



Health and Safety Inspectorate

**ANNUAL REPORT
2022**

Our mission is the prevention of death, injury and ill health to those at work and those directly affected by work activities.



Our strategic objectives

- Secure compliance in a firm but fair and proportionate manner
- Reduce the incidence of work-related accidents and ill-health
- Lead and engage with others to improve workplace safety
- Ensure the legislation remains effective and right for Jersey
- Ensure efficient and effective service delivery, seeking opportunities for integration and collaboration with our JHA partners

THE HEALTH & SAFETY INSPECTORATE

WHO WE ARE

We are a small team consisting of the Director, 4 Inspectors, a Health and Safety Regulatory Officer and a part-time health and safety advisor.

WHAT WE DO

We are the Island's sole independent regulator for workplace health and safety. Our primary function is to secure the health, safety and welfare of people at work and to protect others from risks arising from work activities by administering and enforcing the Health and Safety at Work (Jersey) Law 1989 (HSW Law).

WHO WE REGULATE

The HSW Law applies to all workplaces and work activities in Jersey. In December 2022 there were:

63,760 total jobs	8230 active private sector undertakings:
9,070 public sector	89% employ fewer than 10
54,690 private sector	57% single person (incl. self employed)

Source: Jersey's Labour market Report (www.gov.je/statistics)

REGULATION PRINCIPLES

HSW Law is goal setting & risk based, with 2 enduring principles:

- Those that create the risks have the responsibility to manage them
- Action taken to control the risk should be proportionate to the risk that needs to be managed.

GOVERNANCE

The Health and Safety Inspectorate (HSI) sits within Justice and Home Affairs (JHA) with the Director reporting directly to the Chief Officer of JHA. To ensure transparency and independence of the HSI as the regulator for both the public and private sectors, the Director also has a reporting line to the Attorney General.

Our mission and strategic objectives (see left) are aligned and support the wider JHA vision for '**Jersey to be a place to live, work and visit, where people are safe and feel safe, which is free from discrimination and where rights and differences are respected**'.

The Minister for Social Security holds political responsibility for occupational health and safety in the island, including the HSI.

Secure compliance in a firm but fair and proportionate manner

3 health & safety prosecutions in the Royal Court

[A&A Scaffolding Solutions Limited fined £35,000 plus costs after a scaffold collapse \(gov.je\)](#)

[CNR Construction fined £100,000 after a worker fell 12 metres following collapse of working platform \(gov.je\)](#)

[ROK Homes Limited acquitted at trial \(gov.je\)](#)

We responded to **150** complaints about workplaces and working activities:

29 Category 1 (serious risk): 100% followed up within 1 working day (against a target of 100%)

92 Category 2 (significant risk): 100% followed up within 5 working days (against a target of 95%)

29 Category 3 (low risk): In accordance with our complaints policy none actively followed up

29 Enforcement notices served

10 Prohibition notices

- 3 related to unsafe work at height
- 3 related to a failure to properly maintain equipment at a swimming pool
- 2 due to a failure to have a safe system of work
- 1 related to a gas work carried out by an engineer without registration on the Gas Safe Register
- 1 due to an unguarded machine

19 Improvement notices

- 7 related to a failure to provide appropriate asbestos training to employees
- 6 related to a failure to prepare adequate policy documentation and/or risk assessments
- 2 related to a failure to provide adequate welfare facilities
- 1 related to a failure to provide chainsaw training
- 1 due to a failure to maintain electrical wiring
- 1 due to a failure to manage risks of violence and aggression
- 1 due to failure to have management controls for non-routine operations

Carried out **69** investigations of serious workplace accidents and ill health conditions across a wide cross section of industry sectors

74 plans of work relating to licensed asbestos removal work were processed

An up-to-date list of licence holders is available at www.gov.je/hsi

57 defect reports relating to a range of equipment (FLT's, passenger & goods lifts, pressure vessels, lifting gear) received and reviewed to ensure appropriate action taken

Leading & engaging with others to improve workplace safety

We carried out **256** unannounced inspections of work activities

64% of all proactive inspections were to the construction sector

HSI provides **advice & legal interpretation** to help dutyholders understand what they need to do to manage their risks in a sensible and proportionate manner.

