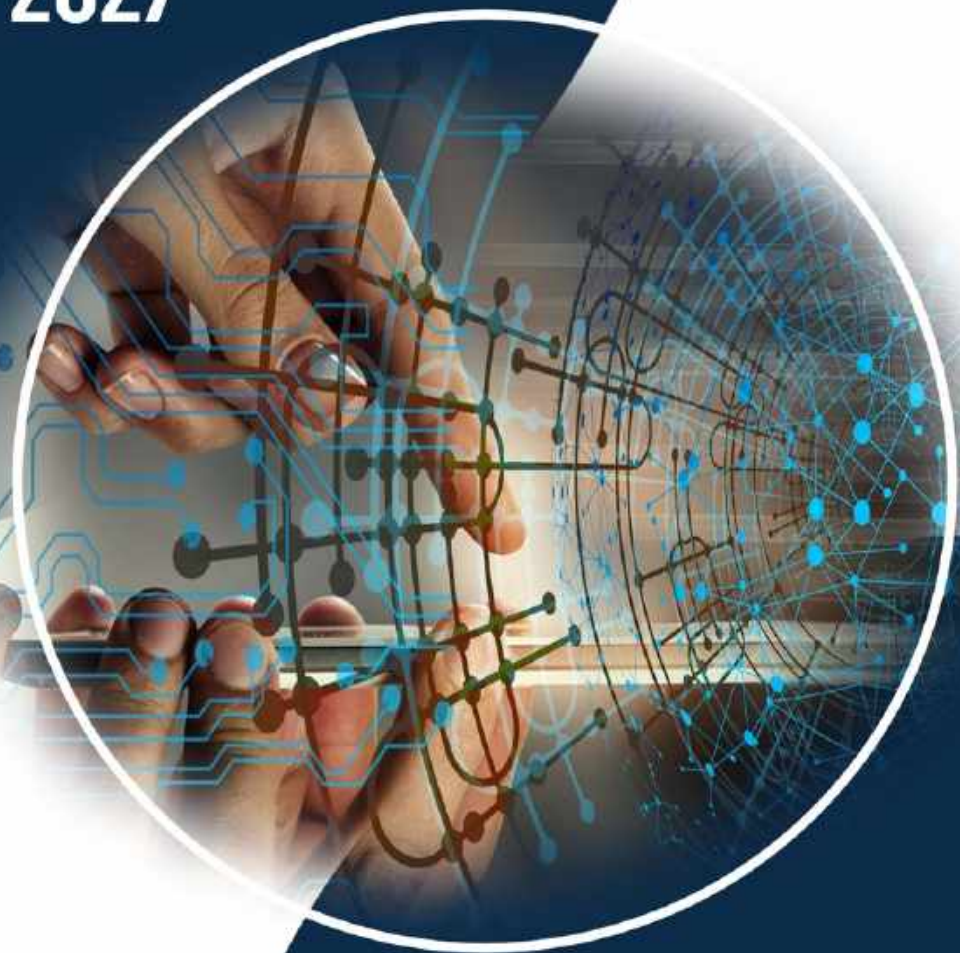


STRATEGIC PLAN

FOR OCCUPATIONAL HEALTH AND SAFETY

2022 - 2027



OCCUPATIONAL
HEALTH & SAFETY
AUTHORITY
ohsa.mt



MALTA

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PART 1



Introduction

Aims of the Document

**Vision of the OHSA, Mission
Statement and Mission
Analysis**

The Present Situation

INTRODUCTION

The COVID-19 pandemic has brought a new reality with direct and indirect effects on the workplace. Dealing with preventive and mitigating measures, positive cases, quarantine, lock-down, and work organisation has necessitated the development of new approaches while also assessing existing procedures to safeguard health and safety at the workplace (OHS). Moreover, it has shown that OHS is crucial not only for the protection of workers but also for the well-being of society and for social and economic activities. In this context, by adopting a new strategic plan for health and safety at work, OHS hereby reaffirms its commitment to continue promoting a holistic prevention culture while improving the current levels and provisions of health and safety at work.

