**GROUP 1**

**Mutual Joint Visit (MJV) Workshop on Safety Culture, Leadership and Enforcement  
16-18 September 2015, The Hague, The Netherlands**

**Session 3 Nudge, Push, Shove (Enforcement) - *Please choose at least one question from 2-4 . Each group must answer Questions 1 and 5. If you finish early, select an additional question, or questions for discussion! In other words, answer as many questions as possible in the time allowed.***

**Draft v1**

***Insstructions. Please look at all the questions together and decide the group’s strategy for the session. You will not be able to answer all the questions so you must decide which questions the group will answer and in what order. Also, there are some questions that each group must answer. Please make sure you include time for these. Please stay on topic!***

1. **(Mandatory) Thinking about Nudge, Push, Force … Discuss the pros and cons of each strategy based on your experience. Which, if any, of these strategies could work in your organisation? Why or why not? Give examples, if any, of when you tried any of these strategies. *You can use the following template as a guide to summarizing responses to this question.***

**Pros and Cons (list):**

**Nudge : low energie**

++ most sufficient way, less worries

++ it is the best if they do it volentary

++ will to learn shoud be there beforehand by senior management

++ results are better

++ require majority of inspector (he needs to know a lot) and feel secure at his work

-- inspector needs to be informed

-- more elegant way of doing, more different to do for the inspector

**Push: -- results are less**

++ easier to perform for inspector

? les effort for inspector, just compare standards and reality (lazy & common way)

-- It can lead to gaps in the inspection.

-- keep kicking all the time during follow-up (reminder them)

-- enforcement by pinball.

-- lead to poor development strategie

-- company needs to rely on themselves not depending on inspector

**Force:**

-- negative relation afterwards.

**Nudge (Examples,comments):**

pro-active companies

Delta Links, group of companies with reunions with ideas how to treat. Companies that are there don’t have problems with. They don’t have to been convicenced to work, however they still can have difficiency.

**Push (Examples, comments):**

Companies that take over comments of inspectors

**Force (Examples, comments):**

Stand alone companies,

Not big companies

Pathological

Companies depend on inspector for improvements & results are not desired.

**===== Inspectors need to be flexible in way to approach. =====**

**GROUP 2**

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**Pros and Cons (list):**

* **Con:** Nudge not always accepted

Example: Inspector suggested site to disseminate accident investigation findings to other sites in the region. Later discovered that this was not done.

* **Comment:** Some situations do not have the option of a “nudge”.
  + One country gives much emphasis to compliance with SMS and therefore, enforcement of SMS allows an opportunity to motivate safety culture. It still depends on the response of the organization.
* **Comment.** Sometimes there is no option but “force” because a clear violation has occurred. On the other hand, you cannot have a “safety culture” violation.
* **Comment:**  Nudge and Push can often be used together.
* **Comment:** There is no one strategy for any site. It depends on the quality of the permit, the site’s attitude.
* **Comment:** The whole situation and impact could change in some countries depending on how the obligation to report inspection findings under Seveso III is implemented.
* **Comment:** Inspectors need to have persuasive skills.

Inspectors should have specific training on how to motivate safety culture and be convincing.

**Nudge (Examples,comments):**

* Advice in an official document
* Show good examples and bad examples to the site.
* Use ISO 14000,9000 to motivate
* Organise periodic workshops for industry on the topic or
* Use workshops on specific legal/implementation issues (e.g., Seveso III, CLP) to introduce safety culture
* Site improvements can lead to a lower risk ranking 🡪 fewer inspections

**Push (Examples, comments):**

Specific enforcement

**Force (Examples, comments):**

* The threat of violation can be powerful
* The threat of criminal prosecution, especially of senior management, can be used.