We dealt with c. **1888** telephone enquiries, provided nearly **3420** written responses by email or letter and held over **990** face-to-face meetings to discuss health and safety at work matters

HSI undertakes specific, **targeted initiatives** of high-risk workplaces or working activities to effectively enable standards to be set and acknowledged, promote good behaviours and deliver improved health and safety outcomes.

In 2022 HSI carried out an **asbestos initiative** targeted at ensuring the following trades had appropriate asbestos training:

- construction workers, particularly those working in demolition and refurbishment; and
- tradesmen working in maintenance and allied trades (electricians, plumbers etc).

HSI publishes **tailored guidance** on our website to provide advice, clarification or feedback on areas of concern. This published advice is promulgated by stakeholders. Examples for 2022 include:

- *Advice on using a Gas Safe Registered Engineer for all gas work*
- *Safety advice to operators of wheeled loading shovels in waste and recycling*
- *Guidance on asbestos awareness and working with asbestos*
- *Advice on the duties of a H&S Project Coordinator and the health and safety file*
- *Guidance on the safe use and maintenance of cafe boilers*

HSI work in **partnership** with a range of stakeholders including:

Jersey Safety Council, which is funded by HSI to promote occupational health and safety and facilitate health and safety training which would otherwise not be readily available locally.

GB's **Health & Safety Executive** for access to specialist advice & technical & legal training.

We have longstanding relationships with the **Guernsey HSE & Isle of Man HSE**

Bailiffs Entertainment Panel alongside other statutory bodies including the States of Jersey Police, Ambulance, Fire and Rescue and Environmental Health. The panel reviews and advises the Bailiff on arrangements for public safety at public entertainment events.

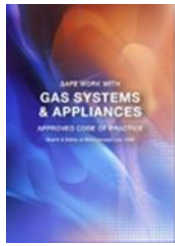
Jersey Construction Council a representative body of the construction industry with the HSI Director sitting on the H&S subcommittee.

Other government departments., e.g. Driver & Vehicle Standards, Environmental Health, Planning etc & colleagues across Justice & Home Affairs

Ensuring the legislation remains effective & right for Jersey

Approved Codes of Practice (ACoP) provide practical guidance to help dutyholders understand what they need to do to comply with the law. They hold a special legal status in that, although following the guidance in the ACoP is not compulsory, by doing so a duty holder would be doing enough to comply with the law.

We issue and update ACoPs to reflect changes to relevant UK legislation and/ or relevant European Standards, thereby maintaining the high standards of health and safety in local workplaces our workforce deserves.



The **Safe Work with Gas Systems and Appliances ACoP** was updated effective from 1 January 2022 to include a requirement for gas engineers in Jersey to have completed an Accredited Certification Scheme and be registered with the approved body, currently the Gas Safe Register

The **Safe Use of Rider-Operated Lift Trucks ACoP** was issued on 1 November 2022. This replaced the previous version issued in 2001. Whilst retaining the overall principles of the previous edition, the revised ACoP has taken into account up to date authoritative guidance published by the UK HSE, representative industry bodies and Jersey Driver and Vehicle Standards (DVS).



Ensure efficient & effective service delivery

£581, 500 total budget

£463,059.45 staff costs
£14,000 Grant to Jersey Safety Council
£37,409.30 residual non-staff costs

£514,468.75 total expenditure

A full complement of 6.4FTE at the start of the year. However, an inability to recruit 2 vacant Inspector posts following retirements mid-year reduced the team to 4.4 FTE with a 50% Inspector vacancy rate. The situation was exacerbated due to the planned retirement of another Inspector on 31 December 2022, resulting in an FTE of 3.4 with a 75% Inspector vacancy rate for the start of 2023.

