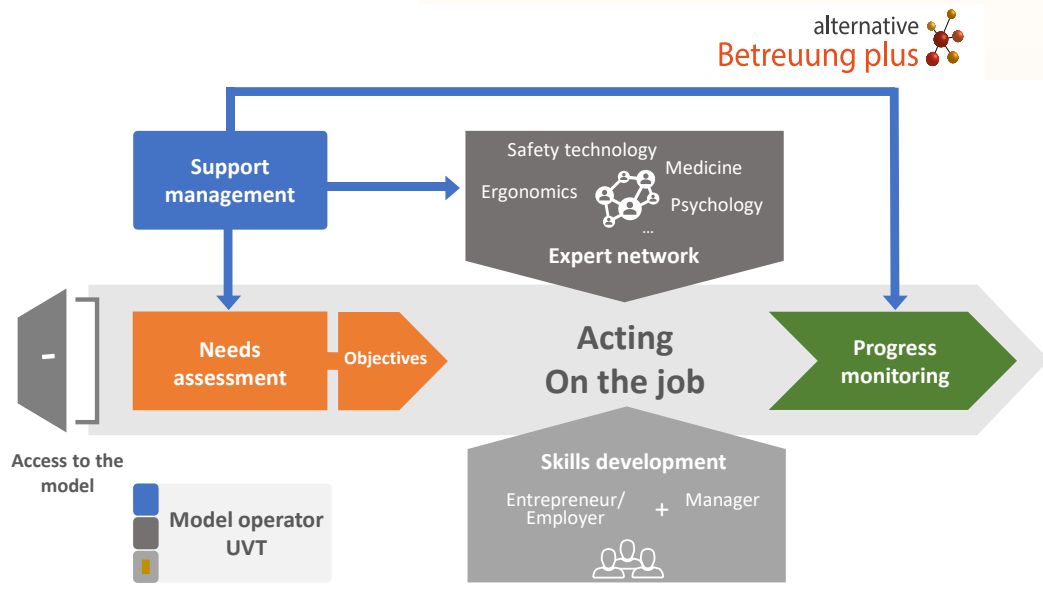
- The OSH support management guided the companies in determining the current need/demand for further development of OSH, developed goals, and monitored actions in the company to achieve these goals (progress monitoring) in the sense of introducing and maintaining a

continuous improvement process. If needed, the support management team referred to suitable experts from the required OSH profession.

- Managers from various companies were grouped together and trained in courses. Due to the COVID-19 pandemic, the concept had to be completely changed to distance learning in some courses.

This was accompanied by an evaluation of the project and its components. To carry out this evaluation, all participants were interviewed several times and participant observation of the management training sessions was conducted.

Figure 1: Official project graphic



The pilot project was completed in 2023. There is the possibility of a continuation of different elements within the UVTs, according to their individual prevention strategy.

Degree of innovation

The AB+ model has enormous innovation potential on two levels:

- For the UVTs, the model offers the opportunity to develop their prevention strategy significantly further with regard to effectiveness in the specific target group of SMEs.
- With regard to SMEs and particularly MSEs, the model offers good opportunities to significantly raise the level of safety and occupational health support, OSH activities in the company and working conditions to a previously unattained level of effectiveness on a permanent basis.

Approach

The AB+ model contains aspects of both a preventive and supervision approach: through the model elements, especially OSH support management, preventive support is provided in order to improve compliance, whereas the restricting access to the model and monitoring are elements of supervision.

Prior to the introduction of the model, a feasibility study or context analysis was conducted on the number, structure, initial situation and characteristics of the target group (companies), the implementation conditions in the companies, and on the requirements for the UVTs including necessary (and available) resources.

The model was tested, adapted and properly evaluated in five UVTs with a total of 19 participating companies. For this purpose:

- Ten labour inspectors or prevention staff of the UVTs were qualified for supervision management in (online) workshops.

- Five management qualification courses with 56 participating managers (as a follow-up in blended learning with three face-to-face or online seminars and two practical phases in between) were conducted.
- Needs assessments were carried out and targets agreed in eight companies and then 14 experts were referred to advise on specific topics; monitoring showed that four companies largely achieved the targets on time.

All labour inspectorates and prevention services that monitor or supervise SMEs can effectively use the model (as a whole) or specific elements of it in different constellations nationwide.

What was achieved?

The evaluation of the three-year research and development project demonstrated the effectiveness of what were considered its success factors:

- The model met with a positive response from the actively participating companies. They were all interested in a continuation of the model.
- The participating managers found the training courses very helpful. Participating companies want to have more managers qualified. The evaluation results show a clear impact on management action integrated into OSH.
- The external support management was universally welcomed by the companies as helpful and necessary; they were interested in its long-term continuation.
- The evaluation results show concrete effects on improving safe and healthy working conditions as well as approaches to stabilising the processes.
- The companies and the UVTs see the needs-based mediation of other professions by the OSH support management as a particularly effective support.
- The evaluation shows that quality assurance of OSH support in SMEs is effectively possible at a high level.

Success factors and challenges

The model achieves a high degree of efficiency with the resources used, both in the companies and the UVTs, provided that the following success factors are in place:

- A feasibility study, especially on the target group and its accessibility, should be available (UVTs without a feasibility study started unprepared, which in one case led to withdrawal from the project).
- Labour inspectors must be fully involved and convinced of the model approach; the qualification of the labour inspectors helps to reach that goal. A clear declaration of intent by the UVT management is required. Due to persistent tendencies towards change processes, a longer development process is to be expected. In some cases, there has been 'interference fire' from the labour inspectors beyond the pilot project because they were not sufficiently convinced beforehand.
- The proper qualification of OSH support managers and provision of the required resources to them are necessary and of crucial importance.
- A hotline at the UVTs provides guidance and support on the implementation or development of all the elements included in the model.
- A focus on the identification and definition of the operational needs and targets (and reaching targets agreement) is crucial for the efficiency of the model.
- The combination of the different elements included in the model (access agreement, management qualification, needs assessment with targets agreement and needs-based placement of professions as a continuous improvement process) builds on each other efficiently and contributes to achieving the greatest impact.

Transferability to other EU Member States

The AB+ model (as a whole) or individual elements of it (used in different constellations) can be adapted and used by labour inspectorates and prevention services in other EU Member States for a sustainable

achievement of safe and healthy working conditions in SMEs. It is recommended that particular emphasis be placed on the success factors mentioned in section 0.

Further information

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