



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

Dublin, Ireland, 2-3 October 2017

**Statutory risk assessment
made easier**

Peer Country Comments Paper - Norway



EUROPEAN COMMISSION

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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 success factors and transferability	6
4	Questions	8
	Annex 1 Summary table	9

1 Situation in the peer country relative to the host country¹

1.1 Background to the Norwegian approach on the use of web-based tools for OSH Risk Assessment

As is the case for EU regulations, the Norwegian Working Environment Act also has provisions on OSH risk assessment.² Based on the assessment, the company is expected to evaluate risk, prepare plans and implement measures to reduce risk at work.

The Norwegian Labour Inspection Authority (NLIA) has, as part of its governing process, defined a strategic direction up to 2025 and set the following long-term goals:

- Reduction of the number of severe injuries, illnesses and fatal accidents at work
- Companies working more preventively within their own working environment, thus complying with OSH regulations
- Reduction of work-related crime and worker exploitation

One of the measures planned by the NLIA is to develop and evaluate online interactive risk assessment tools for specific industries.

The NLIA has not endured cutbacks, as many other inspectorates have, including the ILI. However, the Ministry of Labour and Social affairs urges the NLIA to put more emphasis on prevention and guidance.

Traditionally, the NLIA has spent most of its resources on inspections and guidance of companies. The focus has been on prevention of work-related health-issues and accidents. For the last 10 years, however, there has been an increased focus on undeclared work and in past years also on combating work-related crime³. In 2015 the Norwegian government presented a strategy for combating work-related crime⁴, which was revised in 2017. The government's intention is both to combat work-related crime and to promote responsible and sound working conditions through broad cooperation between public authorities and the social partners on prevention, knowledge-sharing and enforcement. The Norwegian Labour and Welfare Administration (NAV), the police, the Norwegian Tax Administration and the Labour Inspection Authority have signed a joint action plan to combat labour crime. The aim is to streamline efforts through coordinated actions based on joint analysis and action plans.

This rotation of resources has also led to an increased need for more effective guidance for companies that intend to comply with the regulations, so that they can do so in a more efficient way.

¹ Co-author: Gro Synnøve Færevåg, Norwegian Labour Inspection Authority.

² Internet: <http://www.arbeidstilsynet.no/binfil/download2.php?tid=92156> (Working Environment Act, page 14)

³ Work-related crime involves activities – often organised – violating Norwegian legislation concerning wages and working conditions, social security and taxation; exploiting workers or distorting competition and undermining the social structure.

⁴ Internet: https://www.regjeringen.no/contentassets/4f7ae70171bd480682b8dafddadaf311/strategy_for_combating_work-related_crime.pdf

Guidance is traditionally arranged either to be part of the actual inspections or the companies, or others approach the Labour Inspectorate for information. This means that the businesses themselves see the need for obtaining information. Many approach the Norwegian Labour Inspection Authority's websites for information, and this guidance receives good feedback from users, as confirmed by the external evaluation by the research institute Sintef.⁵

To accommodate a greater proportion of companies with better and more self-explanatory guidance the NLIA decided to:

- Make risk assessment easier, especially for small businesses
- Motivate more businesses to carry out statutory risk assessment related to relevant workplace challenges on occupational safety and health
- Strengthen the guidance service of the Labour Inspectorate for businesses

The NLIA, therefore, wants to develop and test online interactive risk assessment tools for specific industries, in collaboration with the social partners.

Since primary data on work-related injuries and diseases in Norway is not available, NLIA ordered a survey from the independent research institute SINTEF in 2015. Based on existing national and international statistics sources, SINTEF estimated that the annual socio-economic cost of work-related illness and injury in Norway to approx. NOK 30 billion (approx. EUR 3.2 billion).⁶ Of this, loss of life and lost quality of life due to work-related illness amounts to NOK 15.6 billion (EUR 1.6 billion), while work-related accidents cost NOK 3.2 billion (EUR 328 million). SINTEF estimates that 20 % of sickness absence is work-related and costs NOK 8.3 billion (EUR 852 million) annually. The rest of the costs are related to treatment of injuries in hospital and on emergency care (NOK 350 million/EUR 36 million), as well as disability benefits (NOK 2.9 billion/EUR 298 million). There are also treatment costs for work-related illnesses.

An online risk assessment tool will help to reduce the cost of work-related illness and injuries. In addition to direct savings due to fewer employees getting sick or injured at work, companies with reduced work-related absence will be able to increase their productivity and competitiveness.