Reducing the incidence of work-related accidents & ill health

Statistical data

63,760 total jobs in December 2022. This was an annual increase of 2.6% since December 2021. The public sector grew by 3.2% and the private sector by 2.5%

Over the last 5 years (from December 2017 to December 2022)

- There was an increase of 3,970 all sector jobs (up 7%) from December 2017.
- The total number of private sector jobs increased over five years by 2,680 (up 5%).
- Public sector jobs increased by 1,290 from December 2017 to December 2022 (up 17%)

(Source - [Jersey Labour Market Dec 22 2.pdf](#))

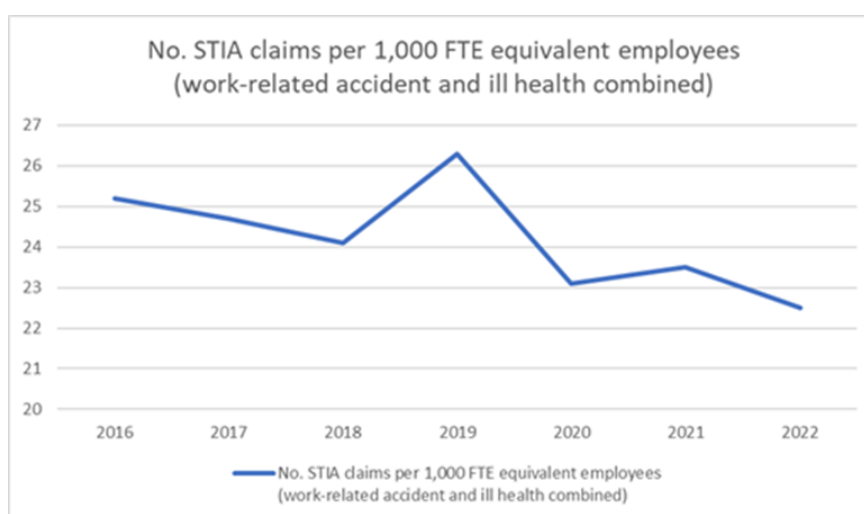
Collation of work-related accident and ill health data

In Jersey, reported statistical data on work related accidents and ill health is collated through individual claims made for social security benefit (Short term incapacity allowance, STIA). Every claimant submitting a medical certificate for STIA which indicates that their absence is work related are automatically sent a questionnaire asking for further details to be provided. [Payments if you're off work sick \(Short Term Incapacity Allowance\) \(gov.je\)](#).

