



# **Peer Review on the “Use of web-based tools for OSH risk assessment”**

**Dublin, Ireland), 2-3 October 2017**

**Business case or “red tape” – what is the future of web-based risk assessment tools?**

**Peer Country Comments Paper - Bulgaria**



**EUROPEAN COMMISSION**

Directorate-General for Employment, Social Affairs and Inclusion

Unit B3

Contact: Susanna Ulinski

E-mail: [susanna.ulinski@ec.europa.eu](mailto:susanna.ulinski@ec.europa.eu)

Website: <http://ec.europa.eu/social/home.jsp?langId=en>

European Commission

B-1049 Brussels

# **Peer Review on the “Use of web-based tools for OSH risk assessment”**

**Dublin, Ireland, 2-3 October 2017**

Directorate-General for Employment, Social Affairs and Inclusion  
Peer Review on the “Use of web-based tools for OSH risk assessment”  
Dublin, Ireland, 2-3 October 2017

## **LEGAL NOTICE**

Manuscript completed in November, 2017

Neither the European Commission nor any person acting on behalf of the European Commission is responsible for the use that might be made of the following information. More information on the European Union is available on the Internet (<http://www.europa.eu>).

Luxembourg: Publications Office of the European Union, 2020

PDF ISBN 978-92-76-22144-9 ©  
European Union, 2020

doi:10.2767/911514

KE-04-20-515-EN-N

Reuse is authorised provided the source is acknowledged. The reuse policy of European Commission documents is regulated by Decision 2011/833/EU (OJ L 330, 14.12.2011, p. 39). For any use or reproduction of photos or other material that is not under the EU copyright, permission must be sought directly from the copyright holders.

## **Table of Contents**

1	Situation in the peer country relative to the host country .....	1
2	Assessment of the policy measure.....	3
3	Assessment of the success factors and transferability .....	6
4	Questions .....	8
	Annex 1 Summary table .....	9
	Annex 2 Example of relevant practice.....	11

## **1 Situation in the peer country relative to the host country**

### **1.1 Specific regulation of health and safety in Bulgaria**

In the Republic of Bulgaria, public policy on safety and health at work comes under the Council of Ministers. The Ministry of Labour and Social Policy (MLSP) develops, coordinates and implements public policy on safety and health at work. The General Labour Inspectorate Executive Agency (GLI) is the public body responsible for the overall supervision of compliance with labour law in order to ensure safety and health at work, as well as the implementation of conditions of employment. GLI is a second level spending unit to the MLSP. GLI has about 495 labour inspectors controlling the health and safety and employment conditions in nearly 400 000 companies. The National Focal Point of the European Agency for Safety and Health at Work is also situated in the Ministry of Labour and Social Policy. The Ministry of Health manages and coordinates activities for the protection and promotion of health at work. The Ministry of Health keeps the register of Occupational Health and Safety Services (OHSS) and oversees their performance through its Regional Health Inspectorates (RHI). The OHSSs submit on an annual basis all Sickness Analyses of the companies they service to the RHI.

The National Social Security Institute (NSSI) maintains a database on work related accidents and work-related illnesses.

National policy on safety and health at work is developed and implemented on the basis of trilateral cooperation at national, sector and regional level. The National Council on Working Conditions (NCWC) is the standing body responsible for coordination, consultation and cooperation for the development and implementation of occupational safety and health policy at national level.

Bulgaria was the first east European country to adopt, as early as 1997, a new and very comprehensive health and safety law. Article 25 of this law legally binds all employers to provide to their employees services by registered Occupational Health and Safety Services. These can be established by the employer, by group of employers or by external legal entity. The National Assembly, admitting the significance and specific nature of OHSS activities and the need to improve the service quality, made amendments in May 2007 to the law making it mandatory for OHSS to undergo a special registration procedure. The register is kept by the health ministry and as of July 2017 there are 621 registered OHSS<sup>1</sup>.

