

July 2009

Workers Memorial Day
Public consultation



Workers Memorial Day Public consultation

Presented to Parliament by
the Secretary of State for Work and Pensions
by Command of Her Majesty
July 2009

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WORKERS MEMORIAL DAY:

Proposals for official recognition

Who this consultation is aimed at

1 This consultation is directed to all those who have suffered personal loss because of work activity, whether through bereavement, injury or ill-health. It is further directed to all those who are committed to improving health and safety in the workplace, including employees, employers, Trade Unions, and Local Authorities.

Subject of consultation

2 This consultation seeks views on the Government's proposals for the official recognition of Workers Memorial Day in the UK. Further information on the proposals, and on the Day itself, is set out on pages 5 to 9 below.

Purpose of the consultation

3 The consultation is exploring options for the official recognition of Workers Memorial Day in the UK. The Government is minded to officially recognise Workers Memorial Day but will reach a final decision following this consultation exercise.

4 Separately, a number of key stakeholders will also be exploring the possibility of establishing a permanent national memorial to those killed by work activity. The memorial proposal is outlined in this document, for completeness, but is not part of the consultation.

Scope of Consultation

5 This consultation is UK-wide – it applies to England, Northern Ireland, Scotland, and Wales.

Duration of the Consultation

6 The consultation period begins on 27 July 2009 and runs until 19 October 2009.

How can you respond to this consultation?

7 Please respond using the form at Annex A. Please send your consultation responses to:

By post: *Health & Safety Sponsorship Team
Department for Work and Pensions
2nd Floor
Caxton House
Tothill Street
London
SW1H 9NA*

Email: *workers.memorialday@dwp.gsi.gov.uk*

Please ensure your response reaches us by 19 October 2009.

8 When responding, please state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents, and where applicable, how the views of members were assembled. We will acknowledge your response.

Queries about the content of this document

9 Any queries about the subject matter of this consultation should be made to

*Health & Safety Sponsorship Team
Department for Work and Pensions
2nd Floor
Caxton House
Tothill Street
London
SW1H 9NA
Phone: 020 7449 5579
Email: workers.memorialday@dwp.gsi.gov.uk*

Alternative ways of being involved in the consultation

10 We want to ensure that we get views from as broad a range of people as possible about this issue. We have therefore made this consultation document widely available and included it on the consultations section of our website www.dwp.gov.uk/consultations/2009/.

11 This document is also available in a range of formats, including large print, Braille and audio CD, on request from the Health & Safety Sponsorship Team, DWP, at the address shown at paragraph 9 above.

12 We have sent this consultation document to a large number of people and organisations who have already been involved in this work or who have expressed an interest. Please do share this document with, or tell us about, anyone you think will want to be involved in this consultation.

Freedom of information

13 The information you send us may need to be passed to colleagues within the Department for Work and Pensions (DWP) and published in a summary of responses received, and referred to in the published consultation report.

14 All information contained in your response, including personal information, may be subject to publication or disclosure if requested under the Freedom of Information Act 2000. By providing personal information for the purposes of the public consultation exercise, it is understood that you consent to its disclosure and publication. If this is not the case, you should limit any personal information which is provided, or remove it completely. If you want the information in your response to the consultation to be kept confidential, you should explain why as part of your response, although we cannot guarantee to do this. We cannot guarantee confidentiality of electronic responses even if your IT system claims it automatically.

15 If you want to find out more about the general principles of Freedom of Information and how it is applied within DWP, please contact: Charles Cushing, Department for Work and Pensions, Information Policy Division, Central Freedom of Information Team, Adelphi 1-11 John Adam Street, London, WC2N 6HT charles.cushing@dwp.gsi.gov.uk or carol.smith14@dwp.gsi.gov.uk . Please note that Charles and Carol cannot advise on this particular consultation exercise, only on Freedom of Information issues.

