

## PREVENTION SERVICES IN SUPPORTING OCCUPATIONAL SAFETY AND HEALTH COMPLIANCE IN GERMANY

### Background

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 policy brief is part of a research conducted in Germany to provide further insight into this topic.<sup>1</sup>

This policy brief focuses on the role, function and future of external (private and public) prevention services in the German OSH system. It outlines the challenges they face as well as initiatives and policy pointers that could help them in the process of overcoming these challenges.

### Introduction

The prevention services in Germany are carried out by various players:

- Internal prevention services: OSH personnel employed in the companies.
- External prevention services:
  - external freelance/self-employed occupational safety specialists ('Fachkraft für Arbeitssicherheit' (Sifa)) and occupational physicians;
  - external services of occupational physicians and/or occupational safety specialists (Sifa);
  - OSH services coordinated by the statutory accident insurance institutions (UVTs); and
  - OSH services provided by the UVTs.
- Via the catalogue of prevention services offered by the UVTs.

This policy brief focuses on the role and the prevention services provided by the UVTs.

#### The OSH system of the UVTs

The UVTs are the German social accident insurers for the private sector (*Berufsgenossenschaften*, BGs), and the Public Sector Accident Insurers (*Unfallkassen*, UK) or Municipal Accident Insurance Associations (*Gemeindeunfallversicherungsverbände*, GUV) deal with the public sector. The umbrella organisation for accident insurance is the German Social Accident Insurance (*Deutsche Gesetzliche Unfallversicherung*, DGUV).<sup>2</sup> Every company in Germany is now a mandatory member of such a UVT, that is, depending on the industry.

The Social Code VII (SGB VII) determines the legal obligations of the UVT (Bundestag der Bundesrepublik Deutschland 07.08.1996):

- The prevention of accidents at work, occupational diseases and work-related health hazards in companies.

<sup>1</sup> The research report – on which this policy brief is based – is available at: <https://osha.europa.eu/en/publications/germanys-approach-supporting-occupational-safety-and-health-compliance-role-labour-inspectorate-and-prevention-services>

<sup>2</sup> See: <https://www.dguv.de/de/>

- The monitoring of operations in this context.
- The provision of advice to employers and employees.

In accordance with § 17 of the Social Code VII (SBG VII), they must monitor the implementation of the measures and advise employers and insured persons. This is why labour inspectors of the UVTs are also responsible for monitoring activities.

## Challenges related to the provision of prevention services to companies

UVTs face various challenges when it comes to the provision of prevention services. Still, some of these challenges are also encountered at the EU level.

Traditional forms of work organisation are increasingly being replaced by new working models. As a result, this change in the working environment also requires an adaptation of prevention mechanisms (services, support, advice, counselling) in the field of OSH. New forms of work, such as flexible working hours and mobile working bring about changed requirements that must be adequately considered in existing prevention concepts.

There is a shortage of human resources at both the federal state OSH authorities and the UVTs, as well as among OSH professionals and experts such as occupational physicians. This lack of qualified professionals is worrying, as it affects the effectiveness and efficiency of health prevention activities and measures in the work environment.

Furthermore, the implementation of many prevention programmes does not reach all companies and workers equally; in particular, micro and small enterprises (MSEs) continue to be hard to reach. MSEs (and their workers) are disadvantaged due to limited resources, lack of know-how and insufficient awareness of the importance of OSH. Therefore, the question remains whether many of the prevention programmes offered are designed and targeted to meet their specific needs.

There is the need to collect more data on the effectiveness of prevention services. In practice, prevention services face a variety of challenges, such as changes in the organisation of work and labour markets, as well as policy changes that determine the support they provide and how it is resourced. Still, there is a limited amount of data available and a lack of research projects dealing with the efficiency of prevention services in general.

The field of OSH is currently not sufficiently valued in many companies and has a pronounced image problem. There is a perception that OSH is seen either as a bureaucratic burden or a cost factor, rather than as an indispensable part of a healthy and productive working environment. This negative perception can make it difficult to implement OSH measures and reduce the motivation of companies to actively engage in the health and safety of their workers.

## Initiatives and policy pointers to overcome challenges faced by prevention services

### Coordinated approach to prevention

The challenges arising from the various processes of change (work, climate, society/demography) require a coordinated approach to prevention (e.g. new forms of work, new work equipment, high-risk manufacturing and work processes). This requires the interaction of research, the consideration of new (occupational) scientific findings in the regulations, the qualification of external and in-company OSH actors and employees, and the practical preparation of OSH requirements in companies in the form of guidelines, practical tools and resources.

### Digital tools for operational support

To counter the lack of occupational health resources and to reach a larger number of companies, the use of digital tools for OSH supervision/support is recommended. Within the legal framework, video consultation can be seen as a supplement to OSH supervision for SMEs that do not have their own on-site staff. OSH professionals working on a company-external basis benefit from the reduction in travel times and can attend to a larger number of companies. The companies benefit from the more precise

use of valuable presence time, the lower costs and better availability of the OSH professionals. An approach is to involve non-OSH professionals already in contact with MSEs in workplace counselling (e.g. tax advisors) who act as multipliers for the topic of OSH. Another one is to further expand the role of the UVT labour inspectors to include a 'pilot function' that also advises on prevention services outside the OSH area (e.g. on medical treatment, rehabilitation services and pensions).