### **1.2 Background to the development of risk assessment web-based tool in Bulgaria**

All Bulgarian enterprises are obliged to have a contract signed with OHSS, if they cannot provide this service themselves. The main reason for such legal provisions was that many of the enterprises could not procure the knowledge and skills required for the implementation of all activities, provided in the health and safety law. The OHSS should have at their disposal both medical and engineering staff. There's a total of 393 460 Bulgarian companies with 92.5 % of them categorised as micro, a little over 6 % are small and 1 % medium sized. Having in mind that, not unlike the rest of the European Union, they could be hardly be expected to have medical doctors and engineers employed. Together, these 99.5 % of micro and small companies employ 53.5 % of all the 2.1 million employed in the economy<sup>2</sup>.

At a policy level health and safety is regulated by national strategies and programs, procured by NCWC. The latest strategy covered the period 2008-12 and the latest

---

<sup>1</sup> Register of Occupational Health and Safety Service, Ministry of health.

Internet:<http://www.mh.government.bg/bg/administrativni-uslugi/registri/>, retrieved on 30 August 2017.

<sup>2</sup> NSSI data as of 30 November 2016. Internet: <http://www.nsi.bg/en/content/8024/structural-business-statistics>, retrieved on 30 August 2017.

national program developed was for year 2014. These programs are very comprehensive and include measures related to health and safety and their budget. Currently there is a new program under development, which has not been published yet.

The NSSI actuarial report for 2016 shows that benefits paid for temporary disability due to labour accident or work-related illness in 2015 are a little over EUR 3.5 million. While this does not seem like a large sum, it has almost tripled since the year 2000. The work-related illnesses registered at NSSI in 2015 are merely 28. This is due to the very complex registration procedure and means a lot of diseases are not declared as occupational and even that employees may not realise they have a work-related illness. The registered labour accidents in 2016 are 2 848 with 10 disability incidents and 88 fatal outcomes. This is a decrease compared to the 2015 data of 2 933, 57 and 115 respectively. The total days lost due to labour accidents for 2016 is 144 406.

Despite the comprehensive policies, strategies and programs, there is a lack of proper analyses, other than the above statistics, of the direct and indirect financial impact on the health system, social security system and employers caused by labour accidents and work-related illnesses. The lack of analyses hampers the awareness about occupational hazards and the practical implementation of health and safety measures in the companies.

## **2 Assessment of the policy measure**

### **2.1 Comparison between the Bulgarian OiRA and the Irish BeSMART web-based tools**

The web-based tools development was financed under a larger project by the European Social Fund with GLI as beneficiary. GLI considered whether to develop its own or to use existing software and decided to use the existing Online interactive Risk Assessment (OiRA) tool, developed by the European Agency for Safety and Health at Work (EU OSHA). For that purpose GLI signed a memorandum with EU OSHA and became a member of the European OiRA community. GLI published a tender procedure and procured the development of 33 risk assessment tools (economic activities). The price for the development of a tool for each economic activity was EUR 15 000–20 000.

At present GLI is a partner in a project financed by EU OSHA for the development of web-based risk assessment tools for 5 new economic activities. These will cost about EUR 14 000 each.

The use of OiRA or any other web-based tool is currently not regulated, meaning it is not mentioned in any law or regulation. It is only offered as a best practice tool. The social partners participated in the discussion about the contents of the 33 tools during their development, but there are little promotion activities on their part, whether due to lack of budget or lack of interest. In total 14 workshops were conducted during the project for the purpose of presenting and promoting the OiRA tool.

The fact that all Bulgarian companies either have an internal OHSS or a contract with an external one, as required by the law, makes the business case for a web-based tool almost impossible. The external OHSS usually offer a complete package of services to the companies, related to their obligation to provide health and safety services to their employees, where the risk assessment comes at almost no fee. To that effect, it would be impossible to prove the economic benefit of the web-based tool in comparison with the externally provided 'ready-made' risk assessments. Many of the SMEs have very superficial risk assessments, which they never read or understand.