Key figures

- 250 000 businesses
- 2.6 million workers
- Over 15 000 supervisions annually
- 3 million visitors to www.arbeidstilsynet.no every year
- Close to 19 000 followers on Facebook plus 13 000 followers on their Facebook page for young workers
- 80 000 inquiries (phone, e-mail, Facebook) to our answering service
- Number of labour inspectors: 350

⁵ Internet: <https://www.nho.no/siteassets/nhos-filer-og-bilder/filer-og-dokumenter/arbeidslivspolitik/a27330-nho-bedrifters-erfaringer-med-arbeidstilsynets-tilsynsvirkosomhet.pdf> (Norwegian only)

⁶ Internet: <https://www.sintef.no/globalassets/sintef-teknologi-og-samfunn/rapporter-sintef-ts/rapport-a27430-kostnader-ved-arbeidsrelaterte-sykdmmer-og-skader.pdf> (Norwegian only)

2 Assessment of the policy measure

2.1 Introduction to the Norwegian IRAT-project

The development of the Norwegian interactive risk assessment tool (IRAT) started in June 2017, and the tool will be launched in Q1/Q2 of 2018. The NLIA is in charge of the project. The social partners have been a crucial part of the decision-making process and, now, in the actual development of the tool. When the tool is launched, the social partners will take an active part in disseminating it.

2.1.1 The target group

The main target group for the new tool is small and medium-sized companies.

There is no established Norwegian definition on what constitutes a "small" or "medium-sized" company. The IRAT project has not chosen an exact demarcation, but the content is mainly targeted at companies with less than 50 employees.

Using this definition, the target group will include about 183 000 companies.⁷

Companies with less than 50 employees account for more than 95 % of businesses in Norway's workforce. 70 % of the companies have 10 or fewer employees, which would place them in the "micro" company category⁸.

These small companies are an important target group for the Labour Inspectorate. NLIA inspectors' report that many small businesses find it complicated and demanding to carry out risk assessment, and that they often do not carry out a statutory risk assessment at all. Surveys from NLIA inspections show that in supervisions where it has been verified whether the business has assessed risk, there have been deviations at this point in 51 % of businesses with 1-9 employees, in recent years. Data from NLIA supervisions indicates that risk assessment is less likely to occur in micro/small businesses.

The Labour Inspectorate's experience also shows that there are three particular explanations for the lack of risk assessments in these companies:

- Lack of knowledge about risk (they do not think they are at risk)
- Insufficient understanding that good OSH work pays off (they think it is too time-consuming and difficult to work preventively)
- They do not use Corporate Health Services (CHS) (they do not know what CHS can help them with, think it's too expensive, and/or do not know they are required to use CHS)

2.1.2 NLIA's goals and expectations.

NLIA expects that a free, web-based tool will make it easier for small businesses to prevent work-related injuries and reduce sickness absence, and help legitimate businesses become more competitive in relation to businesses operating illegally. The investment is expected to have a particularly big impact on small businesses that do not have the resources to employ experts to take care of preventive OSH work. They will be able to implement more appropriate OSH measures more efficiently.

2.1.3 The process of selecting an IRAT-model

The process leading to the decision that Norway should develop their own tool started in 2016. Representatives from EU-OSHA took part in workshops with the NLIA and social partners, and did a great job of demonstrating the relevance and usefulness of an IRAT. OiRA was presented as one of several options. The NLIA ordered an external evaluation and comparison of the features of OiRA, BeSMART and the Danish tool APV,

⁷ Internet: <https://www.ssb.no/virksomheter-foretak-og-regnskap/statistikker/bedrifter/aar/2016-01-22>

⁸ Internet: https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

which gave an insight into the pros and cons of different IRAT solutions in relation to the specific regulations and scope defined in Norway. In addition to EU-OSHA, the Danish Working Environment Authority and the BeSMART-team at the Irish Health and Safety Authority have shared their knowledge and experience, and are considered important partners of the NLIA in this process.

Adapting and implementing OiRA was for a long time considered a relevant option. The decision to design and implement a Norwegian tool from scratch was due to the following:

- The NLIA is obliged to provide digital services that comply with Norwegian requirements for universal design. These requirements are comprehensive and none of the tools evaluated complied with all the requirements.
- The NLIA had an additional requirement that the new tool should work well on all devices; tablets and smart phones in particular. It should also be easy for the user to switch device mid-task. None of the evaluated tools had a "mobile first" approach.
- The NLIA wanted to control the technical implementation to have the option to expand the tool. An expansion of the tool would make it possible to include other authorities' regulations (i.e. risks relating to food safety, environment and climate or radiation).