In line with the European Pillar of Social Rights (which aims to serve as a guide towards efficient employment and social outcomes when responding to current and

"Workers have the right to a high level of protection of their health and safety at work... [and that they] have the right to a working environment adapted to their professional needs and which enables them to prolong their participation in the labour market."



future challenges which are directly aimed at fulfilling people's essential needs, and towards ensuring better enactment and implementation of social rights), this strategic plan will have at its core the principle that "workers have the right to a high level of protection of their health and safety at work... [and that they] have the right to a working environment adapted to their professional needs and which enables them to prolong their participation in the labour market".[1]

Given that OHS is a multidisciplinary subject that has interfaces and synergies with a variety of other areas, this strategic plan will include provisions addressing various stakeholders and duty-holders who play an intrinsic part in maintaining a high level of OHS; these include the social partners, constituted bodies and government entities, amongst others. Social partners, in particular, play a crucial role in bolstering social rights at all levels and enhancing sustainable and inclusive growth, particularly through their right to collective bargaining and collective action; their genuine and active contribution and commitment to this process would be an invaluable asset.

Since its inception, OHSA has always engaged with and tried to influence stakeholders at all levels, issued and updated OHS legislation, raised awareness to ameliorate the level of OHS to safeguard workers' health and safety to the benefit of both society as a whole, as



[1] https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles_en



well as the economy. These actions are in line with OHSA's mission statement of 'working with others to ensure healthier and safer workplaces in Malta'. This cannot be done in a vacuum but has to take into consideration different components such as the ever-changing world of work, technological developments and new and emerging risks.

The need and commitment for action in this area are endorsed at the EU-level by the EU heads of state through the Porto Declaration whereby they committed to "put education and skills at the centre of our political action. The green and digital transitions will bring enormous opportunities for European citizens but also many challenges, which will require more investment in education, vocational training, lifelong learning, upskilling and reskilling, so as to stimulate employment transitions towards sectors where there is a growing demand for labour. At the same time, changes linked to digitalisation, artificial intelligence, teleworking and the platform economy will require particular attention with a view to reinforcing workers' rights, social security systems and occupational health and safety." [2]

This was endorsed by the EU institutions, social partners and civil society in the Porto Social Commitment, whereby they committed to "support fair and sustainable competition in the Internal Market through innovation, quality jobs, decent wages, adequate working conditions, safe and healthy working places and environments, equal treatment and fair mobility" [3]

This new strategic plan will continue to build where the previous one left off, particularly in the area of prevention of risks, accidents and illnesses. It will also focus on managing change brought by green, digital and demographic transitions as well as changes to the traditional work environment, and on increasing preparedness for any potential future crises such as the one that COVID-19 brought about. This is in line with the new strategic framework adopted at EU level which also focuses on these three cross-cutting objectives. [4]

[2] <https://www.consilium.europa.eu/en/press/press-releases/2021/05/08/the-porto-declaration/>

[3] <https://www.2021portugal.eu/en/porto-social-summit/porto-social-commitment>

[4] <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021DC0323&from=EN>

AIMS OF THIS DOCUMENT

There is widespread consensus amongst stakeholders with whom OHSA has fostered a very positive relationship during the years, that maintaining high levels of OHS and preventing harm to workers is critical to a company's success and sustainable growth. Indeed, any cost-benefit analysis of OHS clearly shows that investing in occupational safety and health yields positive results – at an individual, enterprise and national level.

The last 20 years have seen significant improvement in health and safety at work in Malta. Apart from new legislative frameworks particularly undertaken to transpose European directives and partnerships garnered with entities and stakeholders at the national and international level, there has also been a substantial downward trend in both the occupational accident and fatality rates during this period. This document will consider the results of these developments, as well and contributions from a wide range of stakeholders, including worker's and employer's representatives, to collectively aim to ensure that the business-case for OHS is recognized, understood, and ingrained in everyone's minds and actions.

Any cost-benefit analysis of OHS clearly shows that investing in occupational safety and health yields positive results – at an individual, enterprise and national level.