16 More information about the Freedom of Information Act can be found on the website of the Ministry of Justice Fol pages

Feedback on this consultation

17 We value your feedback on how well we consult. If you have any comments on the process of this consultation (as opposed to the issues raised) please contact our Consultation Coordinator:

Name: Roger Pugh
Address: DWP Consultation Coordinator,
Room 4F, Britannia House, 2, Ferensway, Hull HU2 8NF
Phone: 01482 609571
Fax: 01482 609658
Email: roger.pugh@dwp.gsi.gov.uk

18 In particular, please tell us if you feel that the consultation does not satisfy the consultation criteria (criteria reproduced at Annex B) in the Government Code of Practice on Consultation - www.berr.gov.uk/files/file47158.pdf. Please also make any suggestions as to how the process of consultation could be improved further.

19 If you have any requirements that we need to meet to enable you to comment, please let us know.

20 The responses to the consultation will be published later this year in a report on our consultation website that will summarise the responses and the action that we will take as a result of them.

WORKERS MEMORIAL DAY – CONSULTATION PROPOSALS

Background

1. Workers Memorial Day originated in Canada in 1984 and takes place annually on 28 April. It is a day of remembrance for workers killed, injured or made ill by their work. Its slogan is 'remember the dead: fight for the living'.

2. In 2001, the International Labour Organisation (ILO) recognised Workers Memorial Day and announced 28 April as an International Day of Action for Safety and Health at Work, which is an annual international campaign to promote safe, healthy and decent work around the globe.

3. So Workers Memorial Day is now an international day of remembrance and action for workers killed, disabled, injured or made unwell by their work and it is recognised as a national day in numerous countries including Argentina, Belgium, Brazil, Canada, Luxembourg, Peru, Portugal, Spain, Thailand and the USA.

4. Workers Memorial Day has been informally recognised in the UK since 1992 and, over that time, has become the focal point for a growing number of commemorative events held each year. These events have been actively organised and supported by a wide range of individuals and organisations, including bereaved families, Trade Unions, the TUC, safety groups and local authorities. In addition, Government departments, Ministers and MPs have become increasingly involved in helping to publicise and commemorate the Day.

5. The increasing commemoration of Workers Memorial Day has led to growing calls for the Government to provide the Day with some form of official recognition. It is timely therefore to look at the whole question of how the Day could be officially recognised and, on Workers Memorial Day this year, Ministers announced a consultation exercise to this end:

<http://www.dwp.gov.uk/newsroom/press-releases/2009/april-2009/hse121-280409.shtml>

This consultation document therefore explores the issues involved and invites your views on the way forward.

6. Separately, a number of key stakeholders, including the TUC, are also considering the possibility of establishing a permanent national memorial to those killed by work activity. The detailed development and funding of this proposal would be a matter for the stakeholders themselves, but the Government is naturally pleased to play a facilitating role. This consultation document therefore includes details of where the proposal currently stands, together with a contact point for those who would like further information.

Formal recognition of Workers Memorial Day

7. There is clearly a need for a day such as Workers Memorial Day. Despite the UK having one of the best health and safety records in the world, there were still 180 workplace fatalities in Britain in 2008/09. Many more die as a result of diseases incurred when they are working. Every year, for example, there are around 4,000 cancer deaths due to past exposure to asbestos. And every working day, over 400 people are seriously injured at work. Accidents and ill health are estimated to cost society £20 billion a year. But it's virtually impossible, of course, to measure the human suffering involved.

8. Workers Memorial Day is therefore a stark reminder that, despite the health and safety myths reported in parts of the press, there is nothing mythical about deaths and injury at work. In fact, the Day is an opportunity to challenge those who would trivialise and undermine health and safety. And it is also an opportunity for all those affected by health and safety failures – including business leaders, employers, employees and their representatives – to work together to improve health and safety performance. Because joint action is essential in helping to prevent work-related accidents and deaths. Regulation alone is not enough.