2.1.4 Selecting the industries

The three industries selected for the first phase of development are the cleaning industry, the transport industry and the hairdressing industry. Based on advice from EU-partners, it is an important premise that the tool is sector-specific. This means that the content of the tool should include the most relevant risks for the chosen industries.

The NLIA will start with three industries and will expand to include more if the first phase is evaluated positively.

The NLIA is also in the process of involving the other relevant authorities.

The language of the tool will be Norwegian. An English version may be added later, if sufficient resources are available.

2.1.5 Estimated costs

The costs of creating and running the IRAT tool are estimated to be similar to the costs of re-establishing and running the NLIAs standard webpage, which will be relaunched in September 2017.

The costs of developing, monitoring and reviewing the content of the tool will depend on how many industries are covered by it.

The initial cost of the technical development of the tool for the three sectors is estimated at NOK 2.2 million (approx. EUR 230 000).

2.1.6 The legal position of an IRAT

There has been a concern that IRAT's, or similar tools, may give users a false impression of legislative compliance, and that faults or omissions in the IRAT could cause businesses to claim that such tools limit their responsibility.

In order to prevent possible liability issues, the NLIA is considering obtaining independent professional legal advice prior to the launch of the tool.

2.1.7 Plans for promotional activities

The NLIA is currently planning several activities to ensure that the target group learns that the new tool is available, and to ensure that as many companies as possible will keep using it.

Some of the activities planned to disseminate the tool are:

- Information to specific companies: when the NLIA informs companies about the date and time of a scheduled inspection, the letter may include information on risk assessment and a link to the new IRAT.
- Educational activities: educational activities are planned for inspectors and OSH professionals, so they can inform and guide companies about the new IRAT.
- Campaigns to increase awareness: marketing and promotional activities including short films, newsletters, and targeted social media advertising will be provided by an external advertising company.
- Questions regarding occupational safety and health are answered by the Labour Inspectorate's telephone service. The advisors will be able to promote the new tool to the target group.
- The NLIA is also considering whether it would be appropriate to inform *all* companies in a selected industry that inspections are planned in their area. The companies would be informed that they are expected to produce the risk assessment documents. The letter would include a link to the IRAT, as a free option, for those companies that have not already completed a risk assessment.

2.2 Evaluating the impact of the web-based tool

The evaluation will include standard measures, including visitor numbers, the number of accounts created, and the number of completed risk evaluations.

The NLIA already collects information by sending a survey to companies they have visited. Using this survey, the NLIA may be able to collect data from companies to determine if they have used IRAT prior to the inspection. If such data becomes available, it might be possible to evaluate if the use of IRAT has any effect on the number of orders issued by the NLIA inspector.

3 Assessment of success factors and transferability

The Norwegian Labour Inspection Authority currently places significant emphasis on developing high quality guidance to businesses to prevent illness and injuries in the workplace.

The Norwegian IRAT is a digital service requested by industries, and the possibility of reducing burdens for SMEs is a priority for today's government. When the NLIA redistributes resources to prevent employment crime, it is even more important to be able to provide legitimate businesses with useful tools to reduce risk and make it easier to comply with the regulations.

3.1 Transferability

3.1.1 Efficient interaction with SMEs

If the Norwegian tool is implemented to cover a significant number of industries in the future, it will be an important addition to the NLIA's guidance activities. With a web-based tool it might be possible to give guidance to a large number of companies in a far more economically efficient way than the traditional guidance provided by inspectors onsite.

The IRAT project has not set a specific target for the number of expected users of the tool in the testing phase.

3.1.2 Project organisation

The project organisation of BeSMART, with four full-time labour inspectors and one administrative staff member, is interesting. Having immediate access to inspectors with "hands-on" experience to create and review content is obviously very important for the success of such projects. Too many contributors might make the task more time-consuming, as more people would have to be coordinated and trained. Too many additional responsibilities might also mean that the IRAT project tasks become less of a priority.

The breakdown of staff workload with one third on developing/reviewing content, one third on promotional activities and one third interacting with users is useful to know.

The NLIA may have the option of using their existing telephone answering service to interact with users who need guidance to complete their risk assessment.

