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Employer and Employee Perceptions of OSH Investigation
Processes
Research Report

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Summary and Recommendations

Background and Objectives

The Occupational Health and Safety Service (OSH) of the Department of Labour is responsible for administering the Health and Safety and Employment Act 1992 (HSE Act) for all places of work except aircraft in operation and ships.

OSH monitors compliance with the HSE Act through proactive compliance assessments and reactive investigations. It also provides information through a number of channels.

OSH is required to report on the satisfaction of workplace participants with the manner of OSH's interaction in relation to notifications of serious harm (accidents) and complaints.

This research was commissioned to report on workplace participants' perceptions of their interactions with OSH. The four objectives of the research were to identify key satisfaction dimensions, satisfaction on the dimensions, how satisfaction varies across event types (accident or complaint) and type of response (category A/B or limited response), and to identify ways OSH could improve its interactions.

The first objective was achieved through qualitative research, the remaining three were achieved through quantitative research. This report details results from the quantitative stage.

Data was collected from both employers and employees/victims. It was important to obtain feedback from both groups as their experience and perceptions could be very different from the other. Employers were interviewed by telephone while employees/victims were either interviewed by telephone (if contact details were available, or could be obtained), or through an anonymous self-completion questionnaire passed on by the employer (for cases where it was inappropriate (confidentiality wise) to ask for employee/victim contact details). OSH provided a database with contact details that was used for sampling purposes. Prior to providing the database, OSH wrote to each of the companies in it informing them that the survey was going to be taking place, and giving them the opportunity to be omitted from the research if they wished.

Four hundred and one interviews were completed with employers, 109 were completed with employees/victims.

Results

Performance Ratings

Overall the processes used by OSH were rated highly. Eighty six percent of employers and 83% of employees/victims rated OSH's overall handling of the investigation as a 6, 7, 8, 9 or 10 (on a scale of 1 (Extremely Poor) to 10 (Extremely Good)). Indeed, 71% of employers and 67% of employees/victims rated OSH's overall handling of the investigation as an 8, 9 or 10.

As well as overall measures, the investigation process was measured in relation to a number of specific areas, including the inspector's communications, health and safety knowledge and attitude and manner, perceptions of information, and the outcome report/letter. Amongst employers, ratings were generally high across these specific areas, though some attributes did not perform as well as others, specifically the application of health and safety knowledge to an employer's workplace, and the information provided (in terms of its relevance, meeting needs and usefulness).

In terms of the outcome of the investigation (as opposed to the processes used), or decision not to investigate if that was the outcome, employers tended to be very happy. Few expressed any level of unhappiness.

Like employers, employees/victims were overall positive in their rating of OSH. The only area that stood out as performing lower than the others was communication, specifically in relation to explaining the steps in the process, clearly indicating when the process has been completed, and keeping them informed throughout the process. Employees/victims also tended to be happy with the outcome.

One of the objectives was to look at differences between those investigated based on complaints compared to accidents. Analysis of results split by these two groups show generally small (non-significant) differences, and no strong pattern in differences. In other words, overall it does not appear that perceptions are affected greatly by whether the investigation is based on a complaint or an accident.

The data available to compare those who were investigated with those who were not is limited as there are few aspects on which those who have not been investigated can rate OSH. Having said this, it appears that there is little difference in how happy respondents were with the outcome of an investigation compared to how happy those who were not investigated were with the decision not to investigate. There is some suggestion that employers who were not investigated would like clearer reasons for the decision not to investigate in the outcome letter.

Improvements

The analysis of areas for improvements has been done in two ways. The first is at an overall level. The purpose of this is to identify the priorities for improvement, with the view of improving the overall ratings. The second analysis was specifically of those who gave a poor overall rating. The purpose of this is to identify areas that should lift poor ratings and therefore reduce the number of people who think the process is handled poorly.

In terms of increasing the overall rating amongst employers, the key is improving written information. This is in terms of its usefulness, it meeting employers needs, and overall. Inspector performance is generally not an area in need of great attention, but the relative weaknesses are in terms of applying health and safety knowledge to a specific workplace, having employers feel like what they had to say was fully considered, and conducting investigations so that the employer does not feel like they personally were being judged.

Explaining the steps in the process, keeping employers informed during the process, and indicating when the process has been completed are secondary priorities for improvement.

For employees/victims the key to improving their overall rating of the process is communication. This is in terms of making contact in a timely fashion, explaining what the steps in the process are, keeping them informed throughout the process, and clearly indicating when the process has been completed.

In terms of specifically lifting poor ratings, amongst employers there are a number of things contributing that need addressing. Primarily these are communications, objectivity and fairness, and the outcome report. While issues of objectivity and fairness are very perceptual and subjective, some respondents felt that inspectors started with a mindset that the employer was at fault, or were looking for someone to blame. The communication issues related in particular to keeping them informed throughout the process and indicating when the process has been completed, as some employers commented they had not had a conclusion, or heard anything back.

Areas for improvement to lift poor ratings amongst employees/victims are quite clear – communications. In many respects the key issues are the same as for improving ratings overall, that is, making contact in a timely fashion, explaining what the steps in the process are, keeping them informed throughout the process, and clearly indicating when the process has been completed.

Recommendations

First and foremost, it is important to acknowledge the generally high performance levels achieved, and to stress the importance of maintaining the good practices that are currently in place while pursuing areas of improvement.

Employers

The two key areas that require attention, to improve the process for employers, are improving written information, and improving communications.

There is room for written information to be made more useful and to better meet the needs of employers. The qualitative research findings suggest that this could be achieved by:

- providing a summary of what written information is available. Receiving information in an adhoc manner increases concern that the employer may be missing out on other information. In essence, this is about employers feeling a lack of control over the process. This is exacerbated by a fear of the potential consequences that result from an employer not complying with health and safety obligations.
- increasing the relevance of the information. Whilst most employers appreciate that information needs to be of a generic nature, they feel there is some opportunity for OSH to work more closely with industry bodies to increase the specificity and relevance of the information to a particular business.

In terms of communications, attention needs to be given to setting out up front what the process entails, maintaining communications during the process, and having a clear end to the process. While communications was only a secondary priority for improving overall ratings, it was something that would also lift poor ratings, hence its inclusion as a recommended action.

Employees/Victims

The key area to focus on for improving the process for employees/victims is communication. In particular attention needs to be given to setting out up front what the process entails, maintaining communications during the process, and having a clear end to the process.

The qualitative research highlights several issues relating to the communication of the outcome. Some employees/victims did not receive any communication at all. Others struggled with the communications that they did receive. In particular, some felt the communication was written in legalese and could not be easily comprehended. One suggestion is for the communications to provide interpretations of the legislation and regulations in 'plain English'.

Background

The Department of Labour works towards an overarching outcome of:

People with high-quality working lives in thriving and inclusive communities.

The Department's Occupational Safety and Health Service (OSH), contributes to this Outcome by:

- working to improve the quality of people's working lives by ensuring healthy and safe workplaces
- supporting thriving working communities by helping people take active responsibility for their safety, health and working environments.

In doing this, the Department aims to minimise the social consequences and economic costs of injury and work-related ill health.

OSH contributes to these goals and outcomes on a practical level through promotion, knowledge sharing and advice on health and safety, and enforcement of health and safety legislation. In particular, OSH is responsible for administering the Health and Safety and Employment Act 1992 (HSE Act) for all places of work except aircraft in operation and ships.

OSH monitors compliance with this legislation through:

- proactive compliance assessments of workplaces; and
- reactive investigations following notifications and complaints

The focus of this research is the investigations process as OSH is required to report on the percentage of workplace participants who are either satisfied or very satisfied with the manner of OSH's interaction with them in relation to a notification or complaint.

To this end, research was conducted to obtain feedback from workplace participants on OSH's responses to serious harm notifications and complaints. OSH responds to over 8,000 of these types of notifications and complaints each year.

A notification and/or complaint can lead to three possible types of responses from OSH:

- Category A investigation (responses to events of a serious or significant nature)
- Category B investigation (these are responses to events of a minor nature and are by far the most common type of investigation)
- Limited Response (do not require an investigation).

A response to a complaint or notification can potentially involve a number of different participants including:

- employers
- employees (accident victims, colleagues and employee representatives)
- OSH personnel (Regional Service Managers and OSH inspectors).

Thus, the views of all these participants have the potential to provide insights into the performance of OSH in interacting with workplace participants in relation to serious harm notifications and complaints.

Research Questions and Objectives

The objectives of this research were to:

- determine the key satisfaction dimensions of OSH's interactions with workplace participants in relation to serious harm notifications and complaints
- determine the extent to which workplace participants are satisfied with the manner of OSH's interaction with them in relation to serious harm notifications and complaints
- determine how levels of satisfaction may vary depending on the type of event (serious harm notifications or complaints) and type of response (category A/B, and limited response).
- identify workplace participants' suggestions for improvement to OSH's interactions in relation to serious harm notifications and complaints.

Methodology

There are two distinct populations of interest for this quantitative research, Employers and Employees/Victims, as these are the two main groups that make up 'workplace participants'. The data collection is detailed for these two groups below. The third group, OSH personnel, were included in the qualitative research.

Prior to commencing any surveying, OSH sent letters to 2044 employers informing them of the research. There were two purposes of the letter a) to inform potential respondents that the research was being undertaken, and therefore increase participation rates, and b) to give them the opportunity to withdraw from the study.

Data Collection

Employers

The employer sample was relatively straightforward in terms of the procedures.

OSH supplied a database of contacts that was used to develop the sample. The database contained contact details of employers who had been subject to a Category A, B or Limited Response investigation. All cases had been closed between 1 November 2002 and 14 May 2003.

As employers are often subject to multiple investigations each year, wherever there were multiple cases for an individual respondent, the most recent was selected with older cases removed (so that no individual was called multiple times).

A total sample of 401 was achieved with quotas on OSH investigating (n=300; 301 were achieved) and OSH deciding not to investigate (n=100).

Employees

While sample data was provided by OSH, the need to maintain confidentiality amongst employees posed several design issues.

When possible, a named person with phone number was supplied by OSH as part of the employer database. In these instances, the employee was telephone interviewed directly.

When a person was named, but no phone number was given, the employer was contacted (either as part of the employer survey, or in a specific recruitment stage) to ascertain if the person was still employed by them, and if so, a work place telephone number was obtained. The employee was then called and interviewed directly. If the person was no longer in their employment, the employer was asked if they would assist by passing a self-completion survey on to the person (rather than asking for contact details that the person may object to being supplied by the employer).

When the victim was not named in the database, the employer was contacted (either as part of the employer survey, or in a separate recruitment stage) and asked if they could assist by passing a self-completion survey on to the victim (rather than asking for contact details that the person may object to being supplied by the employer). In these instances the victim could still be in their employment, or they could have left.

The level to which employers agreed to these requests varied considerably:

- When asked for a named employee's work phone number, 85% gave a phone number.
- When asking the employer to pass on a self-completion questionnaire to a current employee, 43% agreed.
- When asking the employer to pass on a self-completion questionnaire to a former employee, 20% agreed.
- When asking the employer to pass on a self-completion questionnaire to an unnamed person (who may or may not still be an employee), 28% agreed.

Obtaining employee interviews was particularly challenging, as it was dependant on employer assistance. This was especially so in the self-completion stage where employers were required to pass on questionnaires to employees and former employees. This process was necessary to maintain confidentiality of the employees/victims, however, it meant that there was a lack of control over that part of the research process, with the success of it depending not only the employers agreeing to pass on the questionnaires, but also actually passing them on, and employees completing the survey without any direct contact from **colmar brunton**.

A total of 109 surveys were completed, 82 by telephone and 27 by the self-completion mail survey.

Questionnaire

The questionnaire was designed following the completion of the qualitative stage. The qualitative stage comprised of a total of 13 in-depth interviews investigating 6 cases. Interviews were conducted amongst employers, victims, an employee representative and OSH personnel. Cases involving both serious harm notification (Category A and B) and complaints were included, but not limited response cases. The core focus of the qualitative stage was to understand the dimensions to the investigation process. In addition, draft statements were developed and cognitively tested to ensure they were being understood as intended.

Three versions of the questionnaire were developed, a telephone version for employers, a telephone version for employees/victims and a self-completion version for employees/victim. A copy of the questionnaires can be seen in the appendix.

To keep terminology consistent with the language that respondents use, the term 'accident' was used in place of 'serious harm notification' in the questionnaires. To maintain consistency, the term 'accident' has been used in this report.

Data Analysis

The core analysis is the measurement of performance on aspects of the investigation process. This has been done primarily by summing the number of respondents giving a rating of 8, 9 or 10 (out of 10), and dividing this by the total number of respondents providing a 'valid' response (i.e. a rating from 1 to 10). Those who gave a 'don't know' response have been excluded from the base. The effect of this (where there are some 'don't know' responses for an attribute) is that the result is greater than simply the percentage of respondents giving a rating of 8, 9 or 10, divided by all respondents.

Don't know's have been excluded as it is not expected that a respondent must have an opinion on every attribute measured. Therefore a don't know response could mean that the attribute is not applicable to their situation and should be removed from the base. In some instances a don't know response could be because a respondent could not choose between two scale points, with the assumption that had those respondents who gave a don't know response given a 'valid' response, the distribution of their responses would have matched those of the rest of the sample, then removing don't know's from the base maintains this distribution.

As a result of removing 'don't knows' from the base, the sample size varies for every statement. On the graphs in this report, the range in sample sizes is noted, and tables detailing the sample size for each statement have been included in the appendix.

For the core question on the overall rating of OSH's handling of the investigation, results have been calculated for both the percentage giving a rating of 8, 9 or 10, and the percentage giving a rating of 6, 7, 8, 9 or 10. This second measure being a better approximation of 'satisfied or very satisfied' (as specified in the research objectives).

There was an intention to analyse results by Category A, Category B and Limited Response investigations, with this information being provided in the sample database. However, as some respondents have multiple dealings with OSH, respondents were asked to think about their most recent dealing with OSH. As respondents were thinking about their most recent dealing with OSH, the incident was not always the one coded in the database. Thus it is not possible to use the category coded in the database. It was agreed that respondents would be asked if OSH investigated or not, and where the respondent claims OSH investigated, this would be used as a surrogate measure of a Category A or Category B type investigation, and where it is claimed that OSH did not investigate, this would be used as a surrogate measure of a Limited Response outcome.

The results have been weighted so that the ratio of Investigated to Not-investigated matches the ratio of Category A/B to Limited Response investigations in the sample database.

Response Rate

The response rate achieved for the employer survey was 40%. Sixteen percent was accounted for by database inaccuracies (disconnected, fax number, respondents no longer there, Residential numbers). Refusals were relatively low (22%).

Completed	40%
Appointments	6%
Disconnected	4%
Fax/computer	1%
Respondent no longer there	9%
Residential numbers	2%
No answer after dialling 6 times	6%
Contact Refusal	6%
Qualifier Refused	16%
Answering Machine	0%
Language Difficulties	1%
Not available	9%

The response rate for the victim sample is much more difficult to calculate because obtaining much of the sample was depending on the participation of employers, and was a mix of self completion and telephone interviewing, thus there are multiple stages each of which affect the final response rate.

Estimating a 'true' approximation of the response rate is beyond the scope of this research. Using a simple response rate, calculated in the same way as for employer sample, the response rate from the telephone component of the employer/victim sample was 52%. Because much of the sample was obtained directly from employers, the response rate is affected less by database inaccuracies (9% - due to rounding the sum is 9%, rather than 8%). Refusals were on par with the employer sample at 23% (again this is 23%, not 24% due to rounding).

Completed	52%
Appointments	3%
Disconnected	6%
Fax/computer	1%
Business numbers	1%
No answer after dialling 6 times	9%
Contact Refusal	18%
Qualifier Refused	6%
Not available	4%

In terms of the self-completion components, 87 questionnaires were sent out, 6 were returned as the employee had left with no forwarding address, and 27 were completed by the cut-off date (2 more were returned after the data had been processed). Thus the response rate was 31% (27/87).

