

Occupational safety and health enforcement

Audit framework

Legislation contains provisions on the Occupational Safety and Health Administration and its tasks. Finland's Occupational Safety and Health Administration comprises the Department for Occupational Safety and Health Administration at the Ministry of Social Affairs and Health and five Regional State Administrative Agencies' occupational health and safety sections (formerly occupational health and safety districts). The ministry directs activities, conducts development work and prepares legislation in the field. The Regional State Administrative Agencies monitor compliance with legislation and regulations, issue guidelines and give advice. In carrying out its enforcement task the Occupational Safety and Health Administration is independent.

The funds needed for occupational safety and health authorities' activities are appropriated in the state budget each year. The Occupational Safety and Health Administration is a net-budgeting organisation that operates under the Ministry of Social Affairs and Health. The budget included a total of 21.4 million euros for the Occupational Safety and Health Administration's operating expenses in 2010 and 24.9 million euros in 2011 (item 33.70.01).

The National Audit Office restricted the audit of the Occupational Safety and Health Administration to occupational safety and health enforcement. The audit was conducted according to a structured audit model developed by the office. The selection of the topic was not based on the financial significance of occupational safety and health enforcement or a preconceived view regarding financial risks associated with functions. The audit model is particularly suitable for situations in which the objective is to ensure the comprehensiveness of audit activities over the long term. Audit findings and conclusions based on them have been reported even if shortcomings have not been observed in each part of the audit.

In accordance with the audit model the audit includes three subareas with regard to occupational safety and health enforcement: performance, proper procedure and compliance with good governance.

The audit evaluated performance by examining the chain of objectives in relation to the content of the performance agreement between the Ministry of Social Affairs and Health and the Occupational Safety and Health Administration. It then examined the achievement of objectives and preconditions for effectiveness.

Audit themes concerning the implementation process are planning, organisation, the utilisation of human resources, actual implementation, documentation and monitoring, reporting, internal control and evaluation.

Proper procedure is connected to three audit themes: the legal basis, compliance with the budget and the transparency of activities.

Audit data included norms and documents concerning occupational safety and health enforcement and the Occupational Safety and Health Administration, such as relevant legislation, guidelines and evaluations, the state budget proposal, performance agreements between the Ministry of Social Affairs and Health and the Occupational Safety and Health Administration, strategy documents, final accounts, operational plans and reports. The collection of data was restricted to documents from 2006-2009. With regard to strategy the audit used a longer time frame extending from 1998 to 2010. In examining the organisation of occupational safety and health enforcement, attention was paid to the reform of regional administration and its impacts. Interviews were also conducted with representatives of the Ministry of Social Affairs and Health and the Occupational Safety and Health Administration.

Occupational safety and health enforcement is examined in greater detail from the viewpoint of customer-initiated and authority-initiated enforcement in order to fill out the picture.

Market supervision and international activities related to the topic were left outside the scope of the audit. The audit did not include the activities of the European Agency for Safety and Health at Work or international guidelines, for instance.

Audit findings and the office's positions

On the basis of the audit, occupational safety and health enforcement has been managed well. The audit nevertheless drew attention to structural changes in the operating environment and to the fact that accident and register data have not been utilised sufficiently in focusing occupational safety and health enforcement. Furthermore web and phone services linked to the eServices channel have not functioned according to expectations.

Key audit findings and conclusions regarding performance, the operating process and proper procedure are presented below.

Performance

The chain of objectives is consistent from legislation to enforcement and has been given concrete form quite well.

The occupational safety and health strategy that was evaluated in the audit was adopted by the Ministry of Social Affairs and Health in 1998, and three follow-up reports were subsequently issued. A new strategy that touches on the topic came into force at the end of 2010 was not included in the audit data. In the occupational safety and health strategy and follow-up reports no attempt was made to determine whether the means that have been chosen to achieve strategic aims have been correct and sufficient. In future the ministry should pay attention to justifying means, giving them concrete form and selecting adequate indicators. In strategy work it should be possible to alter policies during the strategy period on the basis of evaluations. In monitoring strategies a finer distinction should be made between the results of occupational safety and health activities and the results of the administrative sector's own activities so that the propriety of policies can be evaluated better. On the other hand factors influencing development that have resulted from changes in working conditions, the economic operating environment or other social changes must also be identified.