The first and major difference between the rationale for the use of web-based risk assessment tools in Ireland and Bulgaria is that it was a proven business case for the Irish SMEs. At the very beginning Ireland involved a broad spectrum of stakeholders in discussing the rationale, thus gaining their commitment. In Bulgaria the development of the OiRA tool was a top-down idea, planned in the national program for health and safety at work and implemented as an EU financed project. On the one hand, this was a development in the right direction, since recently the electronic services are widely used, but on the other the function of the web-based tool duplicated the already existing risk assessment services provided by the legally regulated OHSS. Though the OiRA tool is pretty simple, many of the micro and small companies would consider it too difficult and time consuming to complete the OiRA checklists, especially because very often the manager is the person responsible for all health and safety issues. Managers are used to having their risk assessment made by the OHSS without any effort on the part of their staff.

The rationale for the use of web-based tools could be their operability, meaning the possibility to add to the modules specific workplace hazards or prevention measures. This is particularly important for dynamic sectors like construction, for example, where the risk assessment should be updated at every stage of the project.

Another major difference is that the OiRA tool is anonymous, meaning that labour inspectors may only find out which companies are using it during a physical inspection, if they are presented with the risk assessment and risk prevention measures produced with the web-based tool. This also means that there is no direct interaction with labour inspectors, hence no validation. The GLI Chief Executive declared at a conference that GLI will recognise OiRA produced risk assessments,



without any specific impact. Since there are no dedicated team of labour inspectors, the tools for the various economic activities are not being updated to reflect changes in legislation or the workplace hazards. The anonymity also means that the outcomes of the risk assessments cannot be used, since they are only accessible to the company. There is no information how and to what extent the companies used the risk assessments and prevention measures produced with the OiRA tool. This means there is no measurable impact of the web-based tools on the legislation.

Due to its anonymity it is not possible to say which organisations are involved in the use of the OiRA tool, except the labour inspectors.

There are no educational curricula in Bulgaria that include the web-based tools for risk assessment.

The national program provided for the development of the web-based tool but not for its implementation and promotional activities. The GLI promotes the OiRA tool through its inspectors, as well as through a new ESF funded project it implements. Part of this project is the 'Door to door' campaign, used to create awareness about the OiRA tool. So far the campaign has led to an increased number of OiRA users, but is not quite sufficient. GLI also initiated the establishment of a Bulgarian OiRA community, whose members can promote the tool, but so far this community comprises 6-7 persons only. OiRA was also presented to the NCWC, but its members - social partners did not start promoting it more actively. A difference is that Ireland has a dedicated BeSMART team, who are also responsible for the promotional activities and offer free BeSMART presentations. GLI has neither the budget, nor dedicated team to perform these activities.

In terms of functionality the OiRA tool is nearly the same as BeSMART. There is an option for the company to add to the OiRA module additional specific workplace hazards for the economic activity, since each instance of the tool is unique to its user.

Even though it accounts for nearly 10 % of the entire OiRA platform, in terms of success the Bulgarian OiRA is still an embryo.

## 2.2 Some statistics about the use of the Bulgarian OiRA tool

Since its launch in August 2011, 5 337 assessments have been carried out by 4 066 users. The characteristics of the users in terms of firm size are as follows:

Employees	Responses	Percentage
1-9	489	23 %
10-49	391	18 %
50-249	225	11 %
250+	82	4 %
No response given	943	44 %
<b>Total</b>	<b>2 130</b>	<b>100 %</b>

The risk assessments were conducted by:

Conducted by	Responses	Percentage
Staff	818	38 %
Third party	213	10 %
Both	137	6 %
No response given	962	45 %

<b>Total</b>	<b>2 130</b>	<b>100 %</b>
--------------	--------------	--------------

Users learned about OiRA from:

<b>Source</b>	<b>Responses</b>	<b>Percentage</b>
Employers' organisation	53	2 %
EU institution	59	3 %
Health and safety experts	265	12 %
National public institution	552	26 %
Trade union	12	1 %
Other	225	11 %
No response given	964	45 %
<b>Total</b>	<b>2 130</b>	<b>100 %</b>

*(The above three tables were generated by the OiRA tool on 5 September 2017)*

Nearly all of the respondents confirm that their needs were met and they would recommend the OiRA tool to others.