With any survey that does not have a 100% response rate, there is the potential for bias if the non-responders are different to those who did respond. The difficulty is that unless there is another source of data that allows comparisons to be made between responders and non-responders, it is difficult to estimate just how much bias there is in the resulting sample. Unfortunately there is no other data source that allows an estimate of the size of any bias in the sample to be made. While it is certainly no

guarantee of the validity of the results, these response rates are typical of this type of research, and so it would be expected that the results are not unusually biased.

Results

The results are presented in 6 sections; Statement of performance, Performance perceptions amongst employers and employees/victims (including comparisons between employers and employees/victims), Comparisons between those investigated (A or B type investigations) and those not investigated (Limited Response type investigations), Comparisons between complaints and accidents, Priorities for improvement, and Drivers of poor performance perceptions.

Statement of Performance

The Request for Proposal (RFP) requested benchmarking information on the percentage of workplace participants who are either satisfied or very satisfied with the manner of the Department's interaction with them in relation to a notification or complaint. However, subsequent discussions determined that 'satisfaction' with a statutorily enforced investigative process is an artificial concept. It was agreed that it would be more appropriate to measure how well OSH handled the investigation process.

To this end, after stating how happy they were with the outcome of the investigation (or decision not to investigate), respondents were instructed:

"The rest of the questionnaire is about the **processes** that OSH used when conducting the investigation and how well they performed them. It's not about the final outcome."

To obtain an overall rating of OSH's handling of the investigation process, respondents were asked:

"Thinking about all the parts of the process that we have been through, including the inspector's communications, health and safety knowledge, attitude and manner and any information and outcome report you have received, overall, how would you rate the way OSH handled the investigation as a whole?" (Using the 1 to 10 scale where 1 means extremely poor and 10 means extremely good)

As only the end points of the scale are anchored (that is, have a label associated with the scale point), two measures have been produced for the benchmarking measure - the percentage of respondents giving a rating of 6, 7, 8, 9 or 10 (as an approximation of satisfied or very satisfied) and the percentage of respondents giving a rating of 8, 9 or 10 (as an approximation of very satisfied).

Eighty nine percent of employers who were investigated by OSH gave OSH's overall handling of the investigation a rating of 6, 7, 8, 9 or 10.

Seventy one percent of employers who were investigated by OSH gave OSH's overall handling of the investigation a rating of 8, 9 or 10.

Eighty three percent of employees/victims who were investigated by OSH gave OSH's overall handling of the investigation a rating of 6, 7, 8, 9 or 10.

Sixty seven percent of employees/victims who were investigated by OSH gave OSH's overall handling of the investigation a rating of 8, 9 or 10.

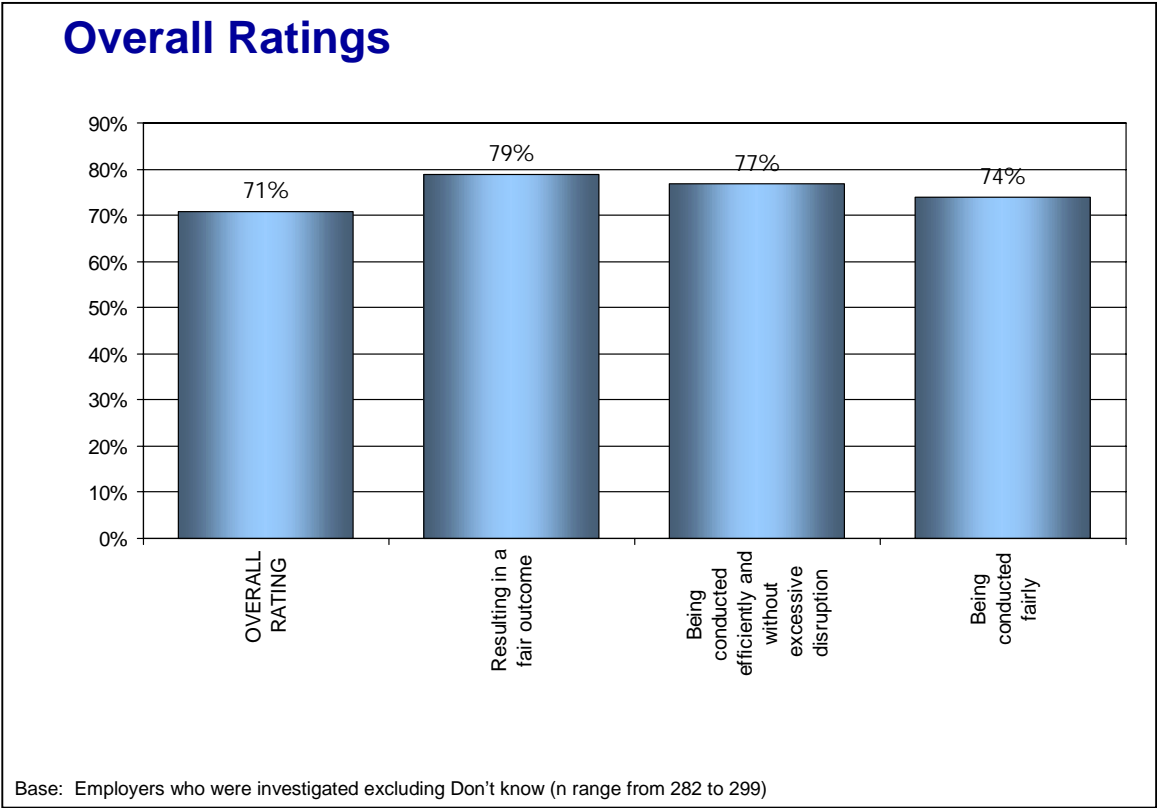
Performance Perceptions

This section presents the findings firstly from employers, then employees/victims, and finally compares between employers and employees/victims.

Employers

Overall Handling of the Investigation

The overall handling of the investigation was highly rated with 71% rating OSH's overall handling of the investigation an 8, 9 or 10. There were few who rated the investigation poorly; only 7% gave it a rating of 1, 2, 3 or 4. The fairness of the investigation came through strongly, with 79% giving a rating of 8, 9 or 10 for the investigation resulting in a fair outcome, and 74% saying the investigation had been conducted fairly (that is, gave a rating of 8, 9 or 10).



Perceptions of Inspector Performance

Perceptions of the inspector's performance were measured in three groups; communications, health and safety knowledge and attitude and manner, and an overall rating of the inspector.

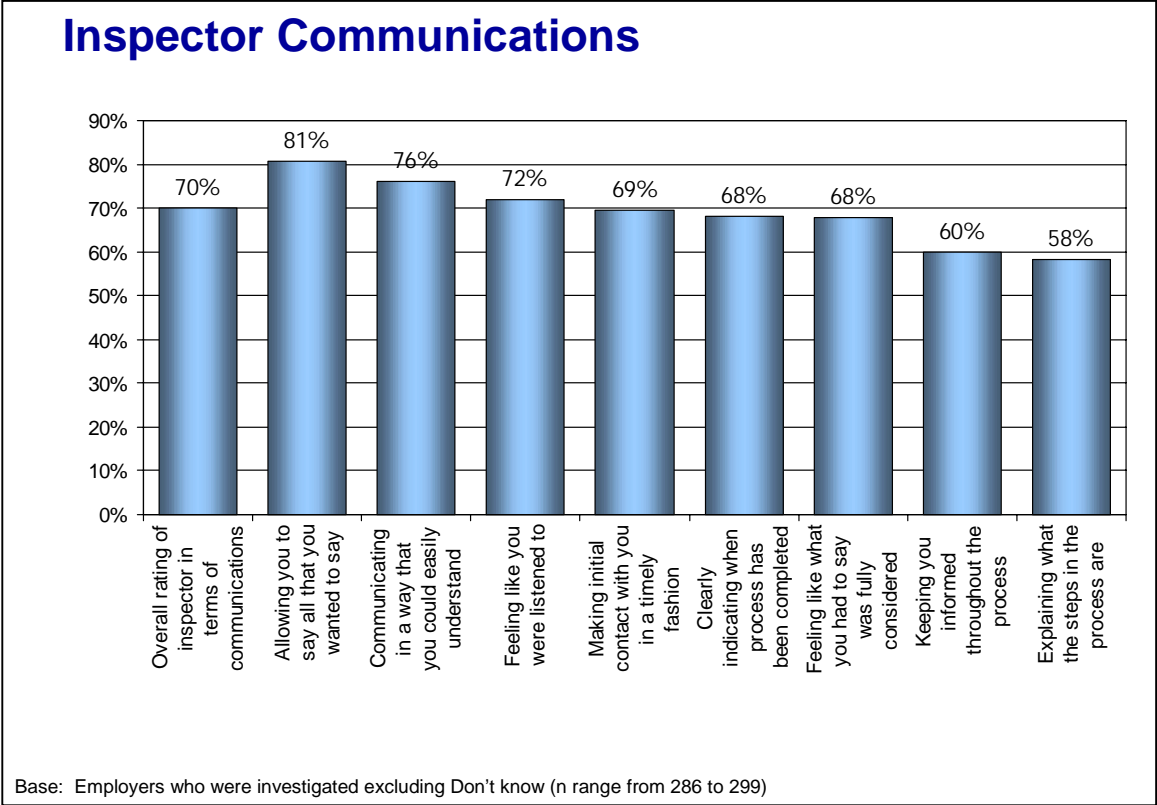
Overall Performance of Inspector

Overall the inspectors were rated highly. Seventy one percent gave the inspector an overall rating of 8, 9 or 10. Only six percent gave a rating of 4 or lower.

Communications

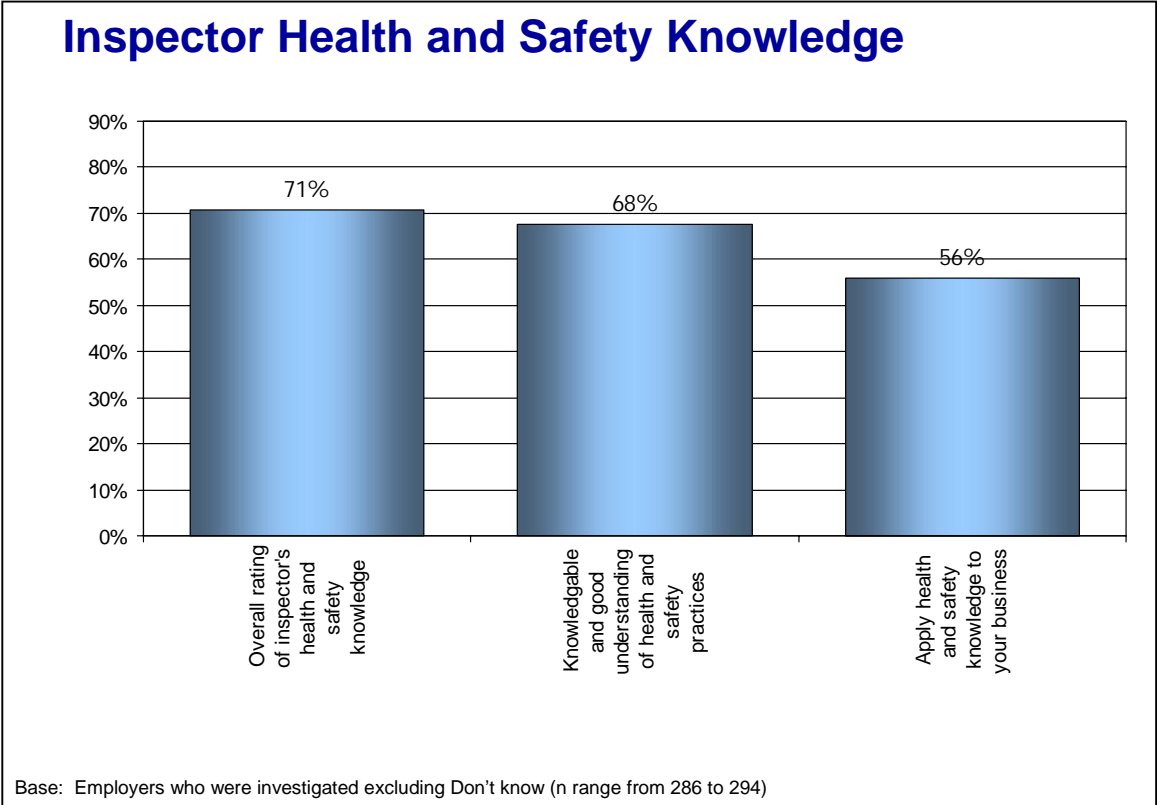
70% gave a rating of 8, 9 or 10 (on a scale of 1 to 10) for the inspector’s overall communication.

Particular strengths were in terms of allowing the employer to say all that they wanted to say (81%), communicating in a way they could easily understand (76%) and leaving the employer feeling like they were listened to (72%). Two aspects stood out as having lower performance ratings, namely keeping them informed throughout the process (60%), and explaining what the steps in the process are (58%).



Health and Safety Knowledge

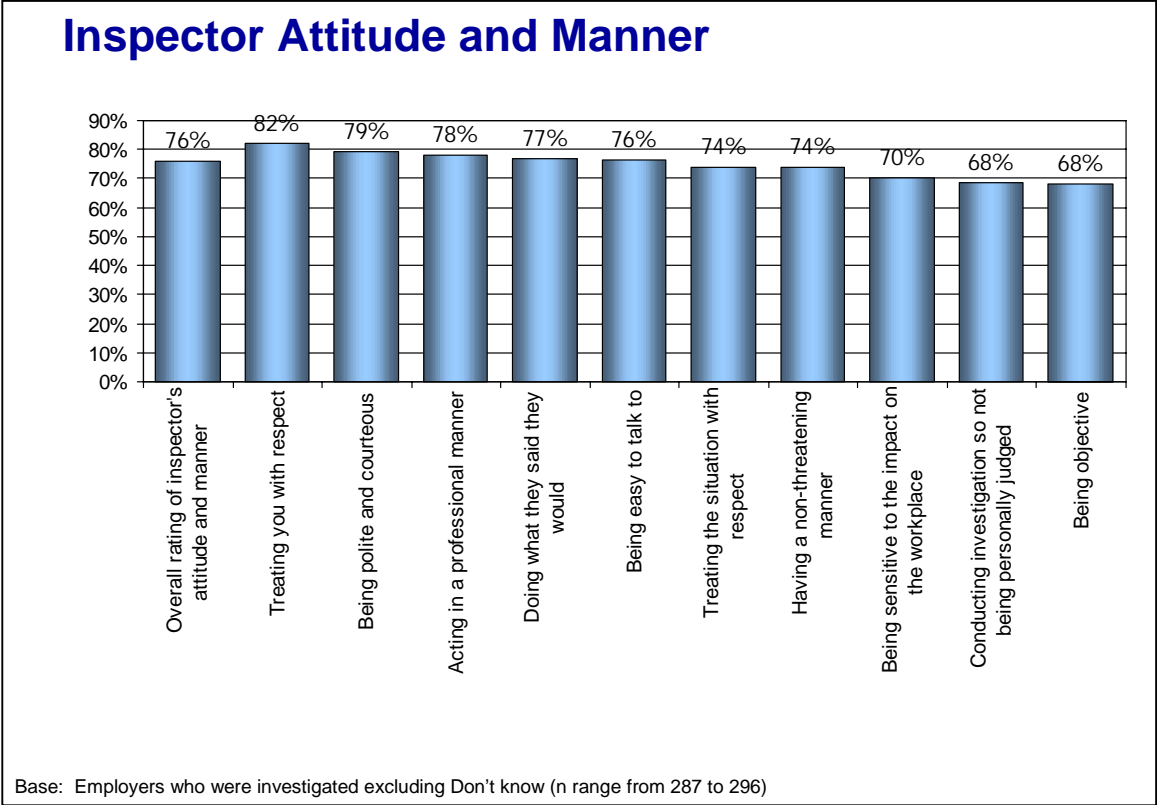
The application of health and safety knowledge to the employer's business was the lowest rated of all attributes measured (56%). The inspector's ability to instil confidence in them that they were knowledgeable and have a good understanding of health and safety practices was rated more highly (68%).