The objectives in the performance agreement between the Ministry of Social Affairs and Health and the Regional State Administrative Agencies are in line with the budget.

The Ministry of Social Affairs and Health monitors the achievement of the objectives that have been set for the Occupational Safety and Health Administration and gives feedback annually. The performance agreement procedure is proper.

The ministry also has its own expertise in this area. The ministry and the Occupational Safety and Health Administration maintain a good dialogue by holding regular meetings that are attended by the Regional State Administrative Agencies' section heads.

Operating process

Occupational safety and health enforcement is prescribed in legislation. Its implementation has been according to norms. The Occupational Safety and Health Administration has developed customer- and authority-initiated enforcement as well as cooperation with regional labour market organisations.

The policy in the Occupational Safety and Health Administration's operational and financial plan is in line with performance agreements. The Occupational Safety and Health Administration has also followed this policy in planning human resources. A detailed process for occupational safety and health enforcement has been specified in guidelines, and implementation has been properly planned.

The organisation of implementation is systematic and core processes have been specified and documented. The division of responsibilities is clear. The Occupational Safety and Health Administration's planning systems and the way in which implementation has been organised ensure continuity.

The Occupational Safety and Health Administration has developed a new documentation and filing system in order to create a monitoring system for occupational safety and health enforcement. This should make it easier to focus and document inspections. Monitoring, reporting, internal control and evaluation have been arranged in an appropriate manner.

The development of human resources in the Occupational Safety and Health Administration is methodical. A special unit has been established to train personnel. The audit did not observe anything that would suggest that human resources have been dimensioned or

allocated inappropriately in the Occupational Safety and Health Administration.

Simultaneous changes in the operating environment, such as re-organisations due to the reform of regional administration, personnel reductions as part of the government productivity programme and the retirement of personnel, have raised the question of whether the Occupational Safety and Health Administration can creditably carry out its assigned tasks. Structural changes in the working world have also presented new challenges for occupational safety and health enforcement. The use of hired staff, foreign labour and fixed-term employment have created new problems regarding the dissemination of information and the orientation of personnel. Insufficient expertise in safety management can increase work-related accidents.

The audit found that demonstrating and measuring the effectiveness of occupational safety and health enforcement has been challenging: What gauges and indicators can be used to measure and evaluate effectiveness reliably? What results can be attributed to occupational safety and health enforcement alone and what results are due to other measures or external factors? For example, conclusions concerning welfare in the workplace that have been drawn from statistics on sick leave do not give a reliable picture of the effectiveness of occupational safety and health enforcement. The Occupational Safety and Health Administration has developed and continues to develop its own methods for measuring management systems and conditions to determine the effectiveness of occupational safety and health enforcement.

Alongside the development of management systems it is important to focus more attention on fields in which work-related accidents and absences due to illness frequently occur. The Advisory Committee on Occupational Safety and Health should also promote possibilities to obtain information concerning accidents at registered workplaces for enforcement authorities. This would make it possible to focus inspections on workplaces with high accident rates and numerous short absences due to illness. The National Audit Office considers that in focusing occupational safety and health enforcement, it is necessary to take a proactive approach and make better use of existing statistical and register data in the Occupational

Safety and Health Administration and elsewhere (e.g. data on absences, pension and accident data).

Proper procedure

Occupational safety and health enforcement has been implemented and guidelines have been prepared within the framework of legislation. The audit did not observe activities in this area that were in conflict with legislation.

Occupational safety and health enforcement has been arranged transparently, both internally and externally. Administration monitors its image and develops activities in a sufficiently customer-oriented way.

The goal in the reform of regional administration has been to arrange services more efficiently. The objectives of the reform have not been achieved in all respects, however. Web and phone services linked to the eServices channel have not functioned accessibly.