Despite gradual improvements in the frequency of work-related injuries and fatalities over the course of the last century, in the UK there are still over 20,000 deaths every year that are attributable annually to injuries or ill health related to work; 25,000 people leave employment as a result of work-related injury or illness; and more than 2 million suffer from ill health that in their view was caused or made worse by work. Work-related ill health results in the loss of over 30 million working days each year and many more workers experience limitations on their daily activities that stem from work-related illnesses.\(^1\) The failure of employers to properly discharge the legal duties to prevent harm to their workers, which is suggested by such statistics, provides strong ethical and pragmatic reasons why people at work should have rights to adequate representation of their health and safety interests.

The twin themes that have emerged in the previous pages are, firstly, that under certain circumstances, such rights to representation and consultation help promote and sustain improved health and safety performance. But, secondly, the conditions that are widely recognised to support their role in the arrangements leading to improved performance are by no means found universally and there is worrying evidence to suggest that in fact they are now found less frequently than they were following the introduction of the legislative framework that helped define them as a consequence of the HSW Act in the late 1970s.

In the previous chapter we identified a number of concerns, mainly to do with ineffective state regulation and poor management organisation and support, which contribute to these limitations. In addition,

\(^1\) These aggregate figures can be obtained from a variety of sources. See James and Walters (2005: 129) for a summary.
we noted that changes in the structure and organisation of work that have occurred since the regulatory framework was introduced in the 1970s exacerbate the problems of implementation and operation in increasing numbers of workplaces and that no further regulatory provisions had been made to address this successfully.

In this final chapter we reflect on the approach of the state towards its support for worker representation and consultation on health and safety at work in recent years. We look at several of the issues that have emerged from previous chapters that support or constrain the role and effectiveness of consultation and representation on OHS in British workplaces and ask what are the policy implications of these findings in terms of possible actions that could be taken to improve the situation. Our discussion is focused around why state regulation has been ineffective at improving the position for employee representation and consultation on health and safety in recent years and why it has failed to address the poor management organisation and support that continues to severely limit the potential contribution of employee representation and consultation towards improved health and safety outcomes at the workplace. Finally, with reference to practices in other countries, as well as to our own findings on the role and effectiveness of employee representation and consultation, we consider some of the possible ways in which this situation might be addressed in the UK in the future.

Reforming regulation on worker representation in health and safety

Either the threat or the reality of regulatory intervention has been a significant stimulus for the introduction and spread of arrangements for representation and consultation on health and safety in the majority of workplaces in the UK. Without the influence of this external pressure, there is no evidence to support the notion that such arrangements would have been introduced by employers in more than a minority of workplaces. The history of participative approaches to health and safety indicates that such arrangements were extremely slow to develop in the absence of legislative measures. It was for this reason that the demand for them became the subject of increasingly focused campaigns by concerned trade unions and sympathetic Members of Parliament (MPs) from the 1920s onwards (Williams 1960; Grayson and Goddard 1975). However, it is also possible to demonstrate that before measures were finally passed in the 1970s a clear relationship already existed