Attitude and Manner

The inspector’s attitude and manner is very good, with at least two thirds of employers giving a rating of 8, 9 or 10. At 82% ‘Treating you with respect’ was the highest rated of all attributes measured.

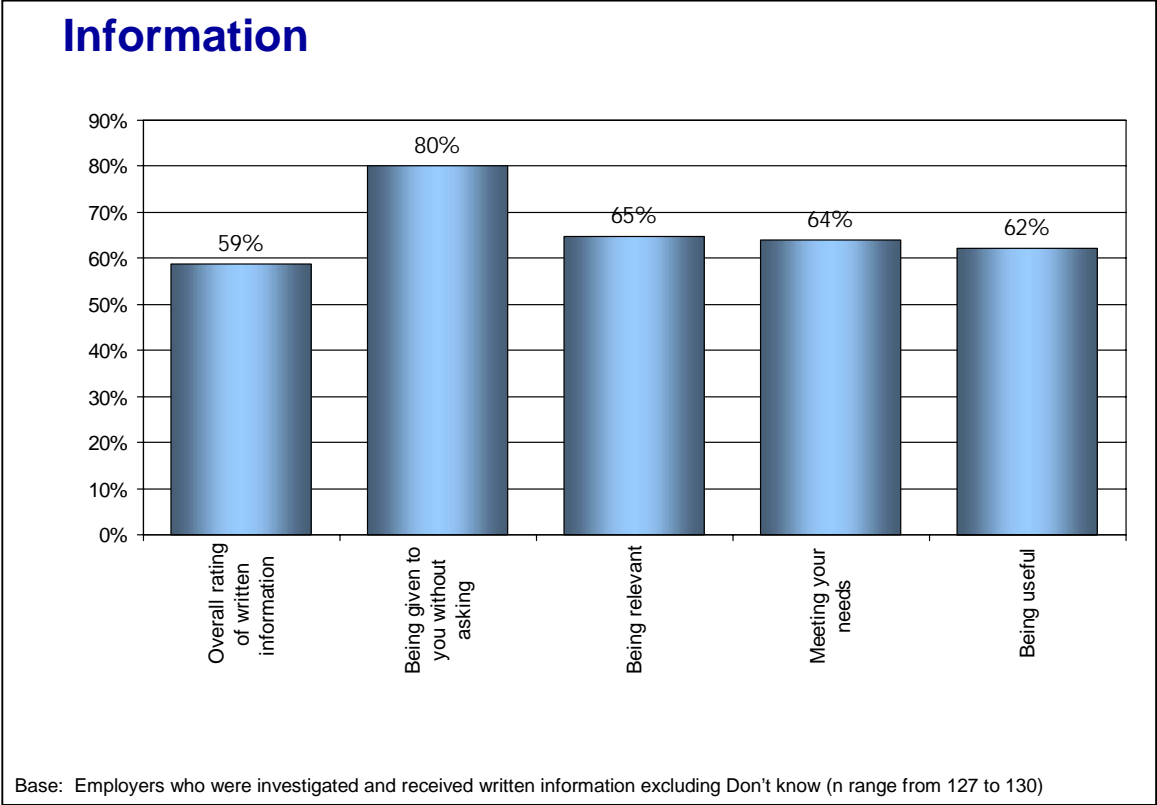
Objectivity, conducting investigations so that the employer does not feel like they are being judged personally and being sensitive to the impact of the incident on the workplace are the three areas where performance could be improved.



Perceptions of Information

Those who had received information (defined as any notices, fact sheets or booklets, but excluding letters or outcome reports) were asked to rate the information across four specific dimensions, and overall.

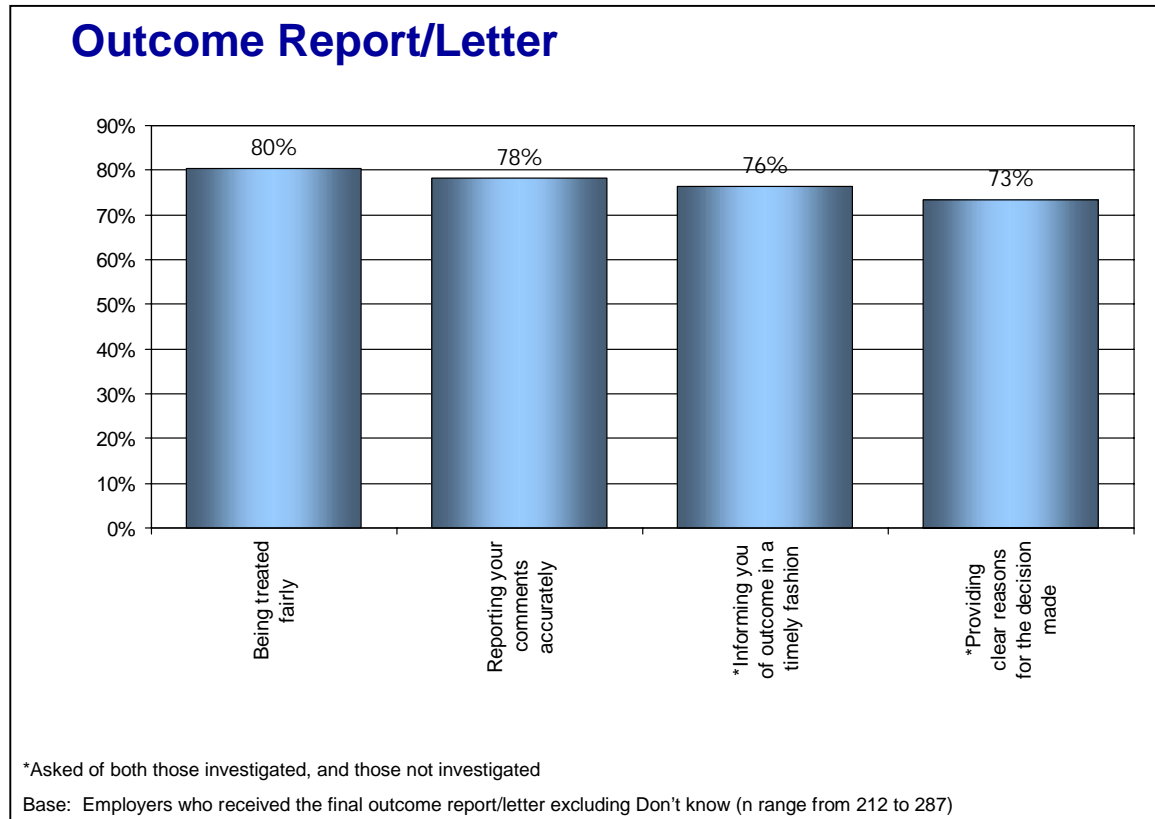
While the results are not poor per se, perceptions around the information given are not up to the same high standards as other aspects measured. Just under two thirds gave a rating of 8, 9 or 10 in terms of the information being relevant (65%), useful (62%) and meeting their needs (64%), and 'only' 59% rated the information overall as an 8, 9 or 10.



Perceptions of Outcome Report/Letter

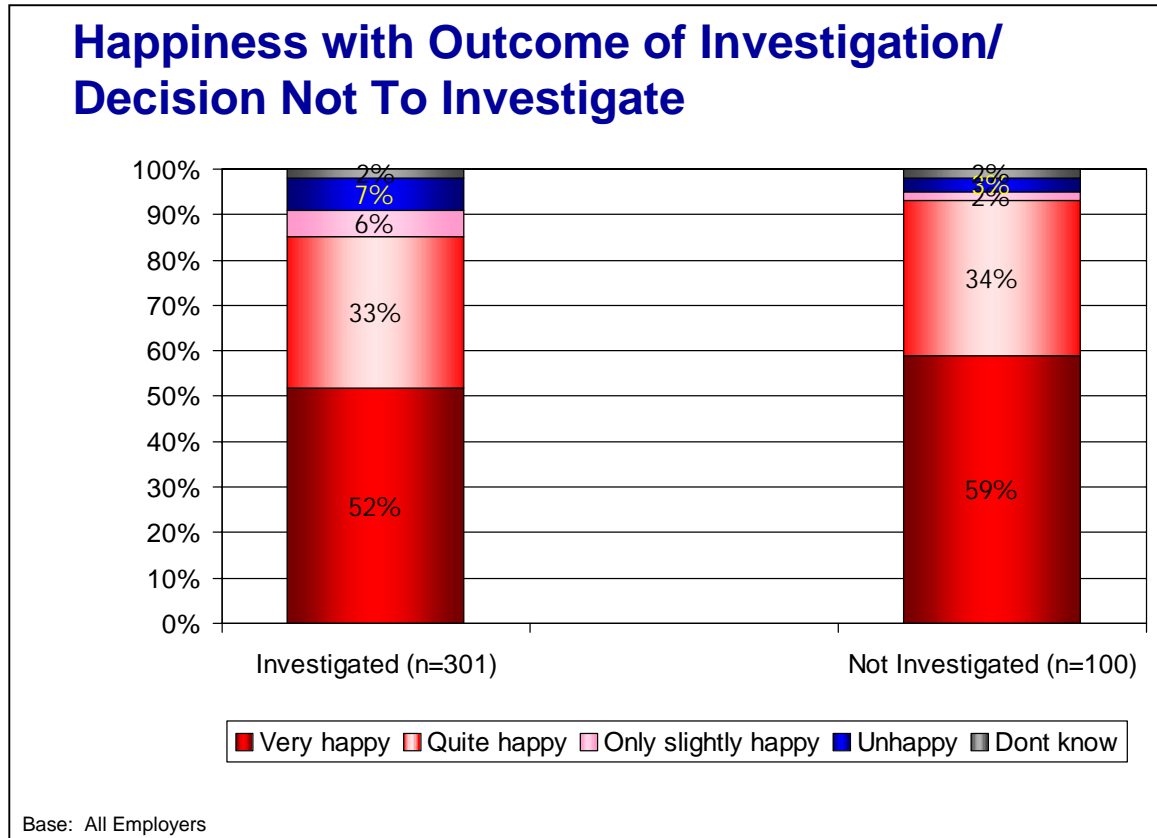
Those who had received an outcome report (or letter in cases where there was no investigation) rated the outcome report/letter.

The outcome report was rated highly across the four aspects measured. Even the lowest rated attribute, providing clear reasons for the decision made, was given a rating of 8, 9 or 10 by 73% of employers.



Happiness with the investigation

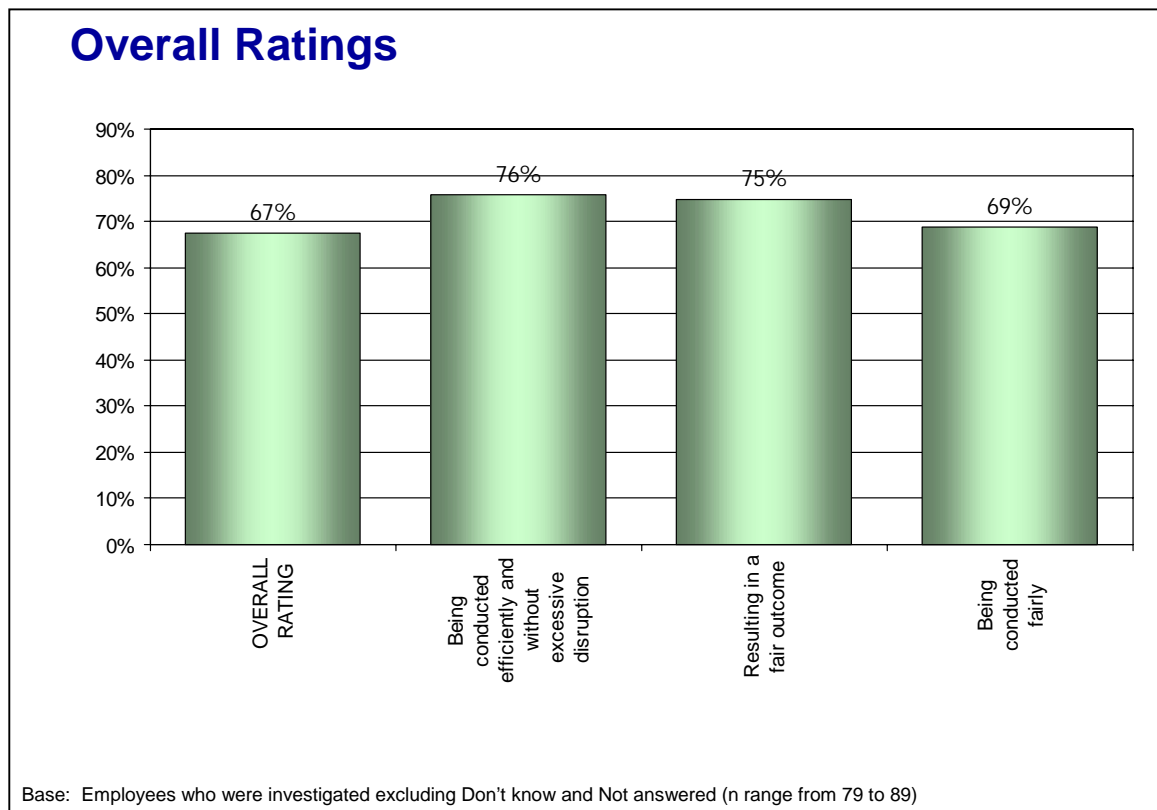
The purpose of asking the question on how happy employers were with the outcome of the investigation (or decision not to investigate) was primarily so that respondents had the opportunity to express dissatisfaction with the outcome, so that they could then focus on the process of the investigation rather than the outcome. However, it is very interesting to note that there was a very high level of happiness with the outcome (be that the outcome of the investigation, or the decision not to investigate). Only seven percent of those investigated and three percent of those not investigated expressed any level of unhappiness with the outcome.



Employees/Victims

Overall Handling of the Investigation

Employees/victims generally rated the overall handling of the investigation well with 67% rating it an 8, 9 or 10. Twelve percent gave it a poor rating of 1, 2, 3 or 4. Indeed the other summary measures were similarly highly rated.