3.1.3 Cost reduction for industries

The NLIA has no statistics or estimates on the costs that companies currently experience associated with complying with OSH risk assessments, and it is not known whether companies perform the risk-assessments themselves or pay OSH consultants or Corporate Health Services (CHS) to assist them with this task.

In Norway, some industries with greater risks of illness or injuries have an obligation to associate an approved corporate health service to the business.

3.1.4 Interaction between labour inspectors and IRAT users

The host country describes the less formal and legalistic interaction between inspectors and BeSMART users as a success. As a more educational approach has been requested both by the business sector and by different social partners in Norway, this approach may have beneficial results in Norway as well.

3.1.5 Ease of use, trust, and promotional work.

The Norwegian IRAT will incorporate all three ideas into the project plan. The digital service itself is constructed with a "mobile first" approach, with much emphasis on user-testing with users from each industry, simplicity, and an "onboarding process" designed to ensure that as many users as possible complete the risk assessment. The tool will make it possible to incorporate visual communication as part of the content.

Maintaining the appropriate balance between ease of use and complexity is also an important issue in Norway. The advice given to the NLIA by the interaction design experts was similar to the advice from the BeSMART-team, namely to err on the side of simplicity.

The data collected by the tool will be kept confidential, and the NLIA will not use any data or information from the tool to plan supervisory activities.

Initial promotional work will be implemented with the assistance of an advertising agency using short films, newsletters, social media advertising, and other forms of advertising to promote the new tool.

4 Questions

- What is the involvement of the social partners in the development of and in reviewing the content of BeSMART?
- How many working hours are spent in general on developing the content of a new business type, and how many hours are spent reviewing the business type annually?
- Have you ever promoted BeSMART through campaigns (social media, advertising or other paid channels)? If so, how effective do you find such campaigns compared to face-to-face promotional activities?
- Interaction with users: how many users contact the BeSMART team each year?
- What kind of statistics does BeSMART generate, and how are they used to develop the tool?
- How many users choose to register, and how many are guest users?

Annex 1 Summary table

The main points covered by the paper are summarised below.

Situation in the peer country relative to the host country

- The Norwegian Working Environment Act includes provisions on OSH risk assessment.
- 80 % of Norwegian companies have less than 10 employees, 95 % have less than 50 employees.
- Through carrying out inspections, the NLIA found that 51 % of micro companies had not carried out statutory risk assessment on OSH, mainly due to lack of knowledge about risks and insufficient understanding of the benefits of systematic measures on OSH.
- The aims of creating a Norwegian IRAT are to make risk assessment easier, especially for small businesses, to get more businesses to carry out statutory risk assessment and to strengthen the guidance service of the Labour Inspectorate to companies.

Assessment of the policy measure

- Until now, the NLIA have not provided any e-tools on OSH risk assessment, and their first tools will be launched in 2018.
- As in Ireland, there have been concerns about the legal position of such tools, in that users may be given a false impression of legislative compliance. This issue will be solved by a disclaimer within the tool, stating that using the tool itself is not a guarantee against accidents or ill health at work.
- The NLIA will start with three industries and will expand to more if this first phase is evaluated positively.
- The social partners are engaged and actively involved in developing the tool.
- The tool will be promoted through sending direct information to relevant companies (on inspections and perhaps through direct letters), educational activities, awareness campaigns, and through the social partners.

Assessment of success factors and transferability

- A success factor is that the tool is developed in collaboration with the social partners and representatives from the industries.
- As in Ireland, by providing a free, easy to use and accessible IRAT, the NLIA hope to reach a substantially larger number of companies than by traditional methods.
- A less formal and legalistic interaction between inspectors and IRAT users may have beneficial results in Norway, as in Ireland.
- The NLIA expects that a tool providing standardisation of required documentation and validated health and safety information will be valuable for users.

Questions to the host country in the Peer Review

- What is the involvement of the social partners in the development of and reviewing the content of BeSMART?
- How many working hours in general are spent on developing the content of a new business type, and how many hours are spent on reviewing the business type annually?

- Have you ever promoted BeSMART through campaigns (social media, advertising or other paid channels)? If so, how effective do you find such campaigns compared to face-to-face promotional activities?
- Interaction with users: how many users contact the BeSMART-team each year?
- What kind of statistics does BeSMART generate, and how are they used to develop the tool?
- How many users choose to register, and how many are guest users?

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