In short, Workers Memorial Day provides an opportunity for people to reflect: on relatives, friends and colleagues who have been harmed by work, but also on the need for workplaces to be both healthy and safe going forward.

9. Across Government we have increasingly been involved in commemoration of Workers Memorial Day. Similarly, many of our key partners have called for official recognition. The Day is officially recognised around the world. The Government therefore believes that it is time to formally recognise this Day and add its voice to those who already do so. Subject to the outcome of this consultation, formal recognition would first take effect in the UK on 28 April 2010.

Specific form of the recognition

10. In addition to formal recognition of Workers Memorial Day, the Government also wishes to explore the possibility of marking the Day with some specific events or initiatives. The purpose of these events/initiatives would be both to commemorate Workers Memorial Day and to try and capture what formal recognition “looks like” in practice. It is not the intention, however, that such events should replace the many commemorations of Workers Memorial Day which take place already. These commemorations naturally have special value for a great many people, and it is important that they continue.

11. The Government is open to suggestions for formalising Workers Memorial Day. The following are just a few suggestions for specific events and initiatives.

A different UK region to lead on the Workers Memorial Day commemorations each year, with a view to promoting UK-wide involvement in commemorating the Day?

12. Local Authorities may particularly wish to comment on this proposal. Since 2001, for example, a national commemoration of Holocaust Memorial Day has taken place in the UK. A different area in the country has been host to this event each year, based around an annual theme. In addition, and in parallel to the national event, many other events are held across the country, organised by a wide range of organisations.

13. Should we adopt a similar approach for Workers Memorial Day? If we did, it would not of course spell the end for commemorations arranged at local level. It would simply provide Workers Memorial Day with a focal point.

Government-sponsored websites, such as Business Link and Directgov, to promote Workers Memorial Day each year, and publicise details of commemorative events

14. Many key stakeholders are already active in publicising Workers Memorial Day events on their websites. Would further publicity on Government-sponsored websites be helpful, or simply provide unnecessary duplication?

15. Again, your views are invited on this point, together with any proposal you may have for alternative means of publicising Workers Memorial Day.

Government to encourage workplaces to mark Workers Memorial Day each year?

16. Nowadays, many workplaces recognise events of immense national and humanitarian significance. The nature of their commemorations may vary of course, depending on the type of work they do. For example, some workplaces may find it appropriate to hold a minute's silence, while others may find an alternative form of commemoration more appropriate. Should similar practices be adopted, on a voluntary basis, for Workers Memorial Day? Some workplaces already do so, through agreement between employers and employees.

Again, your views on this point would be welcome.

Government to encourage commemorations of Workers Memorial Day on the nearest Saturday to the Day itself?

17. Your views would also be welcome on whether we should encourage commemoration of Workers Memorial Day on the nearest Saturday to the Day itself? The idea behind this proposal is that it may help to increase support for the Day, by making it easier for people to join the commemorations. It is NOT of course the intention to try to change the date of Workers Memorial Day – which will, in any event, remain 28 April.

Government Ministers to be actively involved in commemorating Workers Memorial Day each year?

18. Ministers are often involved in commemorating officially recognised Days. In recent years, Ministers have become increasingly involved in commemorating Workers Memorial Day.

19. It is entirely a matter for local organisers, of course, whether they wish to seek Ministerial involvement in commemorative events for Workers Memorial Day. But, where Ministers do become involved, it is often an opportunity to raise the profile of the event and of Workers Memorial Day itself. In responding to this consultation, therefore, you may wish to offer a view on future Ministerial involvement in such events.

How to comment on these proposals

20. To comment on the proposals in this consultation document, would you please complete the enclosed questionnaire and return it to us by 19 October 2009. Naturally, should you wish to suggest different or additional ways of commemorating Workers Memorial Day, feel free to include these suggestions in your comments.