Perceptions of Inspector Performance

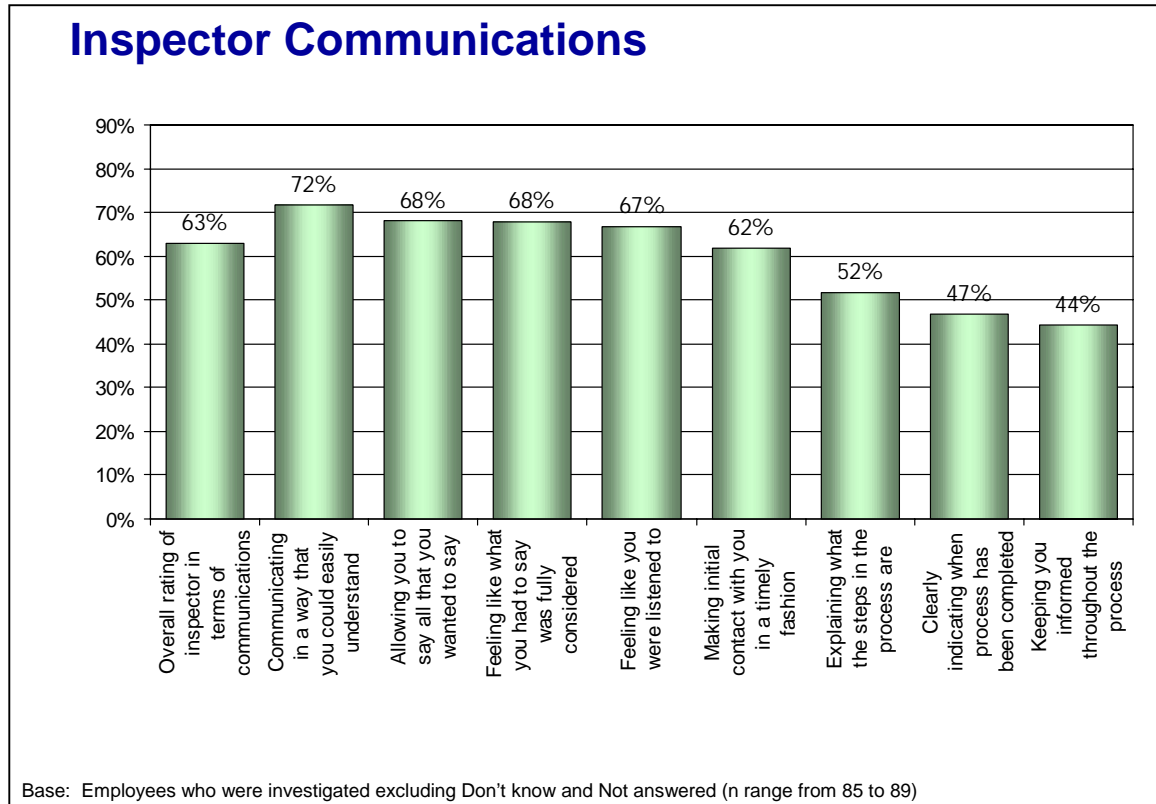
Perceptions of the inspector's performance were measured in three groups; communications, health and safety knowledge and attitude and manner, and an overall rating of the inspector.

Overall Performance of Inspector

Overall, inspector performance is very good. Seventy five percent gave the inspector an overall rating of 8, 9 or 10. Only six percent gave a rating of 4 or lower.

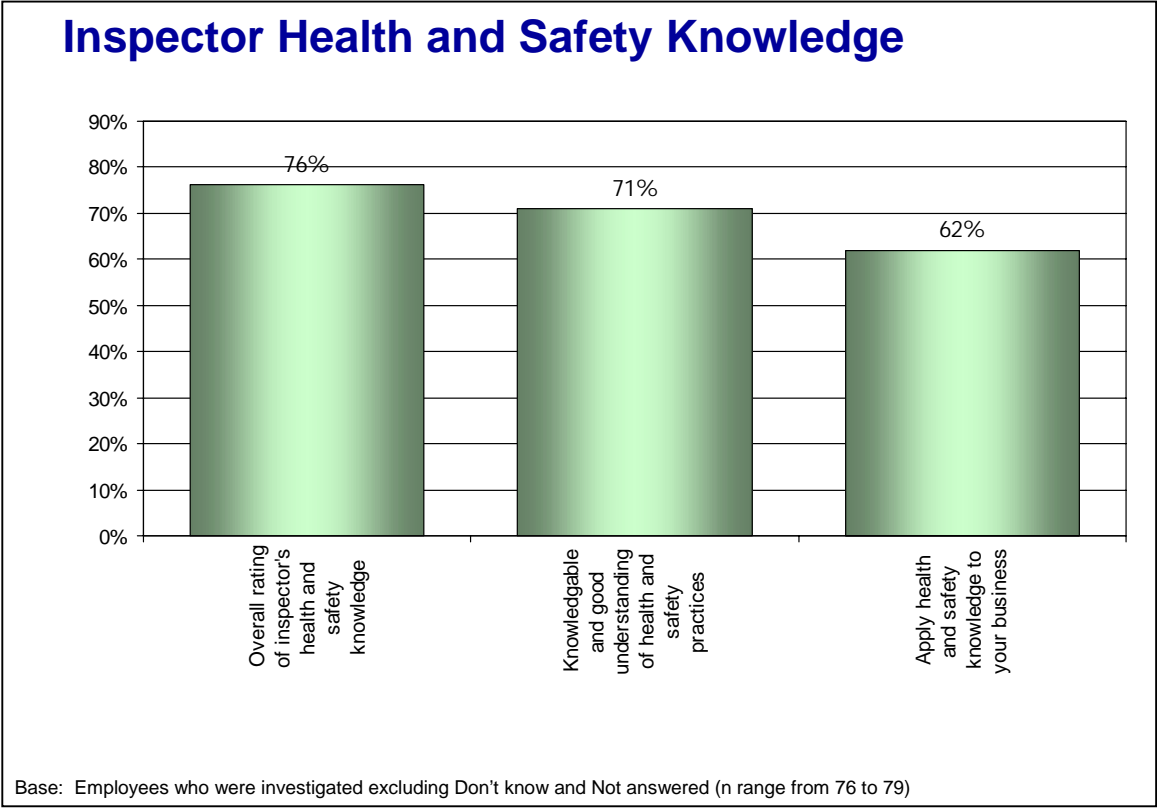
Communications

Inspectors generally performed well in terms of how they communicate with employees/victims (such as allowing them to have their say, feeling like they were listened to, communicating in a way that could easily be understood, feeling like what they said was fully considered). However, there are low performance aspects to their communications, specifically; keeping employees/victims informed throughout the process (44%), clearly indicating when the process has been completed (47%) and explaining what the steps in the process are (52%).



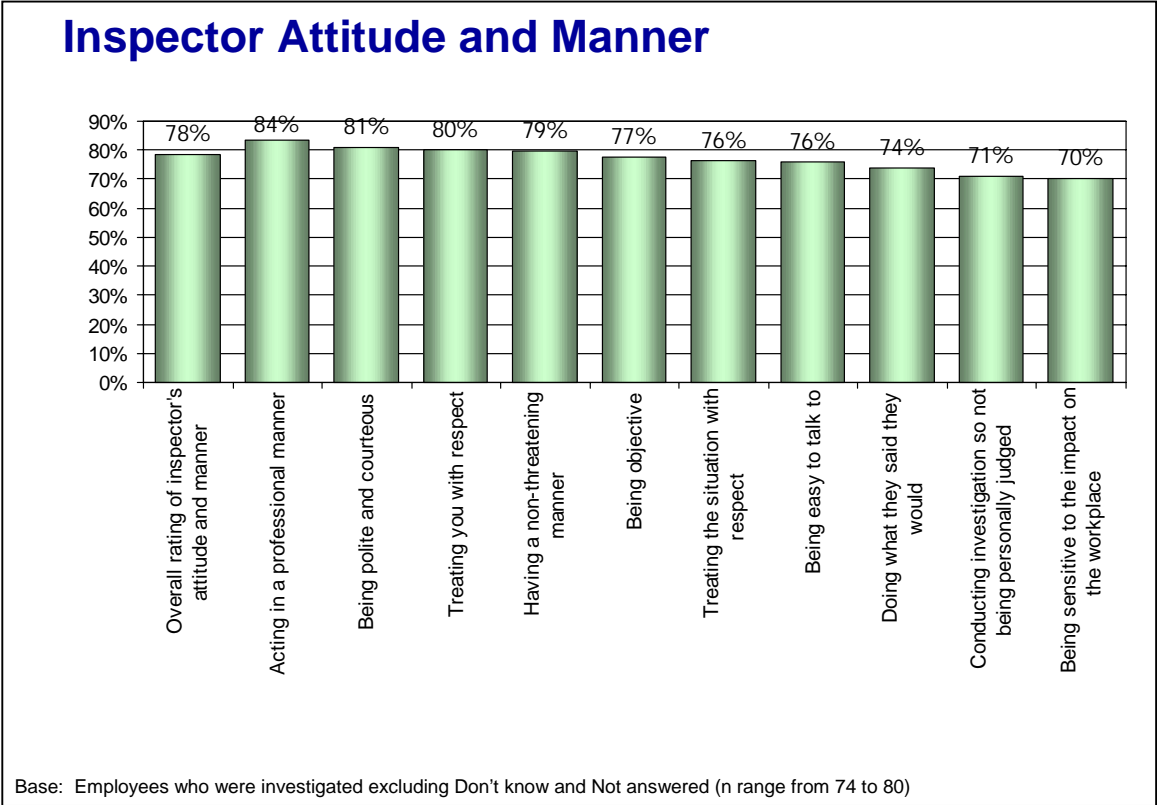
Health and Safety Knowledge

With 62% giving a rating of 8, 9 or 10, the application of health and safety knowledge to the employee's/victim's business was a relative weakness. Confidence in the inspector being knowledgeable and having a good understanding of health and safety practices (71%) and their overall health and safety knowledge (76%) were rated more highly.



Attitude and Manner

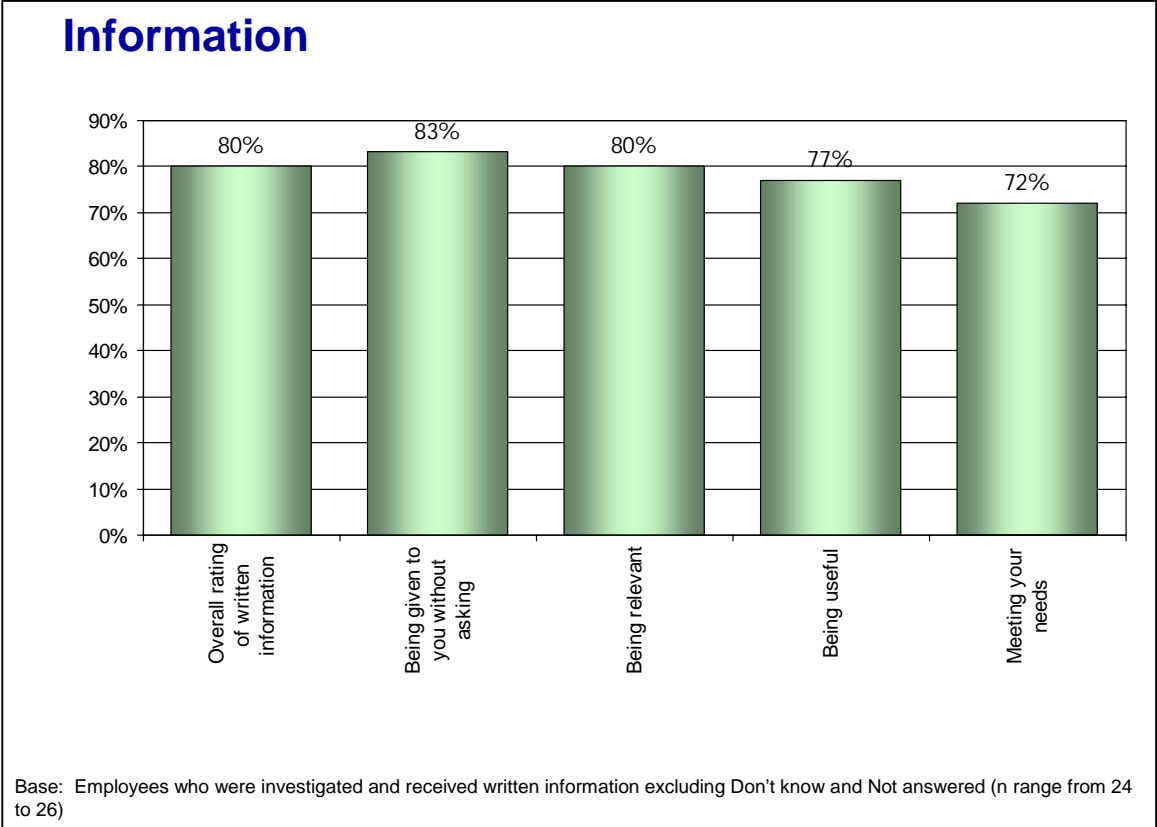
Their attitude and manner is a strength of the inspector's performance. Standout areas include acting in a professional manner (84%), being polite and courteous (81%) and treating them with respect (80%), with at least eight out of every ten giving a rating of 8, 9 or 10 on these attributes.



Perceptions of Information

Those who had received information (defined as any notices, fact sheets or booklets, but excluding letters or outcome reports) were asked to rate the information across four specific dimensions, and overall. Because of this, the sample size is quite small and so results should be viewed with caution.

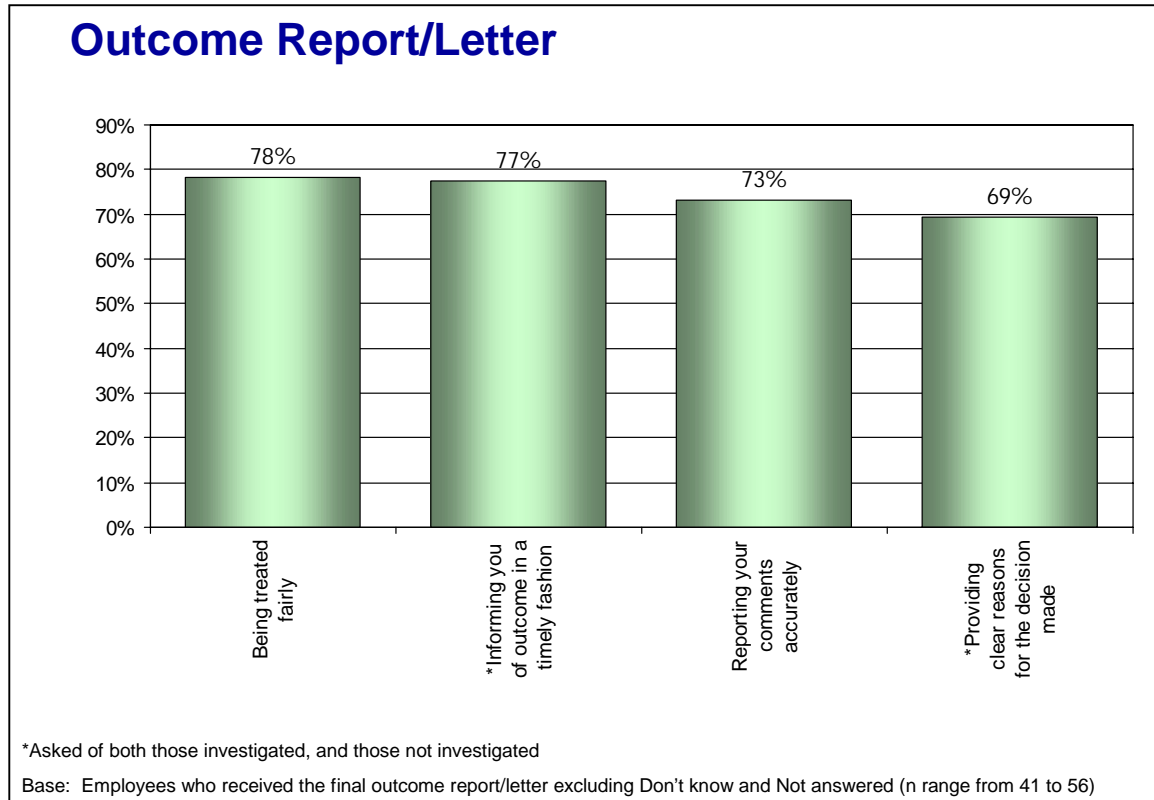
Overall, the information given as part of the investigation is perhaps the strongest part of the investigation process from an employee/victim perspective. It is rated highly in terms of its relevance (80%) and usefulness (77%) and is given without needing to ask for it (83%). Thus overall it is rated extremely well (80% rating it as an 8, 9 or 10). The information was rated slightly lower in terms of meeting the employee's/victim's needs than the other attributes (72%).



Perceptions of Outcome Report/Letter

Those who had received an outcome report (or letter in cases where there was no investigation) rated the outcome report/letter.

Ratings on the accuracy of reporting comments (73%) and providing reasons for the decision made (69%) were slightly lower than the other two aspects; being treated fairly (78%) and informing them of the outcome in a timely fashion (77%).