1. **Look at the “evidence” of safety culture performance below. Select some topics below to discuss. For each topic: How can an inspector could use this “evidence” to motivate improvements in safety attitudes on a site? Is it different for some countries than others? Which topics are more difficult?**

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| **Topic** | **Level of Difficulty**  **Low – Medium - High** | **Examples of inspection strategies**  **Other comments?** |
| 1. **Employee involvement in site or process management** |  |  |
| 1. **Emphasis on profit performance over safety performance** |  |  |
| 1. **Type and frequency of interaction on safety issues between management and workers** |  |  |
| 1. **Visibility and relevance of safety management within the site’s overall management system** |  |  |
| 1. **Contractors prepare the safety report rather than safety managers on site** |  |  |
| 1. **The degree to which process-related problems are documented and followed up on site** |  |  |

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| **Topic** | **Level of Difficulty**  **Low – Medium - High** | **Examples of inspection strategies**  **Other comments?** |
| 1. **Awareness of and attention given to lessons learned from accidents and near misses** |  |  |
| 1. **Number of accidents/near misses/unsafe acts** |  |  |
| 1. **Degree of follow-up for actions from internal audits** |  |  |
| 1. **Non-compliance with Seveso/technical standards (e.g., ATEX)** |  |  |
| 1. **Other:**   *(Add more “Other” rows as necessary)* |  |  |

1. **Who should the inspector talk to if the inspector has concerns about safety culture on a specific site?** **Should you/can you invite corporate leadership to be present for an inspection?**
2. **List and describe some tools and techniques for discussing safety culture with other inspectors and operators.**

* *Tool/Technique 1:*
* *Tool/**Technique 2:*
* *Etc.*

1. **(Mandatory) List specific questions that an inspector can use to approach the topic of safety culture with a site. Try to think of as many as possible! We should give inspectors a lot of options.**

**Some questions might be rephrased, depending on whether you are talking to the manager or a worker.**

* Can you inform me about how many incidents you had and what was the follow up?
* What is the role and responsibilities in the organization?
* How does communication work? What ways can workers communicate up the organization? What kind of communications does management make to workers?
* What is the training strategy? How is it planned and how are the topics chosen?
* How is safety embedded in the organization and how do you manage it?
* **To worker:** How often do you meet your manager?  
  **To manager:** How often do you talk to the workers on the floor?
* Does the manager gather input from workers to communicate to top management (about procedures, processes, systems, hazards)?
* Are operators/relevant experts included in Hazop, internal audits? Are the “right” operators/experts involved?
* Do you discuss past incidents also with relevant external parties, e.g., external fire brigades?
* How do you assure that an incident does not repeat itself?
* Do you know what your worst hazards are? What risks give you the most concern?

**The CEOs are expected to answer the important key questions, such as what are your worst hazards? What incidents have you had and how can you ensure they don’t happen again?**

**GROUP 3**

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1. **(Mandatory) Thinking about Nudge, Push, Force … Discuss the pros and cons of each strategy based on your experience. Which, if any, of these strategies could work in your organisation? Why or why not? Give examples, if any, of when you tried any of these strategies. *You can use the following template as a guide to summarizing responses to this question.***

**Pros and Cons (list):**



**Nudge (Examples,comments):**

**Push (Examples, comments):**

**Force (Examples, comments):**

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1. **(Mandatory) List specific questions that an inspector can use to approach the topic of safety culture with a site. Try to think of as many as possible! We should give inspectors a lot of options.**

**Comments: In general it is important to get trained in asking questions. Think about what your basis assumption and attitude should be. Stick on your schedule but dare to deviate if you feel it is necessary.**

* **May I be able to go around the installation with the technician only (without the safety manager)?**
* **Talk to low level workers (in the sense of business hierarchy) about operational (practical) safety: What are you going to do if ‘this and this’ will happen? Compare the answer with the safety procedures.**
* **Is it easy to report a near miss or an incident?**
* **Who can push the ‘emergency button’? The high management will give different answers that people at the working floor. Different answers give a good hint of the present safety culture.**
* **Start an informal/open chat: What is going on here, what are your concerns? But integrity stays important: It is always clear that you are an inspector.**
* **Questions in which you change the perspective: What would you do if you would be the manager/technician?**
* **Is everyone involved concerning ‘lessons learned’ from past incidents/near misses?**
* **General (second) question: Why?**

**GROUP 4**

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**Pros and Cons (list):**

* **Nudge is harder to write down “squishy”**
* **Most legislation only has the possibility of enforcement**
* **Nudge is more about trust. If you say only negative things it’s not going to work.**
* **Is it right to inspect culture only in indirect way?**

**Nudge (Examples,comments):**

**Poor relation with the site manager and then they found an subject (football) they both liked. After a good talk and the right football team won the game the relation was much better. So the manager was more open to the suggestions of the inspector**