Proposal for a permanent memorial to those killed through work activity

21. In addition to the proposals discussed in this consultation document, a number of key stakeholders – including the TUC - are also considering the possibility of establishing a permanent memorial to those killed by work activity. The detailed development of this proposal will be a matter for the stakeholders themselves but the Government will naturally be pleased to play a facilitating role. The TUC will therefore be convening a working group of key stakeholders to work up the proposal in detail. Matters to be decided by the working group include:

- form and location of the memorial;
- cost/ fund-raising aspects;
- timescale;
- commissioning an artist; and
- maintenance of the memorial site.

22. For further information on the memorial plans, please contact healthandsafety@tuc.org.uk

Resource implications

23. The official recognition of Workers Memorial Day is not expected to have any resource implications, over and above those costs already incurred by stakeholders in commemorating the Day. Where, for example, employers and employees already hold a one minute's silence, at 12 noon on Workers Memorial Day, such arrangements will remain a matter for voluntary agreement.

24. There are expected to be some additional costs to Government, arising from these proposals, but these will be met from existing resource.

25. Should the consultation exercise identify significant potential costs a full impact assessment will be considered.

WORKERS MEMORIAL DAY

Consultation exercise on proposals for official UK recognition of Workers Memorial Day

Questionnaire

To participate in this consultation exercise, you are invited to complete this questionnaire and return it to the address below by Monday 19 October 2009.

1. Do you agree that the UK should officially recognise Workers Memorial Day?

Yes

No

2. If 'Yes' to Question 1, do you agree that official recognition should take effect from 28 April 2010?

Yes

No

Workers Memorial Day – specific proposals

We would also welcome your views on specific ways in which the UK might recognise Workers Memorial Day, each year. Would you agree with some/all of the options outlined below? Please tick as appropriate.

3. Do you agree that, with a view to promoting UK-wide involvement in Workers Memorial Day, a different UK region should lead on the commemorations each year?

Yes

No

4. Do you agree that Government-sponsored websites – such as *BusinessLink* and *Directgov* - should promote Workers Memorial Day each year, and publicise details of commemorative events?

Yes

No

5. Do you agree that Government should encourage workplace commemorations of Workers Memorial Day, each year, in manners appropriate to individual workplaces?

Yes

No

6. Do you agree that Government should, where appropriate, encourage commemorations to be held on the nearest Saturday to Workers Memorial Day?

Yes

No

7. Do you agree that Government Ministers should be actively involved in commemorating Workers Memorial Day each year?

Yes

No

8. Have you any other proposals for marking Workers Memorial Day each year? If yes, please give details

Any other comments?

9. Have you any other comments on this consultation exercise and its proposals? If yes, please give details

WOULD YOU PLEASE E-MAIL YOUR COMPLETED QUESTIONNAIRE TO workers.memorialday@dwp.gsi.gov.uk or post it to:

Health & Safety Sponsorship Team
Department for Work and Pensions
2nd Floor
Caxton House
Tothill Street
London
SW1H 9NA

ANNEX B

The consultation criteria

The consultation is being conducted in line with the Government Code of Practice on Consultation - www.berr.gov.uk/files/file47158.pdf - and its' seven consultation criteria, which are as follows:

- **When to Consult.** Formal consultation should take place at a stage when there is scope to influence the outcome.
- **Duration of consultation exercises.** Consultations should normally last for at least 12 weeks, with consideration given to longer timescales where feasible and sensible.
- **Clarity of scope and impact.** Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence, and the expected costs and benefits of the proposals.
- **Accessibility of consultation exercises.** Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is designed to reach.
- **The burden of consultation.** Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
- **Responsiveness of consultation exercises.** Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
- **Capacity to consult.** Officials running consultation exercises should seek guidance in how to run an effective consultation exercise, and share what they have learned from the experience.



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SW1H 9NA

Telephone 020 7449 5579

The lines are open Monday to Friday 9am–4pm

We will consider any additional requests for alternative formats that may be required.

For more information about this publication, contact:

Email: workers.memorialday@dwp.gsi.gov.uk

This publication can be accessed online at:

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