Happiness with the investigation outcome

Employees/victims were generally happy with the outcome of the investigation, with 82% being very, quite or slightly happy. Eleven percent expressed some level of unhappiness.

Very happy	36%
Quite happy	33%
Only slightly happy	13%
Only slightly unhappy	3%
Quite unhappy	5%
Very unhappy	3%
Don't know	7%

Base: Those who were investigated (n=89)

There were only 20 employees/victims who were not investigated, all but two were either very or quite happy, one was slightly unhappy, and the other did not know (please note that these are unweighted figures).

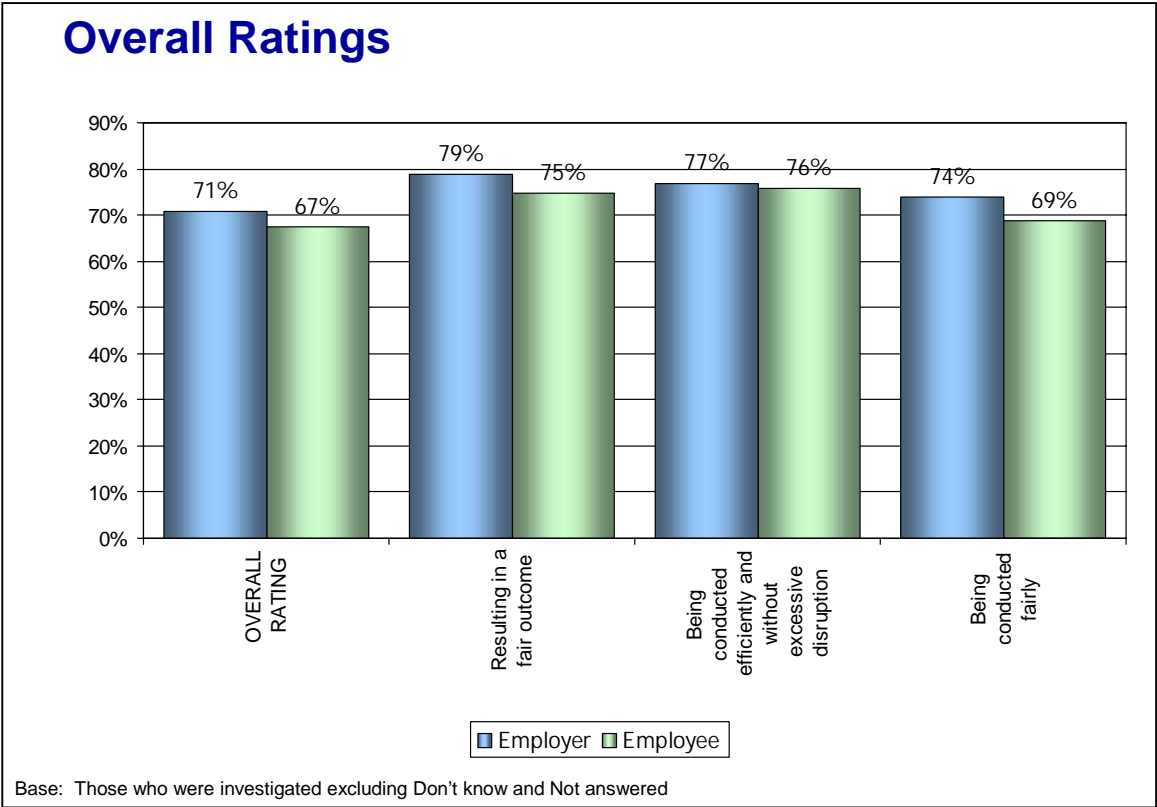
Comparison between Employers and Employees/Victims

The purpose of this section is to highlight areas where Employer ratings and Employee ratings diverge.

Overall Handling of the Investigation

Neither the percentage rating 8, 9 or 10 (71% vs 67%) nor the percentage rating 1, 2, 3 or 4 (7% vs 12%) were statistically significantly different between employers and employees/victims. In other words, there is no real difference in how employers rated the handling of the investigation compared to employees/victims.

Ratings on the other summary measures were also similar between employers and employees/victims.



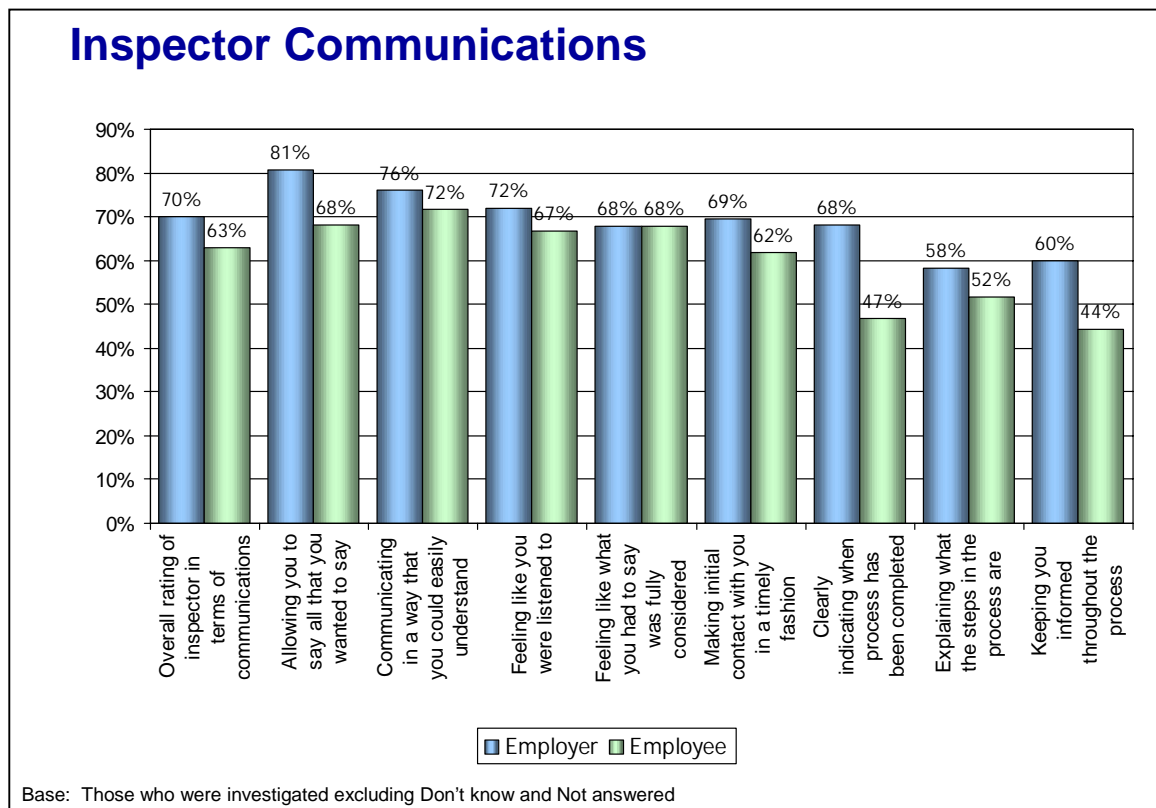
Perceptions of Inspector Performance

Overall Performance of Inspector

There was little difference in how employers rated inspectors overall compared to employees/victims, both in terms of the percentage giving a rating of 8, 9 or 10 (71% vs 75%) or ratings of 4 or lower (both 6%).

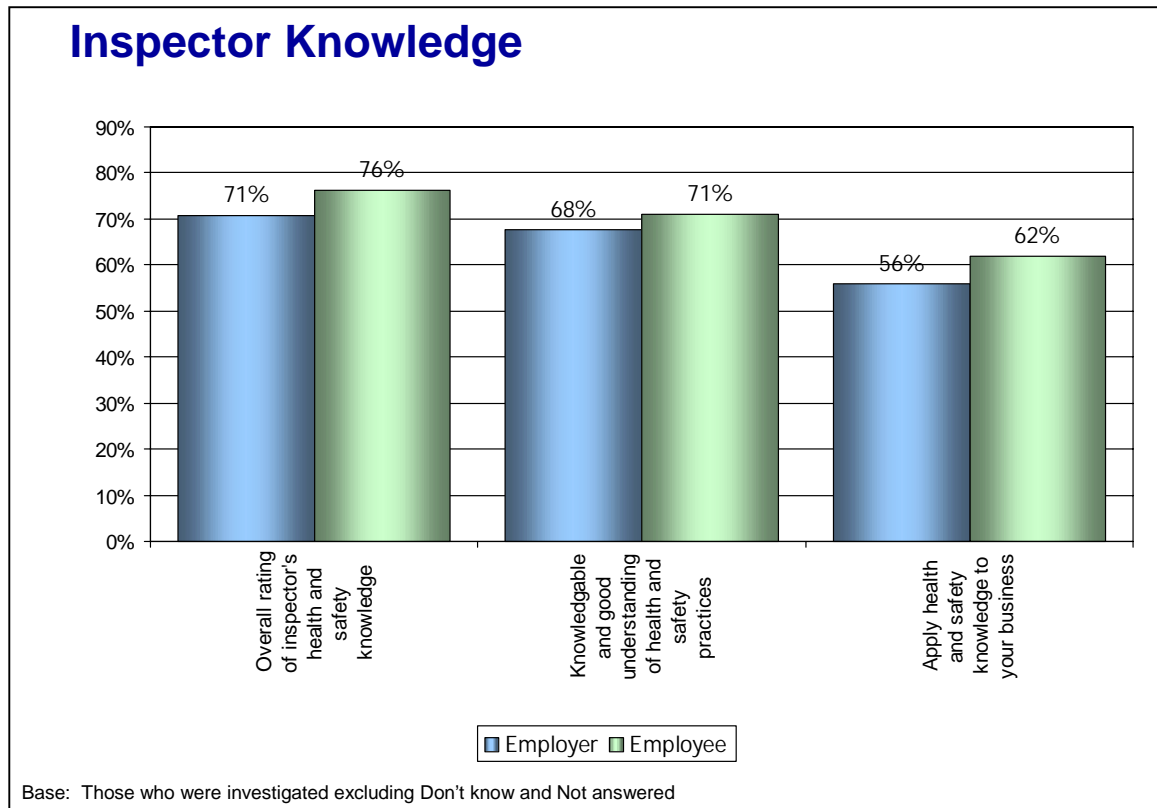
Communications

Across all of the communication attributes, employers gave higher ratings than employees/victims, suggesting more of the communication effort is directed at the employer than the employee/victim. Particularly large (and statistically significant) differences were in terms of indicating when the process has been completed (68% vs 47%), keeping them informed throughout the process (60% vs 44%) and allowing them to say all that they wanted to say (81% vs 68%).



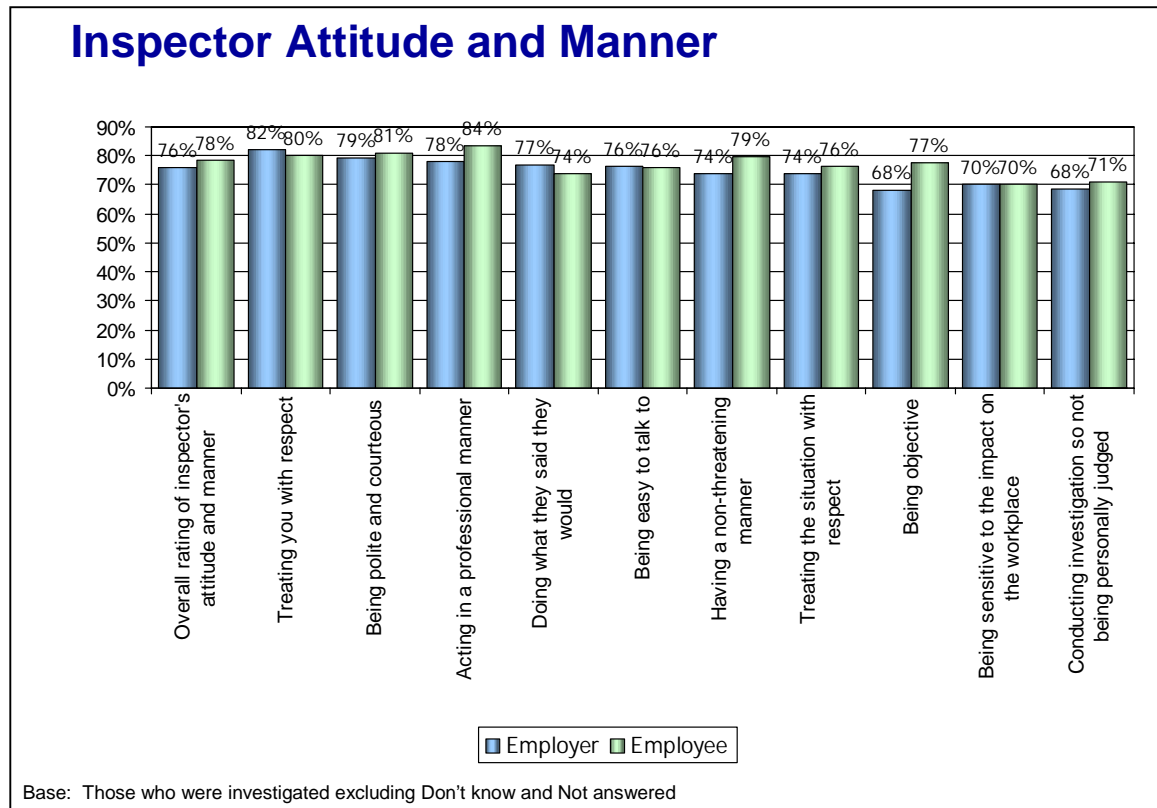
Health and Safety Knowledge

Employees/victims tended to rate the inspector higher than employers on their health and safety knowledge, however, none of the differences were statistically significant.



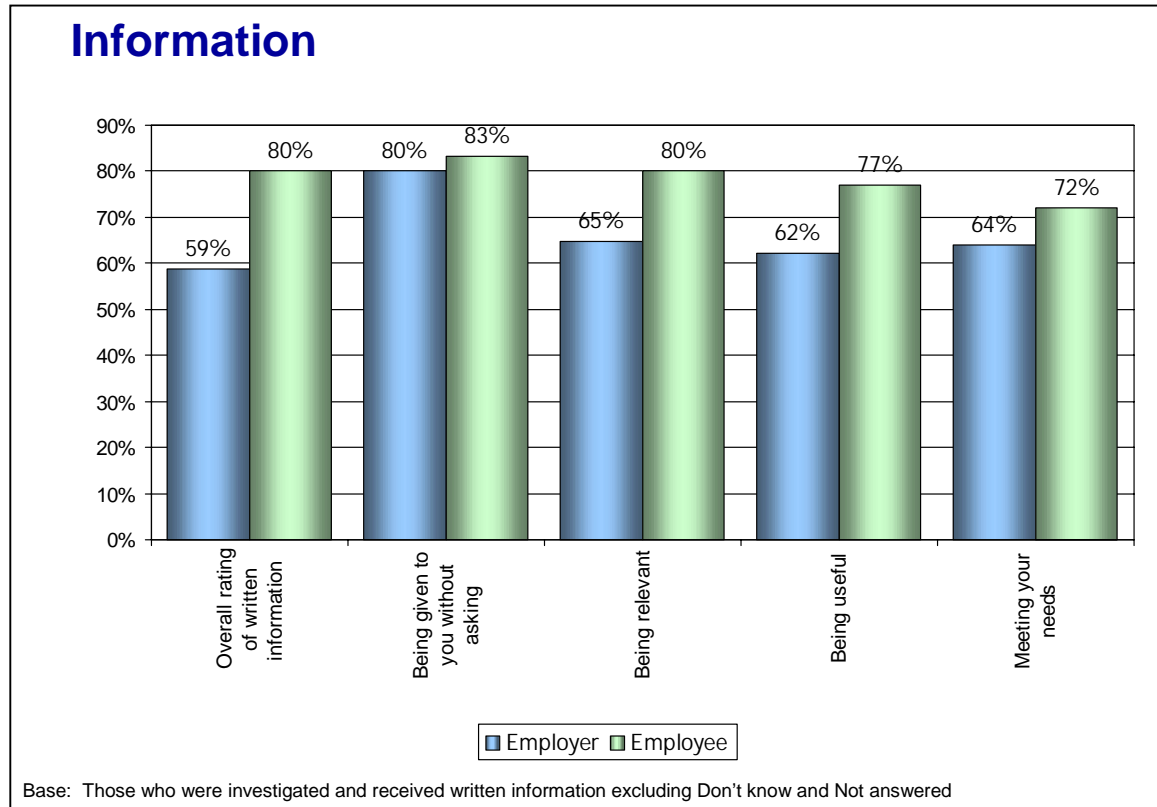
Attitude and Manner

Ratings tended to be very similar between employers and employees/victims, with no statistically significant differences in ratings.