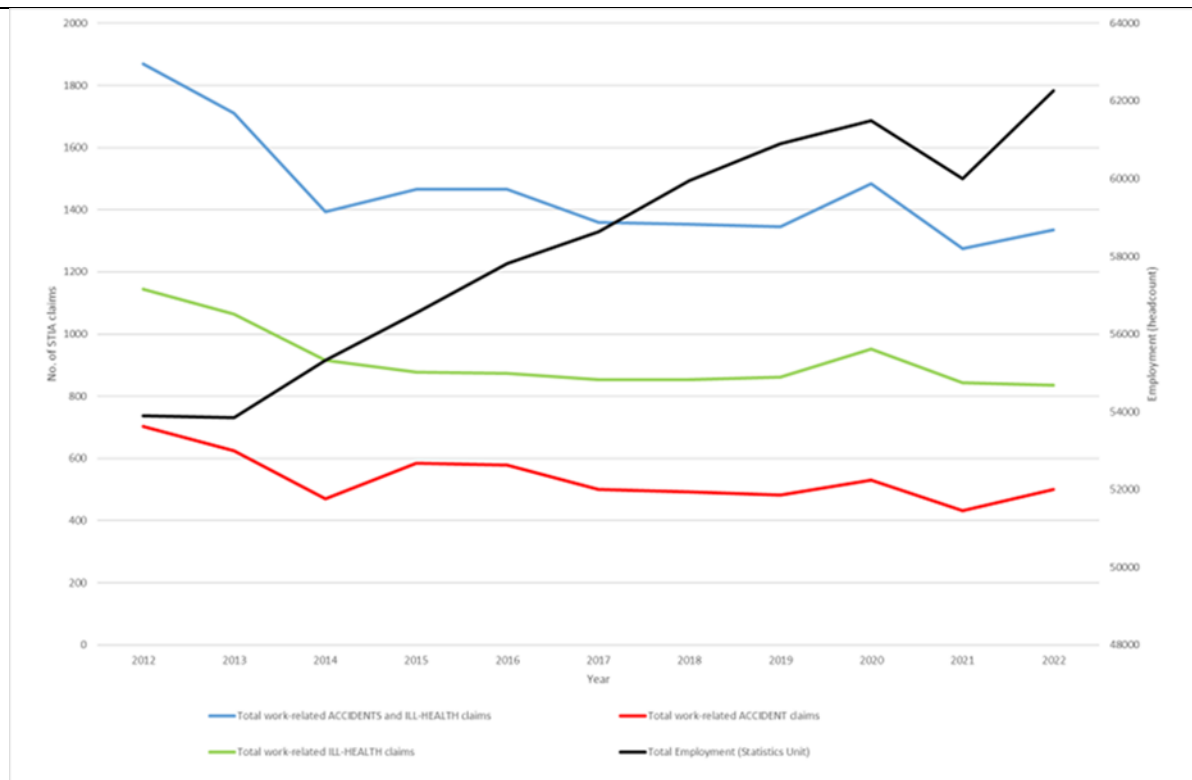
The data it has its limitations, for example medical certificates are only issued for 2 or more days off work and injuries caused to members of the public are not captured. However, whilst this relies on a voluntary return it provides valuable information, and the data has been consistently collected to enable trend monitoring.

1313 claims STIA claims submitted due to work related accident or ill health in 2022.

22.5 STIA claims per 1000 FTE (accident & ill health combined)



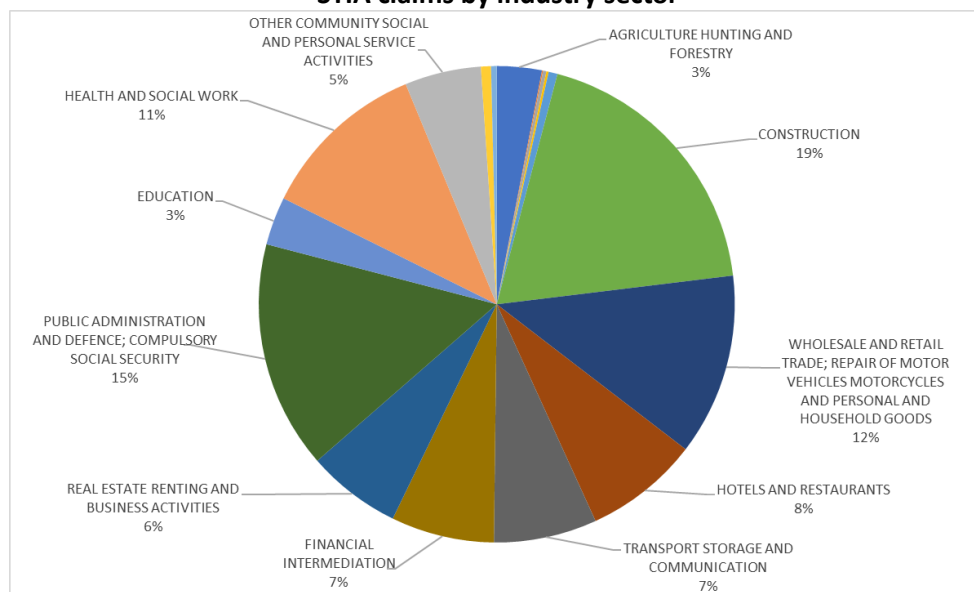
Accident and ill-health claims trends against employment rates