**Win-win situations, if you make suggestions that’s good for the production and also benefit the safety.**

**The establishment should see us as a doctor instead of the policeman.**

**There should be trust between the both parties. Both parties can learn from each other.**

**An open relation with the public (safety report / results of the inspection publish) will give a “society” nudge.**

**Push (Examples, comments):**

**A letter with an recommendation. But is this the first step for enforcement?**

**Inspection on a Gas site, the site made their own safety report. In the letter the inspector made the comment that they should think about an system for selecting their contractors.**

**Force (Examples, comments):**

* **Example from Tim, six enforcements notes**
* **The organization in the UK is gearing up to enforcement. Geared up for the stick not for the carrots.**

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* *Tool/Technique 1:*
* Hearts and minds toolkit
* CPPS toolkit
* Hse human factor website
* dr. Flynn, compilation of all the main issues from safety culture “safety at the sharp end”
* in Czech Republic there is an questionnaire on different topics and they want to make a part about culture.
* Self assessment questionnaire in the Netherlands (Safety first)
* Software/mindware/hardware
* Dedicated training and questionnaires for the workers/contractors/managers
* Take the own management system of the company and use that to create questions.
* The culture is the underlying bottom who determines if the establishments are able to operate safe.
* Summary from the reports in the Netherlands are publish and there are points made about culture.
* Authorities are
* The culture of the regulator is reflecting the culture of the society.

1. **(Mandatory) List specific questions that an inspector can use to approach the topic of safety culture with a site. Try to think of as many as possible! We should give inspectors a lot of options.**

* When a change is proposed, how does the company is act and react.
* What things are changed here recently?
* How is business going on?
* What can of pressure are you on?
* How are you reviewing your safety performance
* Can you tell what the biggest risk here on site
* From which risk are you lying awake at night?
* Who is preparing you’re safety report?
* What are you looking for in a contractor?
* Do you know name the first name off you’re CEO?
* How are you communicate with the workers? Do you know if you’re message is understood correctly?
* Do you have to work more than you got paid for? How is it with the overtime?
* What is the first thing to check if you are entering the CCR
* What happens at shift change?
* What do you do in case of an alarm?
* What did you learn from the emergency respond exercise
* What do you think you’re management style is
* As an manager are you walking around in the plant?

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Senior manager for the site should be available (start) and operator that are working in the risk operation.

Speak to all levels to find out what is happening

If a concerns is found for e.g. maintenance is not happening. Then talk to side manager & financial manager& maintenance manager.

Coperate goverance via headquaters.

Somestimes opinions of Corporate – sites are not the same.

Strategie: never meet an CEO in their own chambres.

Inspectors could solve problems elsewhere (corperate level).

Eg. Invite top senior management at own desk (with metal detection , host with the sun in the back) 🡺 inspectors have the power.

Barrier: Corporate headquaters in another country

Language interpertors (not easy).

Inspectors could take specialist along from own organisation.

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* What is result of the last internal audit and what did you do with the recommendations?
* When did you do your last LOPC inspection? Which results where recorded (leaks, trops)?
* How many near misses were reported the last two/three years?
* When did you last attent a meeting from another discipline?
* Senior manag.: Did you apply first aid during an excersise or real?
* Do you have an annual review of the SMS and is that reported? Who were there (low-higher safety management)
* Have you got an annual measurement of KPI’s?

How are they changing (up-down)

* What things are lacking? What is the explantion of de deviciency.
* Do you report regularly on safety or maintenance to your head office

What is their response? Communication in both directions

* Have all safety relevant role and positions have been identified and the training accordingly determined. Is it up to date (follow the chain).

Same way for excersises and training.

* What do you do with the people that did not attend at the exercise training, how closing do you out of gaps?
* How safe do you feel in your company and why (ask for evidence-demonstrate)

What are your difficulties and why (mostely personal safety)

* do they understand what risc are? Which are critical and safety area’s?

Do you know potential of explosions, leakages, where pumps are, where sharps are of changing pressure :

* Do you know what substsances you are working with, and are there safety rules with it?

Which PPE do you wear and why?

* Lock out tack out, why do you put a lock? Do you contracters understand this proces?
* Corporate level: What is dangerous for you plant?