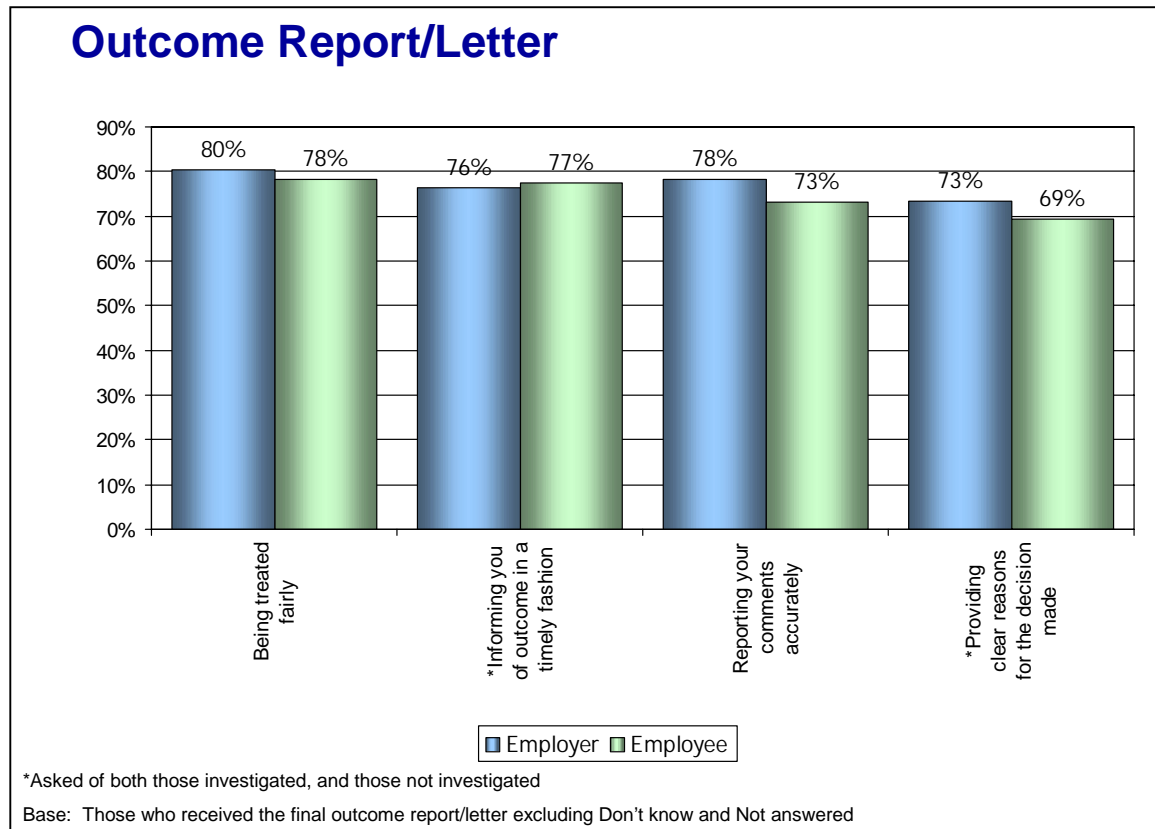
Perceptions of Information

The small sample size of employees/victims makes significance testing inappropriate. However, employees/victims consistently rate the information higher than employers, suggesting the information is more appropriate for employees/victims than employers.



Perceptions of Outcome Report/Letter

There was little difference in the way employers rated the outcome report/letter compared to employees/victims.



Happiness with the investigation

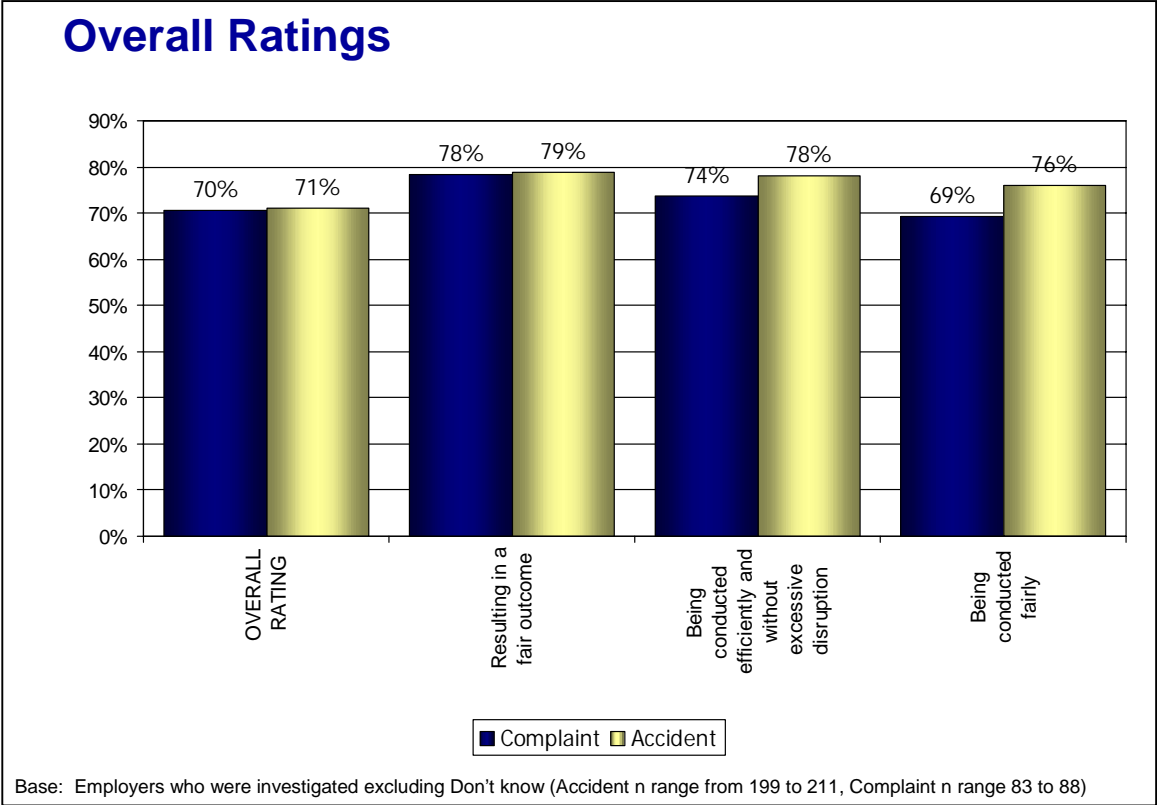
While employers were more likely to say they were happy with the outcome of the investigation (91% versus 81% for employees/victims), there was little difference in expressions of unhappiness (7% versus 11% for employees/victims). In other words, employees/victims are not necessarily more unhappy, they are just not as happy as employers. The small sample of employees/victims who were not investigated makes comparisons inappropriate.

Comparison between Complaints and Accidents

The purpose of this section is to highlight areas where ratings from employers that were investigated based on a complaint and ratings from employers that were investigated based on a serious harm notification (accident) diverge.

Overall Handling of the Investigation

There was virtually no difference in the rating of the overall handling of the investigation process between complaints (70%) and accidents (71%). In terms of the other summary measures, there was some divergence in terms of it being conducted fairly (69% vs 76%) though this was not statistically significant.



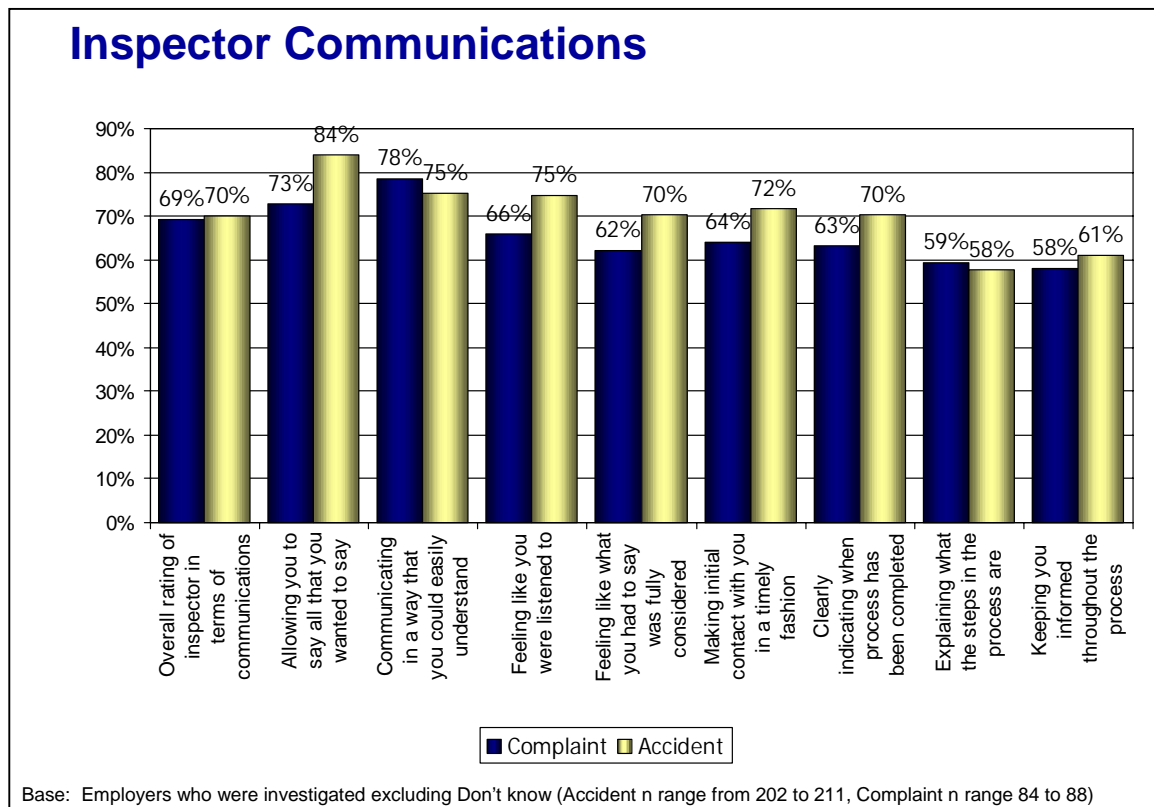
Perceptions of Inspector Performance

Overall Performance of Inspector

While not statistically significant, those investigated based on a complaint tended to give less favourable ratings of the inspector overall than those who had been investigated based on an accident (66% of complaint investigation respondents gave a rating of 8, 9 or 10 versus 73% of accident investigation respondents). Furthermore, they were slightly more likely to give a poor rating (10% compared to 4%, though again, this is not a statistically significant difference.)

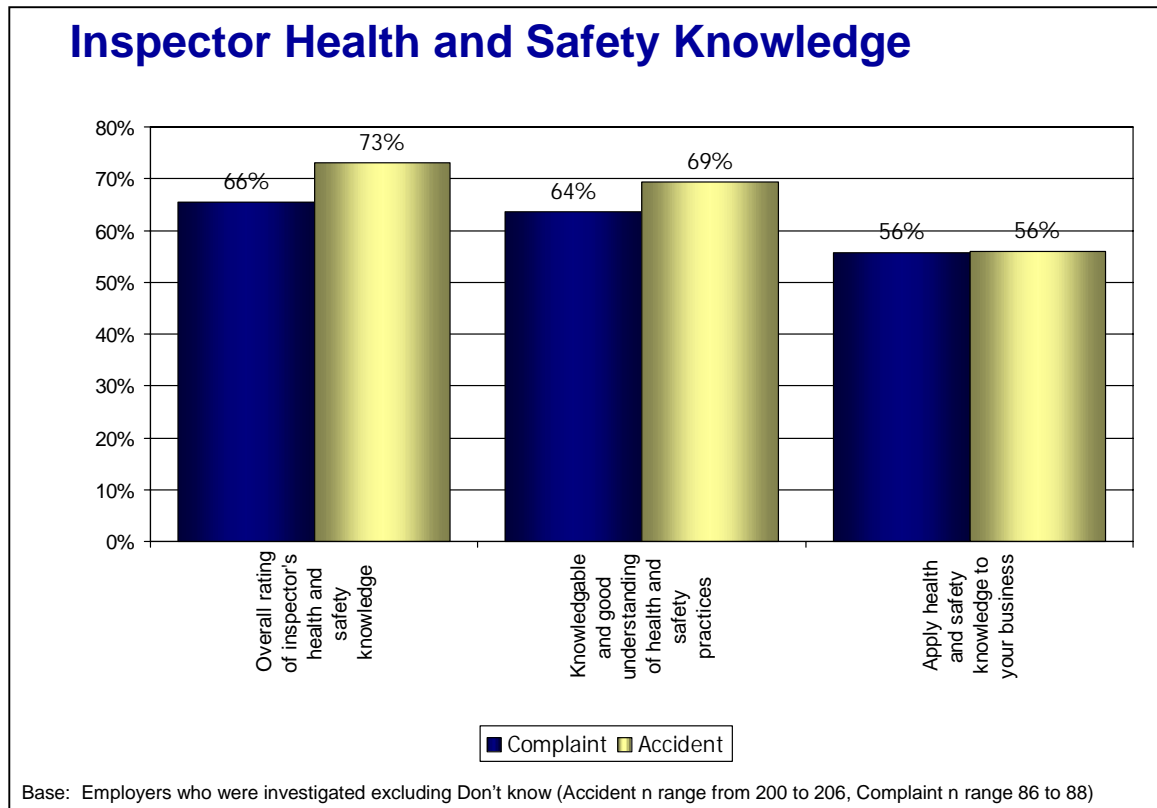
Communications

Generally those investigated based on an accident rated the inspector's communications higher than those investigated based on a complaint, though the only statistically significant difference was in terms of allowing them to say all that they wanted to say where those investigated for an accident gave a rating of 84% compared to 73%.