Sectoral statistics

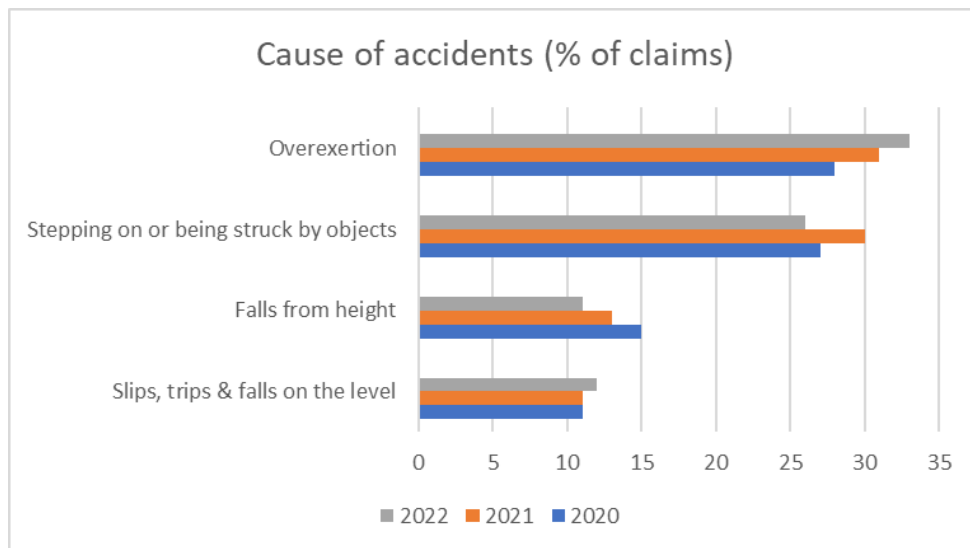
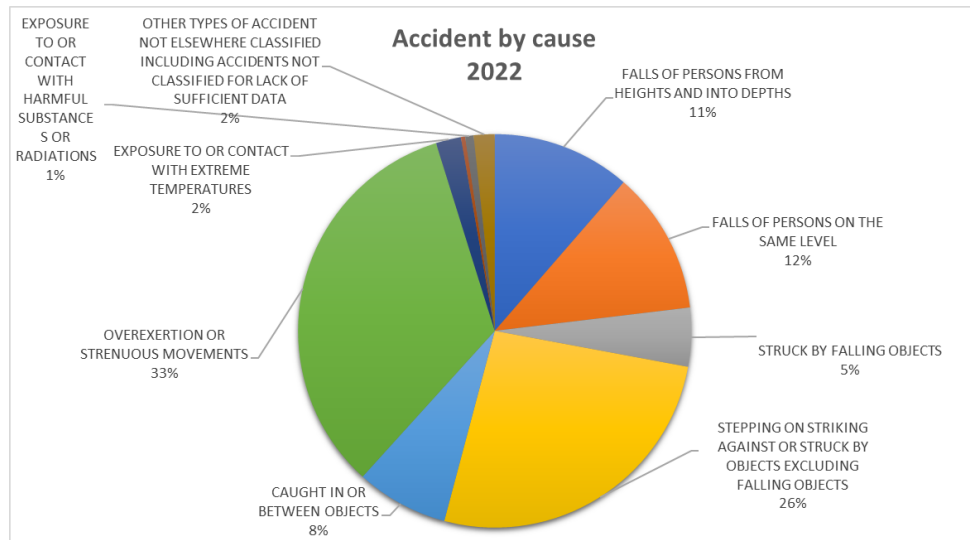
At a sectoral level the construction sector remains the industry where you are most likely to have an accident or suffer work related ill health in Jersey. It has 19% of all STIA claims despite only making up 10% of Jersey's workforce.