### **3 Assessment of the success factors and transferability**

#### **3.1 Assessment of success factors**

We are of the opinion that to a large extent the success of BeSMART was conditioned by the strong business case it had at the time it was launched. Of course, the work done after that by ILI and the other stakeholders was enormous. Bulgaria has done similarly good work in developing the OiRA tools, but due to the lack of a similar business case in Bulgaria the uptake of the tool is insufficient. This could hardly be changed, unless the price for the traditional external risk assessment goes up suddenly. This is not expected in the near future, due to the OHSS' 'race to the bottom' in a strongly competitive market niche.

Another success factor mentioned in the host country paper is its efficiency, namely four full-time inspectors reaching as many as 8 000 SMEs a year. So far there is no GLI staff assigned the responsibility of managing and maintaining the created 33 tools. This can probably be done by vesting new functions to some of the labour inspectors. Whether similar efficiency can be achieved remains unknown.

A hindrance in the Bulgarian case is that the OiRA tool is anonymous and therefore the accumulated data cannot be used at present for improvement of the overall risk assessment policies and practices. Labour inspectors do not validate the completed risk assessments or prevention plans in OiRA. There is no interaction with users. Again, in order for this to change, more rights and responsibilities have to be formally vested in the GLI staff.

Yet another success factor in Ireland is the standardisation of the required documentation and conduct. This could be a good outcome from the use of the 33 OiRA tools, provided they were as widely used in Bulgaria as BeSMART in Ireland. Since currently the use of web-based tools is not mentioned anywhere in the Bulgarian OSH legislation, and as long as the business case of Ireland does not exist in Bulgaria, the rate of uptake is quite slow.

One of the success factors that could speed up this process is if the OiRA tool could be developed, similarly to the proposed development of BeSMART, into free and auditable OSH management system, especially if it would mean less physical visits by the labour inspectors. This could give OiRA leverage towards the traditional OHSS services.

Another success factor that could be transferred is the educational role of the web-based tool, since at present OiRA is not part of any curriculum.

#### **3.2 Assessment of transferability**

As Bulgaria has already developed the OiRA tool, the functionality similar to BeSMART already exists. The structure of the Bulgarian economy, in terms of percentage of SMES, is very similar to that of Ireland.

In order to transfer the success factors in Bulgaria, provided that currently there is no business case, the legal standing of OiRA should be made clear. This legal standing could be a text in the legislation (the Health and Safety law or a regulation), stating that occupational risk assessments can be carried out by the company, using a web-based tool, and the outputs of this, like a risk assessment report and preventive measures, will be validated and recognised by GLI. This would also mean that OiRA based risk assessments should not be anonymous anymore. GLI should be entitled to appoint special staff for management and maintenance of the web-based tools. OiRA should be developed to include more elements of the OSH management system, as well as educational tools. This should include provision of specially allocated funds.

To a large extent the success is very dependent on wider participation, and so, much more resources should be allocated to dissemination and involvement of stakeholders, and to promotion and training activities for the users.

In order to make a business case, Bulgaria needs to do a lot of research and analyses, which are currently missing, of the occupational hazards and their impact on employees' health and safety, as well as their direct and indirect financial impact on the social security system, the health system and companies.

## **4 Questions**

- Is the use of web-based OHS risk assessment tools regulated in some way?
- Could Ireland share in more detail its BeSMART development and implementation plan, particularly the involvement of other stakeholders?
- Where does Ireland see the legal standing of BeSMART?
- Can the BeSMART tool be improved to allow for baseline and impact assessment?
- What are the arrangements between ILI and the companies regarding the rights to access and use the individual company data in BeSMART, including confidentiality and data privacy?
- What could be done in Ireland, legally or otherwise, to render the BeSMART validation the status of a traditional inspection?

## **Annex 1 Summary table**

The main points covered by the paper are summarised below.

### **Situation in the peer country relative to the host country**

- Article 25 of the health and safety law legally binds all employers to provide to their employees services by registered OHSS having both medical and engineering staff. The main reason for such legal provisions was that many of the enterprises could not procure the knowledge and skills required for the implementation of all activities provided in the comprehensive health and safety law.
- The General Labour Inspectorate Executive Agency (GLI) is the public body responsible for the overall supervision of compliance with labour law. GLI has about 495 labour inspectors controlling the health and safety and employment conditions in nearly 400 000 companies.
- Despite the comprehensive policies, strategies and programs there is a lack of proper analyses - other than the labour accidents and work-related illnesses statistics - of the direct and indirect financial impact on the health system, social security system and employers.