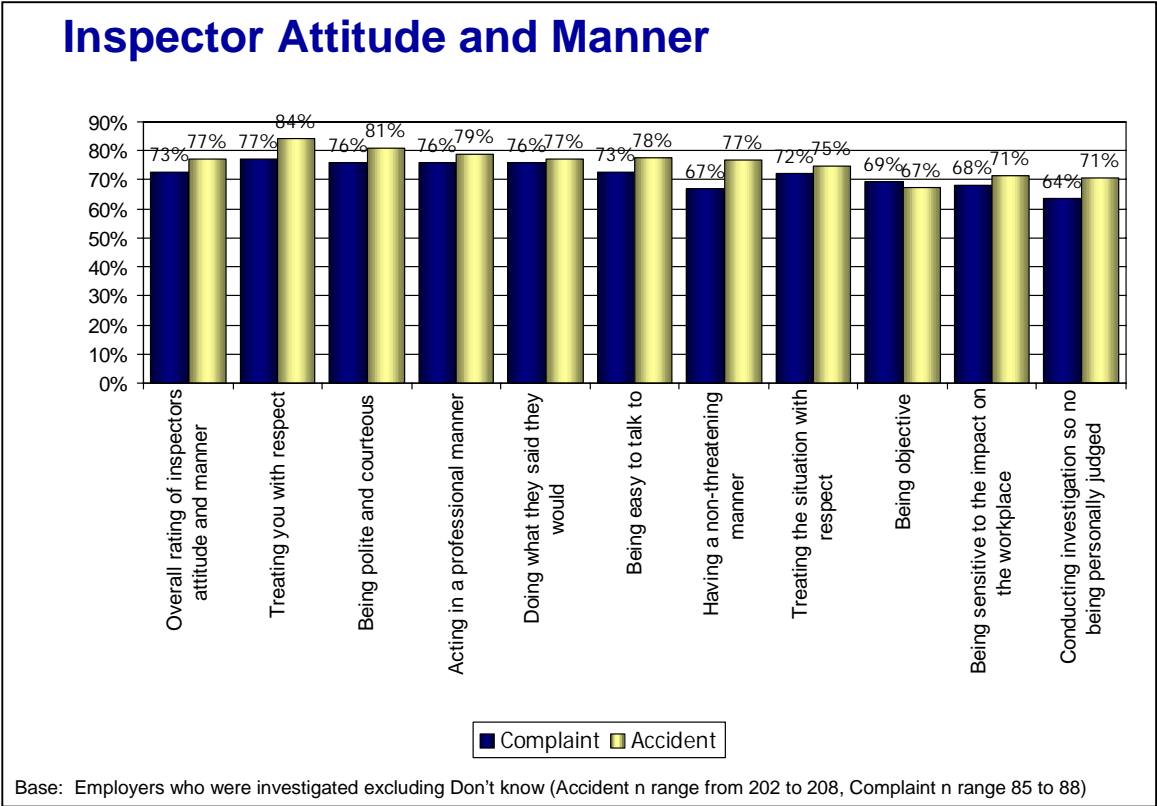
Health and Safety Knowledge

Inspector knowledge tended to be rated more highly by those investigated for an accident, but not significantly so.



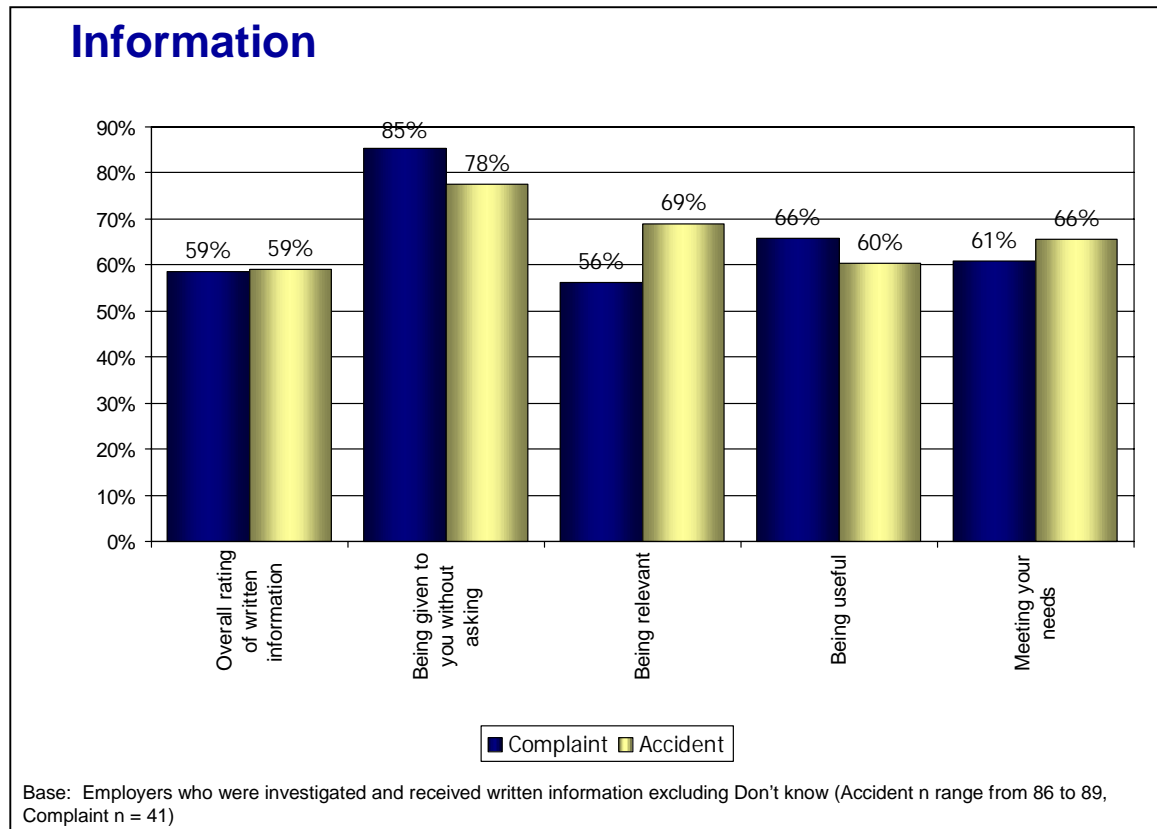
Attitude and Manner

The inspector’s attitude and manner tended to be rated more highly by those investigated for an accident, but again, none of the differences were statistically significant.



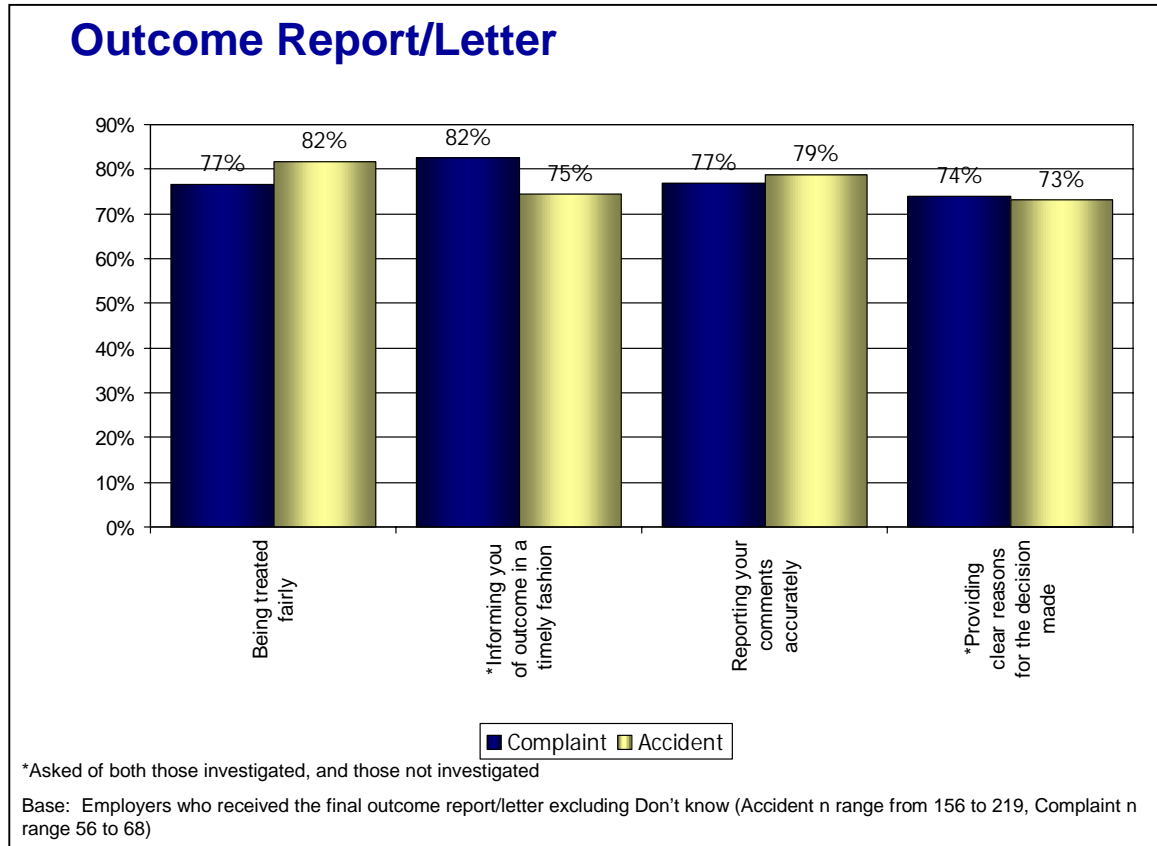
Perceptions of Information

Those investigated for an accident rated the relevance of information significantly higher than those investigated over a complaint. None of the other differences were statistically significant though.



Perceptions of Outcome Report/Letter

Differences in ratings of the outcome report/letters were small and not statistically significant.



Happiness with the investigation outcome

The following table shows how happy accident investigation respondents were with the outcome compared to complaint investigation respondents. As can be seen there is very little difference.

	Accident n=212	Complaint n=88
Very happy	51%	53%
Quite happy	34%	31%
Only slightly happy	6%	7%
Only slightly unhappy	3%	6%
Quite unhappy	1%	1%
Very unhappy	2%	1%
Don't know	2%	1%

The next table shows how happy those who were not investigated were with that decision. It should be noted that the Complaint sample is small. Bearing this in mind, there is not too much difference in the ratings.

	Accident n=74	Complaint n=26
Very happy	65%	42%
Quite happy	31%	42%
Only slightly happy	1%	4%
Only slightly unhappy	-	8%
Very unhappy	-	4%
Don't know	3%	-

Comparison between Those Investigated and Those Not Investigated

As those who were not investigated have no process upon which to rate OSH, their responses were very limited. Indeed the only aspects they were required to rate were their happiness with the decision not to investigate, being informed of the outcome (i.e. decision not to investigate) in a timely fashion, and being provided with clear reasons for the decision not to investigate. While the depth of information is limited, it is of importance as it forms part of the evaluation of the Limited Response project.

Comparison of happiness with investigation outcome versus decision not to investigate

Employers were very happy when OSH made the decision not to investigate. Fifty nine percent said they were very happy with the decision not to investigate. This compares to 52% being very happy with the outcome of the investigation. Only 3% (three people) expressed any level of unhappiness with the decision not to investigate.

One person was unhappy because “it’s an accident waiting to happen and when it does happen I will get the blame”. That is, OSH is not assisting to take preventative action. The other two comments related to the fact that complaints were laid by people not involved in a specific incident (in one case a fellow worker, in the other an ex-employee).

In terms of employees, they were also happy when OSH decided not to investigate. Only 20 of the employee respondents were not investigated, so the sample size is small, but 18 were either very or quite happy, one person was slightly unhappy, and one person did not know. The one person who was slightly unhappy was so because they wanted advice on how to make their work environment safer. (Please note that the numbers mentioned here are unweighted, i.e. actually number of people)

Comparison of ratings on attributes

The following table shows how ratings differed between the two groups (employers only) on the two reporting attributes.

	<u>Informing you of the outcome in a timely fashion</u>		<u>Providing clear reasons for the decision made</u>	
	<u>Investigated</u> n=223	<u>Not investigated</u> n=64	<u>Investigated</u> n=221	<u>Not investigated</u> n=61
8, 9 or 10	78%	72%	76%	64%
1, 2, 3 or 4	4%	5%	6%	11%

While not statistically significant, those not investigated tended to give lower ratings than those who were investigated, both in terms of the timeliness and providing clear reasons for the decision, suggesting that even though OSH are not investigating, employers still want to be fully informed.

As there were only 11 employee/victim respondents who were not investigated and had received a letter advising of OSH’s decision not to investigate, the sample size is too small to perform an analysis.

Priorities for Improvement

This section presents the priorities for improvement, at an overall level. To identify the priorities for improvement, a Performance Importance Matrix has been developed. As the name suggests, this plots the attributes on two dimensions, performance, and importance.

The interaction of these two dimensions produces four quadrants into one of which each attribute falls. The top right quadrant contains those attributes which are rated highly and which also have high importance in determining overall satisfaction. It is vital to Maintain the delivery of these attributes.

The top left quadrant contains those attributes for which the organisation receives lower ratings but which also impact greatly on overall performance. These attributes are of First Priority to focus attention on.

The bottom left quadrant contains attributes for which lower performance ratings are given and which are of lower importance in driving overall performance. These are the attributes of Second Importance.

The bottom right quadrant contains attributes for which an organisation receives higher performance ratings but have lesser impact on overall performance. These attributes are of Lower Priority for attention.

Rather than asking importance questions directly, the importance has been derived. This has been done using correlations between each attribute and the overall rating of OSH's handling of the investigation.

At a basic level an attribute is deemed important if when it is rated highly, so too is the overall rating, and conversely if it is rated lowly, so too is the overall rating. In other words, the more the overall rating mirror the rating for a specific attribute, the more important that attribute is. If an attribute appears to be unrelated (i.e. even if the attribute is rated highly, the overall score could be high, or could be low), then the attribute is determined to be unimportant (i.e. it is not a direct driver of the overall score).

It should be noted that these matrices show the relative position of the attributes, that is, just because an attribute is in the First Priority quadrant, it does not necessarily mean that the performance on that attribute is necessarily poor, rather it means that relative to the other attributes, its performance is low compared to its importance. Indeed the scaling of each axis is designed to spread the attributes throughout the quadrants.

As mentioned previously, these results are at an overall level, that is, across the full sample. The areas identified in this section are those that are priorities in terms of raising the overall average rating. The section following this looks specifically at those who thought OSH's handling of the investigation process was poor, and what is required to improve the process for those who were unhappy.

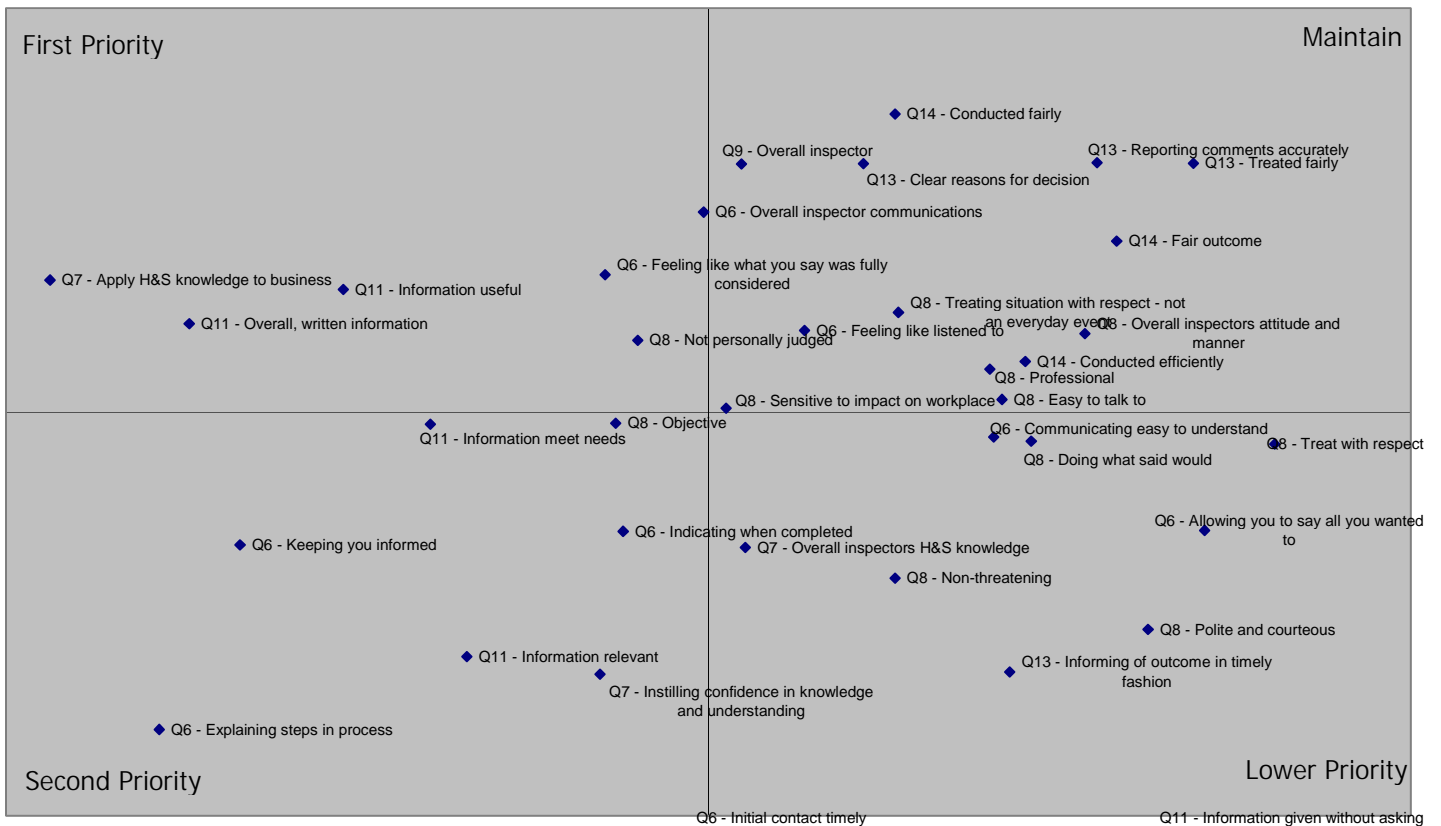
Employers

Overall the performance/importance matrix for employers shows quite a strong spread. Many of the attributes lie in the Maintain quadrant, and several of those that are in the First and Second Priority quadrants only require small increases in performance ratings to move into the Maintain and Lower Priority quadrants. It is also encouraging that the five most important attributes all fall into the Maintain quadrant, indicating that performance is high in the areas where it is most important.