STIA claims by industry sector

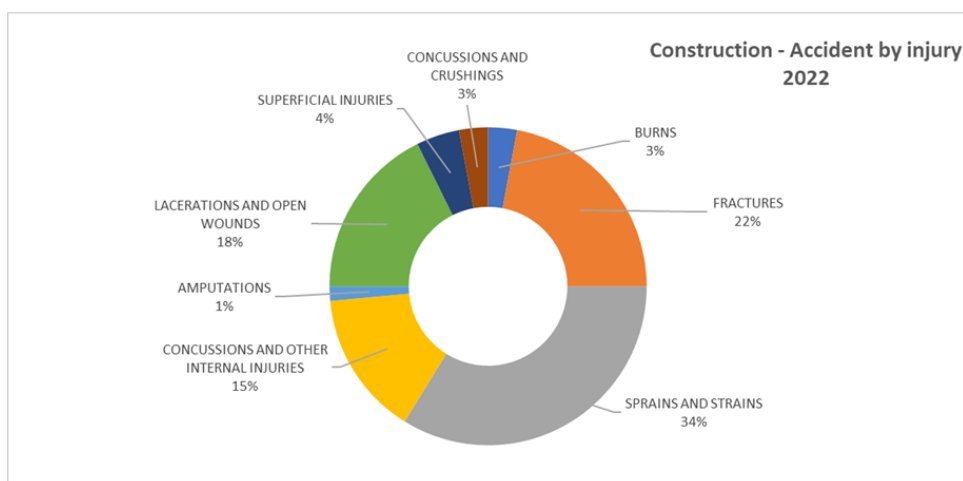
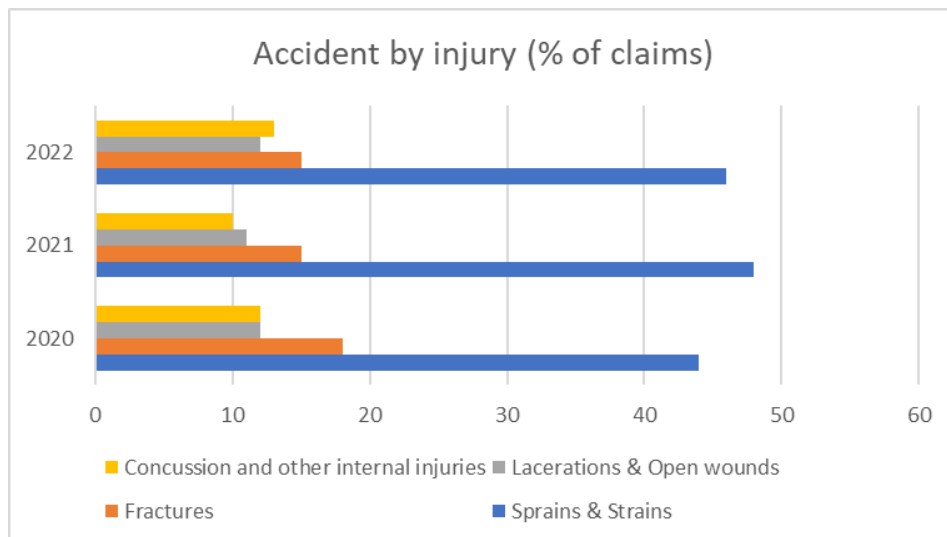
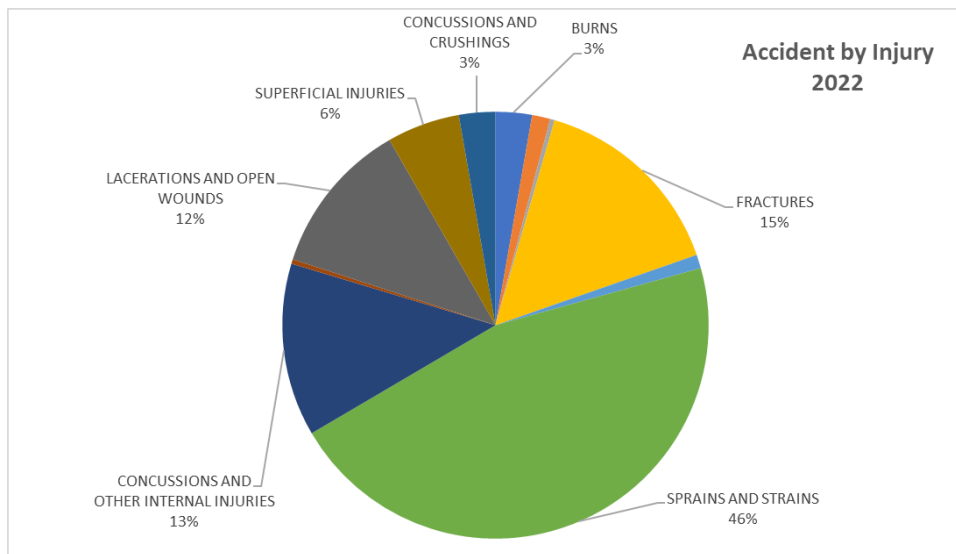