The concept of the 'pilot function' is an extension of the role of the UVTs' labour inspectors. In the course of monitoring and advising on OSH in accordance with § 17 of the Social Code VII (SGB VII), they are the main contact persons for prevention issues and can act as an interface to external social service providers such as statutory health and pension insurance, the Federal Employment Agency, or the integration and inclusion offices. Companies that are difficult to reach for OSH are to be addressed and referred by this expansion of the prevention service on the one hand, and on the other hand by the one-stop counselling service tailored to their operative needs.

For example, Tele-OSH is intended to use video consultations to help overcome the challenge of ensuring OSH services. Tele-OSH was launched as a pilot project by the German Social Accident Insurance for the foodstuffs and catering industry (BGN) and the BGN's OSH Service (ASD\*BGN).<sup>3</sup> This gives their contractual partners the opportunity to benefit from their offer to be supported via video consultations. The video support hours are considered as a supplement to on-site counselling.

## Address and advise MSEs

MSEs in particular face particular difficulties when it comes to the management of OSH. In addition to the scarcity of resources in the companies, a lack of expertise and legal ambiguities also present the companies themselves with difficulties in implementing OSH. The labour inspectors also have great difficulty in reaching MSEs.

New approaches must be explored and evaluated. The operational benefits of safety and health at work must become evident and be linked to other business objectives. Campaigns and training materials must be better tailored towards the MSE target group (e.g. comprehensibility, practical relevance, linguistic plurality).

In Germany, this issue has been addressed by the 'Offensive Mittelstand' (OM) initiative. The OM is an independent platform of intermediary organisations active at the federal level (social partners, social insurance companies and chambers, central research institutes, federal ministries, professional and trade associations — for example, of tax advisors, management consultants, energy consultants, occupational safety professionals, occupational physicians). The OM initiative tries to increase OSH awareness among SMEs. For example, tax consultants are trustworthy contacts for SMEs and have access to internal information such as absenteeism, accidents, damage to work equipment and so on. This enables them to recognise problems around OSH. The OM offers consultants an online qualification in 'OSH for non-OSH professionals'<sup>4</sup> so that they can connect companies or employees in need of OSH advice with OSH professionals.

## Procedure oriented towards operational needs – inter-professional/expanding

In view of the tasks to be tackled in the field of OSH in the future, such as digitalisation, blurring of boundaries between private and work life, mental and physical strain, and so on, the legally prescribed OSH supervision/support should not be geared purely to technical concerns/professions (engineers, technicians or master craftsmen) and occupational physicians, as has been the case up to now.

In order to take better account of the health and safety of workers, it is beneficial to use the know-how of different disciplines in connection with a risk assessment. Natural sciences, industrial hygiene and occupational sciences, occupational and organisational psychology, or health sciences can address the concerns of companies in a needs-oriented and more specialised manner. Transfer processes between the different actors create additional synergies.

<sup>3</sup> For more information, see case study DE1, available at: <https://osha.europa.eu/en/publications/germanys-tele-osh-approach-ensuring-consulting-supporting-occupational-safety-and-health-compliance-case-de1>

<sup>4</sup> For more information, see case study DE5, available at: <https://osha.europa.eu/en/publications/occupational-safety-and-health-osh-non-osh-professionals-germany-supporting-occupational-safety-and-health-compliance-case-de5>

For example, AB+ (Alternative Betreuung Plus) is a pilot project carried out by the DGUV, BG RCI, BGHM, UK Nord and UKH, the FSU Jena and systemkonzept set up with the aim of making the approaches of alternative, demand-based supervision in accordance with DGUV Regulation 2 Annex 3 also available for medium-sized companies with 30-70 workers (UK: up to 250 workers). This project focuses on: the involvement of key actors at company level like employers and managers; the inclusion of provision of demand-based support from professionals like safety experts and occupational physicians and other OSH players; and the efficient and effective use of the sometimes-limited resources (especially the occupational physicians) as well as an OSH support management including other professions.

## Research on effectiveness of prevention services

The collection of data regarding the efficiency and effectiveness of prevention services requires improvement. Although there already are some noteworthy data, ensuring their regular updates is crucial. To bolster prevention services, there needs to be a nuanced understanding of these services — who they encompass, their functions and to what extent these functionalities can be made more efficient. Beyond the basics, evaluating the efficiency, quality and impact of these services on improving the health and safety of workers through compliance is essential. Regular updates and a detailed understanding of these services will be instrumental in shaping policies that prioritise OSH.

## Countering image problems and barriers to implementation in OSH

Enhanced collaborative initiatives between prevention services and businesses can enhance the visibility of their contributions. By actively involving these OSH professionals in strategic planning and decision-making processes, companies can demonstrate a commitment to prioritising OSH and underscore the value of OSH expertise.

Additional research programmes on implementation gaps, barriers to action and motivation problems in OSH are crucial to develop effective strategies for improving active OSH in companies. Various aspects should be considered.

The economic impact of OSH measures on productivity, employee satisfaction and sickness costs can be further substantiated by scientific studies so that companies can be convinced of the long-term profitability. This is a method advocated by the employers' representation.

There must be further research into the development of more incentive systems for compliant fair practices. The goal must be to develop innovative incentive schemes that generate positive and sustainable behavioural change among companies.

Effectively used and authentically written advertising campaigns can contribute to improving the image of OSH. Here, studies from advertising and consumer psychology on the effectiveness of advertising campaigns need to be compiled to possibly improve the image of OSH, influence public perception and encourage companies to consider OSH as a valuable investment.

In addition, social partners can be more involved to promote and implement OSH-related measures.

## References

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