In terms of which areas to focus on for improving overall perceptions of the process, the one key area for improvement is that of the written information, not only overall, but in particular its usefulness, and it meeting their needs. Indeed, four of the five measures of information lie in the First and Second Priority quadrants, hence it being a key area for attention.

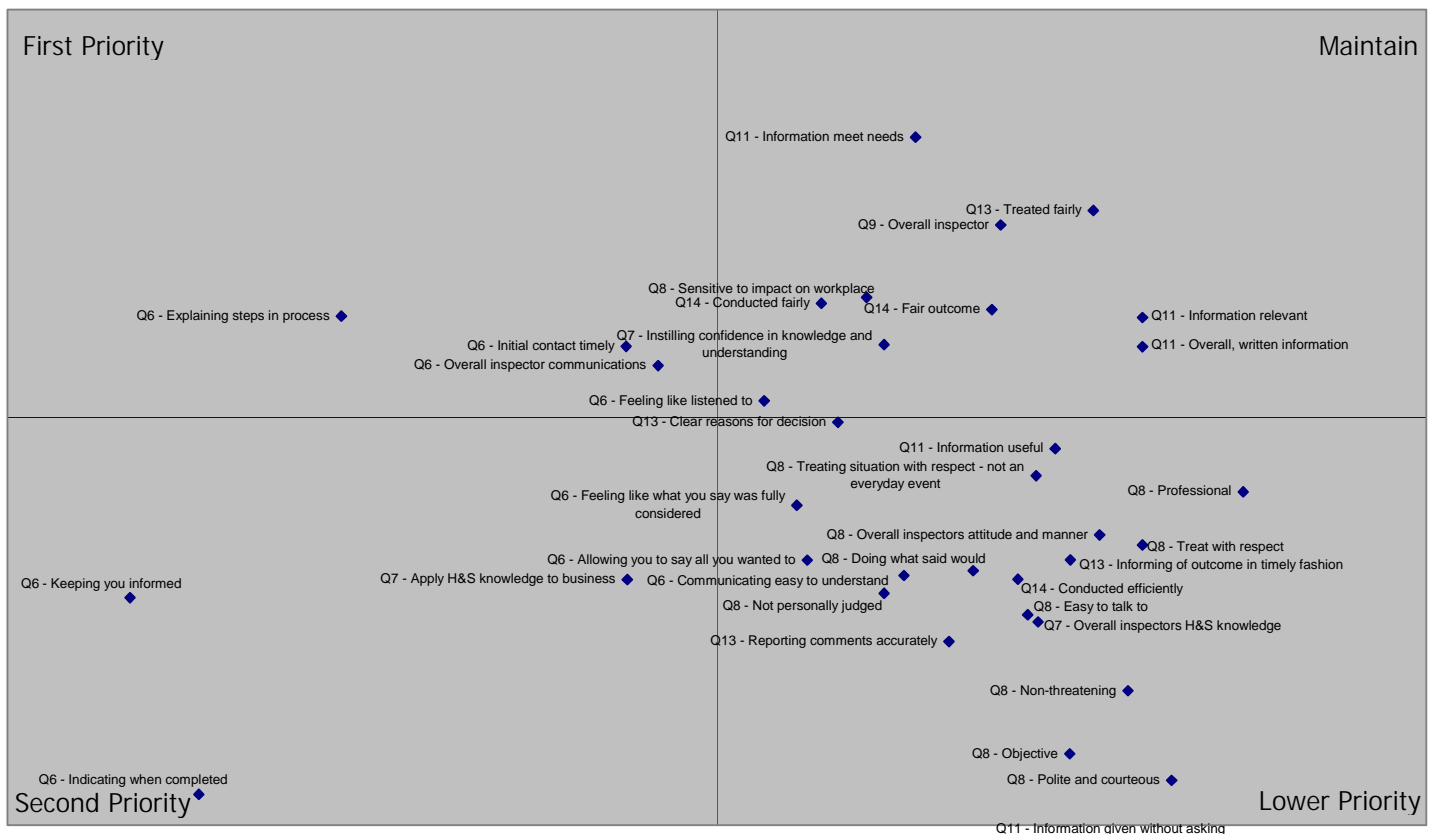
While inspector based attributes are generally in the Maintain or Lower Priority quadrants, there are some aspects that are priorities. Specifically these are being to apply health and safety knowledge to the work and processes of their business, feeling like what they had to say was fully considered, and conducting the investigation so that the employer does not feel like they personally weren't being judged.

Communication related issues tend to be the secondary priorities, particularly keeping the employers informed throughout the process, explaining what the steps in the process are, and clearly indicating when the process has been completed.



Employees/Victims

Overall the performance/importance matrix for employees/victims has a positive skew with very few attributes in either the First or Second Priority quadrants. Those that are in the First and Second Priority quadrants are almost exclusively concerned with the communication side of the investigation, in particular explaining what the steps in the process are, making initial contact in a timely fashion, keeping the employee/victim informed, clearly indicating when the process has been completed, as well as the inspector's communications overall. The only other attribute in the First and Second Priority quadrants that was not communications related was the inspector being able to apply health and safety knowledge to the work and processes of their workplace.



Drivers of Poor Performance Perceptions

The previous section looked at what are the attributes that should be focussed on to improve the overall rating of OSH's handling of investigations. This section looks specifically at those who thought the handling was poor, and what needs to be done so that this is no longer the case. As a result of this, these results suggest slightly (but not entirely) different courses of action, as the focus is to improve poor ratings, rather than just ratings in general.

To analyse the drivers of poor performance perceptions, a more 'qualitative' approach has been taken. This was necessitated due to the very small numbers giving poor overall ratings (defined as a rating of 1, 2, 3 or 4 on the overall rating of the way OSH handled the investigation as a whole). Thus the approach taken was to look at how those giving poor overall ratings answered the other rating questions, in conjunction with their comments on what OSH could have done better to infer the causes of poor performance perceptions.

Employers

Nineteen employers gave a poor overall rating. It appears the key drivers of their poor performance perception is a lack of communication, and a feeling of a lack of objectivity, fairness, with these affecting the perception of the outcome report, specifically not reporting comments accurately, not being treated fairly and not giving clear reasons for the decision made.

Specific areas that were rated particularly poorly are detailed in the table below. This table shows the number of employers (unweighted) giving a rating of 1, 2, 3 or 4 on the attribute.

Overall, how would you rate the OSH inspector in terms of their communications with you	13
Clearly indicating when the process has been completed	12
Feeling like what you had to say was fully considered	12
Being objective	12
Keeping you informed throughout the process	11
Conducting the investigation so it felt like you personally weren't being judged	11
Being sensitive to the impact that the situation has had on the workplace	11
<u>Resulting in a fair outcome</u>	<u>11</u>
Total n = 19	

Ratings of the outcome report/letter were only asked of those who had received an outcome report/letter, hence for this table there were 10 respondents qualifying to provide answers.

Providing clear reasons for the decision made	7
Being treated fairly	7
Reporting your comments accurately	6
Total n = 10	

Analysis of the comments made on what OSH could do better show two main themes; issues with objectivity and fairness, and issues with communications. This reinforces the findings from the analysis of the rating statements.

Objectivity and fairness:

"The attitude we got and the determination of the inspector to proceed with a prosecution seemed to be hell bent and driven by the need to get a payout for the victim"

"They go in looking for fault and for something to blame – the fact that the person may be on drugs seems to be irrelevant"

"I found his tactics quite bullying initially...he spoke to my staff as I wasn't here and he was quite intimidating"

"If they possibly intend to give an improvement notice, they should advise before they leave and not say everything is fine and happy and then write back with an improvement notice that had no mention in the investigation, we had more information if he had mentioned it"

"I found the inspector's manner intimidating and that I/we had already been deemed guilty before they had even done an investigation"

"They could have listened, come with an open mind"

"They act like they are policemen. Their attitudes need to be addressed insofar as them being able to convey their message without the heavy-handed tactics. They need to realise that there are two sides to most stories"

Communications:

"It was a serious harm accident and the guy ended up in hospital, and we have had no response back from OSH"

"Listen better"

"Should have communicated and let me know they are coming"

"I would have liked to have received a written outcome report"

"Finish the thing properly, that is to say, at least notify us on whether it has been completed or just even where it is at"

"I would have liked OSH to have contacted us in a more timely manner, because it was nearly 3 months after the accident before they actually came out to inspect the site"

"They send nothing out by way of report, never any updating in regulations"

"Clearer communication and documentation"

"No conclusion to the matter, not hearing anything back"

While not addressed in the specific areas covered in the survey, OSH as an educator (rather than just an enforcer) was a suggestion raised as something OSH could do better.

"We would appreciate some positive feedback, our goal is to avoid harm to people, and not to go to court every time"

"Nice to see them before something happens rather than after things happen"

Employees/Victims

Amongst employees/victims, 11 people gave a poor overall performance rating. The driver of poor performance perceptions is clearly a lack of communication. The following table shows the number (unweighted) that gave a poor rating on the communication dimensions.

Clearly indicating when the process has been completed	11
Keeping you informed throughout the process	10
Explaining what the steps in the process are	8
Making initial contact with you in a timely fashion, relative to the importance of the situation	7
Allowing you to say all that you wanted to say	7
Feeling like you were listened to	7
Feeling like what you had to say was fully considered	7
Communicating in a way that you could easily understand	6
Overall, how would you rate the OSH inspector in terms of their communications with you	8
Total n = 11	

Comments on what OSH could have done better reinforce this group's feeling that there was a lack of communication:

- "Contact me, there was no contact whatsoever with me"
- "Contact me and let me know what is going on rather than just doing it all through work"
- "They could have kept me informed and they could have told me the outcome"
- "They could have at least phoned me to let me know what happened. I would still like to know actually, as far as I am aware, I was just blown off"
- "More communication, more contact because I had none whatsoever"
- "Probably a whole lot... maybe communication would have been a good start"
- "Communicate with me"
- "I had no personal contact with OSH apart from one letter"

Appendices

The following tables detail the sample size for each statement after don't knows have been excluded.

Sample Sizes – Employer

Q6 Making initial contact with you in a timely fashion, relative to the importance of the situation.	295
Q6 Explaining what the steps in the process are.	290
Q6 Keeping you informed throughout the process.	295
Q6 Clearly indicating when the process has been completed.	286
Q6 Allowing you to say all that you wanted to say.	299
Q6 Feeling like you were listened to.	297
Q6 Feeling like what you had to say was fully considered.	295
Q6 Communicating in a way that you could easily understand.	297
Q6 And overall, how would you rate the OSH inspector in terms of their communications with you?	299
Q7 Instilling confidence in you that they were knowledgeable and have a good understanding of health and safety practices	294
Q7 Being able to apply their health and safety knowledge to the work and processes of your business	286
Q7 And overall, how would you rate the inspector's health and safety knowledge?	291
Q8 Being polite and courteous	296
Q8 Having a non-threatening manner	296
Q8 Being easy to talk to	295
Q8 Treating you with respect	296
Q8 Being objective	294
Q8 Conducting the investigation so it felt like you personally weren't being judged	292
Q8 Acting in a professional manner	296
Q8 Doing what they said they would	290
Q8 Being sensitive to the impact that the situation has had on the workplace	287
Q8 Treating the situation with respect acknowledging that it is not an everyday event	293
Q8 And overall, how would you rate the inspector's attitude and manner?	296
Q9 How would you rate the overall performance of the inspector	297
Q11 The information given being useful	127
Q11 The information given being relevant	128
Q11 The information being given to you without you having to ask	130
Q11 The information meeting your needs	128
Q11 And overall, how would you rate the written information you were given	129
Q13 Informing you of the outcome in a timely fashion	287
Q13 Providing clear reasons for the decision made	282
Q13 Being treated fairly	224
Q13 Reporting your comments accurately.	212
Q14 Being conducted fairly	296
Q14 Being conducted efficiently and without excessive disruption to your work	297
Q14 Resulting in a fair outcome	282
Q15 Overall, how would you rate the way OSH handled the investigation as a whole	299

Sample Sizes – Employee/victim

Q6 Making initial contact with you in a timely fashion, relative to the importance of the situation.	89
Q6 Explaining what the steps in the process are.	85
Q6 Keeping you informed throughout the process.	88
Q6 Clearly indicating when the process has been completed.	85
Q6 Allowing you to say all that you wanted to say.	88
Q6 Feeling like you were listened to.	87
Q6 Feeling like what you had to say was fully considered.	87
Q6 Communicating in a way that you could easily understand.	88
Q6 And overall, how would you rate the OSH inspector in terms of their communications with you?	89
Q7 Instilling confidence in you that they were knowledgeable and have a good understanding of health and safety practices	79
Q7 Being able to apply their health and safety knowledge to the work and processes of your business	76
Q7 And overall, how would you rate the inspector's health and safety knowledge?	76
Q8 Being polite and courteous	77
Q8 Having a non-threatening manner	78
Q8 Being easy to talk to	79
Q8 Treating you with respect	78
Q8 Being objective	76
Q8 Conducting the investigation so it felt like you personally weren't being judged	79
Q8 Acting in a professional manner	79
Q8 Doing what they said they would	77
Q8 Being sensitive to the impact that the situation has had on the workplace	74
Q8 Treating the situation with respect acknowledging that it is not an everyday event	80
Q8 And overall, how would you rate the inspector's attitude and manner?	79
Q9 How would you rate the overall performance of the inspector	80
Q11 The information given being useful	26
Q11 The information given being relevant	25
Q11 The information being given to you without you having to ask	24
Q11 The information meeting your needs	25
Q11 And overall, how would you rate the written information you were given	25
Q13 Informing you of the outcome in a timely fashion	54
Q13 Providing clear reasons for the decision made	54
Q13 Being treated fairly	46
Q13 Reporting your comments accurately.	41
Q14 Being conducted fairly	83
Q14 Being conducted efficiently and without excessive disruption to your work	82
Q14 Resulting in a fair outcome	79
Q15 Overall, how would you rate the way OSH handled the investigation as a whole	89