Work related accident & injury statistics

60% of claimants returned their questionnaire following a work-related accident. The four main causes of accidents and injuries in 2022 remain consistent with recent years.

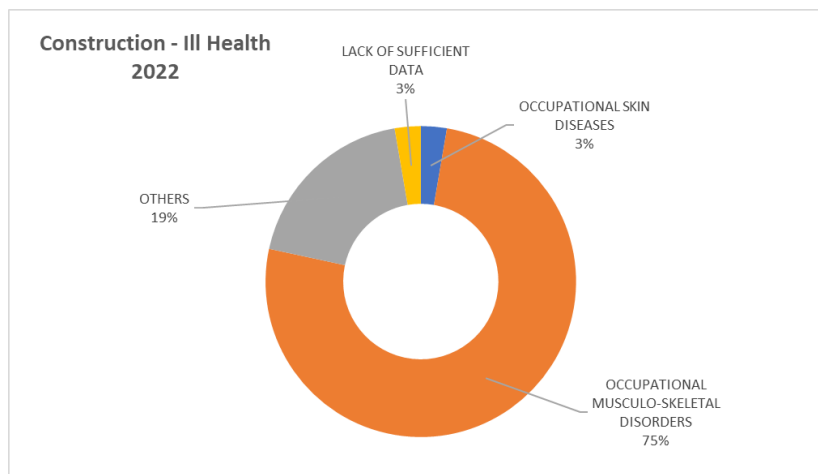
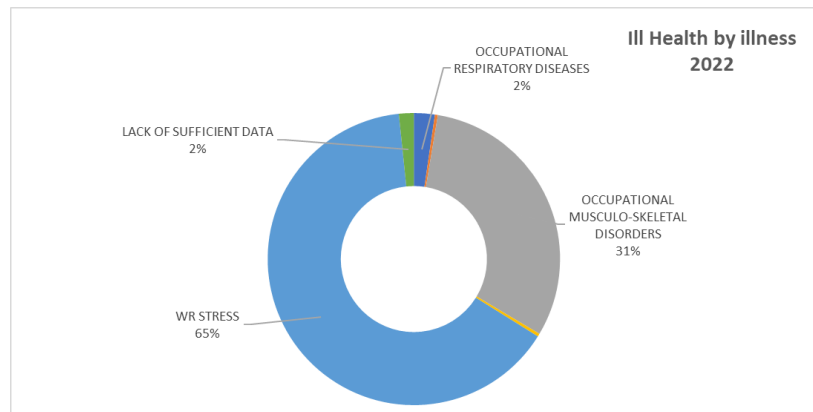


Accident by injury in 2022 and over last 3 years



Work-related Ill health statistics

37% of claimants returned their questionnaire following a work-related ill health disorder. As in previous years, stress and musculoskeletal disorders continue to make up the vast majority of all work-related ill health claims.



Cost of Days lost due to Accident or Ill Health in 2022

(as at 12-04-2023 based on 1313 records of which 1272 received benefit)

Date Range	Days Lost	Cost per day	Totals
1 st January – 30th September 2022	31,900	£33.21	£1,059,399.00
1 st October – 31 st December 2022	8,976	£35.27	£316,583.52
TOTAL	40,876	-	£1,375,982.52