### **Assessment of the policy measure**

- GLI procured the development of 33 risk assessment tools (economic activities) based on the existing Online interactive Risk Assessment (OiRA) tool, developed by the European Agency for Safety and Health at Work, which were officially launched in August 2011.
- The external OHSS usually offer a complete package of services to the companies, related to their obligation to provide health and safety services to their employees, where the risk assessment comes at almost no fee.
- Many of the SMEs have very superficial risk assessments which they never read or understand.
- The OiRA tool is anonymous.
- There are no educational curricula in Bulgaria that include the web-based tools for risk assessment.

### **Assessment of success factors and transferability**

- Bulgaria, similar to Ireland, has done good work on developing the OiRA tools, but due to the lack of a similar business case in Bulgaria the uptake of the tool is insufficient.
- OHSS is in a 'race to the bottom' in a strongly competitive market niche.
- The OiRA tool is anonymous and therefore the accumulated data cannot be used at present for improvement of the overall risk assessment policies and practices.
- One of the success factors that could speed up this process is if the OiRA tool could be developed, similarly to the proposed development of BeSMART, into free and auditable OSH management system, especially if it would mean less physical visits by the labour inspectors.
- Another success factor that could be transferred is the educational role of the web-based tool, since at present OiRA is not part of any curriculum.

### **Questions to the host country in the Peer Review**

- Is the use of web-based OHS risk assessment tools regulated in some way?

- Could Ireland share in more detail its BeSMART development and implementation plan, particularly the involvement of other stakeholders?
- Where does Ireland see the legal standing of BeSMART?
- Can the BeSMART tool be improved to allow for baseline and impact assessment?
- What are the arrangements between ILI and the companies regarding the rights to access and use the individual company data in BeSMART, including confidentiality and data privacy?

## Annex 2 Example of relevant practice

Name of the practice:	Development of Bulgarian web-based OiRA tools for 33 economic activities
Year of implementation:	2011
Coordinating authority:	General Labour Inspectorate
Objectives:	Ensuring better risk assessment quality by encouraging the use of easy to apply tools to support the companies in occupational risks management
Main activities:	<p>The practice was part of a larger project called 'Prevention for health and safety at work', namely Component 3 'Development and dissemination of practical tools for motivation towards healthy and safe work', which included:</p> <ul style="list-style-type: none"><li>a) development of Best Practice Codes, Technical Rules or Manual with practical rules and guiding principles for safety and health at work;</li><li>b) development of practical tools for workplace risk assessment for various economic activities;</li><li>c) Information campaign.</li></ul>
Results so far:	<p>Developed OiRA tools for 33 economic activities</p> <p>14 workshops disseminating and promoting the OiRA tool</p> <p>Performed 5 337 assessments by 4 066 users</p>



## **Getting in touch with the EU**

### **In person**

All over the European Union there are hundreds of Europe Direct Information Centres. You can find the address of the centre nearest you at: <http://europa.eu/contact>

### **On the phone or by e-mail**

Europe Direct is a service that answers your questions about the European Union. You can contact this service

- by freephone: 00 800 6 7 8 9 10 11 (certain operators may charge for these calls),
- at the following standard number: +32 22999696 or
- by electronic mail via: <http://europa.eu/contact>

## **Finding information about the EU**

### **Online**

Information about the European Union in all the official languages of the EU is available on the Europa website at: <http://europa.eu>

### **EU Publications**

You can download or order free and priced EU publications from EU Bookshop at: <http://bookshop.europa.eu>. Multiple copies of free publications may be obtained by contacting Europe Direct or your local information centre (see <http://europa.eu/contact>)

### **EU law and related documents**

For access to legal information from the EU, including all EU law since 1951 in all the official language versions, go to EUR-Lex at: <http://eur-lex.europa.eu>

### **Open data from the EU**

The EU Open Data Portal (<http://data.europa.eu/euodp/en/data>) provides access to datasets from the EU. Data can be downloaded and reused for free, both for commercial and non-commercial purposes.