This document represents the strategic plan for the Occupational Health & Safety Authority (OHSA-MT) until 2027 and outlines its intention and direction during this period. The main aim of this strategy is to take stock of past experiences and continue building on what has been achieved so far while pushing for wider and concrete ownership of OHS by all. It will address significant challenges and strategic objectives, as well as activities and instruments to address them. In so doing, it aims to respond to keep as a fulcrum the evolving worker protection concerns brought on by digital and green transitions, new types of employment, and the COVID-19 pandemic. Simultaneously, the strategy will still take into consideration traditional risks and issues.

For its successful implementation, this strategy will have three main objectives, namely **managing and anticipating change** in the new world of work brought about by the green, digital and demographic transitions, **improving prevention** of workplace accidents and illnesses and **increasing preparedness** for any potential future health crises.

Managing and Anticipating Change



In the area of anticipating and managing change in the new world of work, this strategy will focus on the impact of the digital, green, and demographic transitions, particularly with regards to the increase in remote working. OHSA, in line with action at EU-level, will endeavour to modernise and simplify OHS rules particularly those related to workplaces, display screen equipment and ergonomics. It will also focus on psychosocial risks and mental health which have seen a surge since the COVID-19 pandemic.

It will also take into consideration the European Parliament resolution on the right to disconnect and will work with social partners to further promote the framework agreement on stress at work while also taking on board any initiatives endorsed at EU-level. It will also work with the Mental Health Commissioner in Malta to plan and implement further joint actions targeting workplaces. OHSA also plans to ensure that OHS is in line with the green transition and review the current limit values of certain hazardous substances such as lead, cobalt, and asbestos; these will be done in line with action taken at EU-level.

Improving Prevention



Under the prevention component of the framework, OHSA will endeavour to improve the prevention of work-related accidents and illnesses at work and strive towards 'Vision Zero' regarding occupational fatalities, in line with the European Parliament resolution on just transitions which urges the EU member states to "commit to eliminating work-related deaths and reducing work-related illnesses by 2030"[5]. This strategy will also include the endorsement of the European Commission's updates of rules and regulations on hazardous chemicals to combat cancer and reproductive and respiratory diseases. It will also take into consideration the promotion of health at work and of ensuring that workplaces take into consideration all employees without prejudice or discrimination, particularly with regards to gender equality and disability, as well as tackle workplace violence and sexual harassment.

Increasing Preparedness



The third objective of this strategy emanated directly from the COVID-19 experience. OHSA will take action to increase preparedness and to respond rapidly to any future health threats and crises. It will focus specifically on giving greater priority to measures of increased hygiene, non-pharmaceutical interventions, and mental health support in response to such crises, as well as develop better synergies between OHS and public health. As this pandemic has highlighted, having an overall framework obligation of risk-assessment and preventive measures by the employer for addressing health risks to workers in case of a health crisis is of paramount importance.

[5] https://www.europarl.europa.eu/doceo/document/TA-9-2020-12-17_EN.html

The three main objectives will be achieved through improved social dialogue so as to encourage more meaningful social partner participation, strengthening of the evidence base so as to prioritise action and where appropriate change focus, strengthening of enforcement and its deterrent effect and providing sustained and targeted awareness-raising. OHSA will endeavour to work closely with social partners and all stakeholders to ensure that this strategy is endorsed and acted upon by all for the betterment of OHS at the worker, enterprise, and national levels.

In achieving these stated objectives, action will be taken by OHSA in the following areas:

- **Legislation, Compliance and Enforcement:** An effective legislative framework that is free of unnecessary bureaucratic burdens and updated regularly to reflect current trends and developments; a consistent and transparent enforcement process model that ensures compliance with health and safety legislation; the support for duty holders, especially SMEs to help them achieve compliance, including through the dissemination of adequate information and guidance, and the provision of advice to all who require it; soliciting action and initiatives by all duty holders to decrease reliance on OHSA services including by promoting and facilitating self-regulation and compliance.
- **Capacity Building:** The development of the Authority's human resources through recruitment, training and retraining as necessary, to ensure that all members of staff are competent and updated on all developments in the field; the ready availability of information and tools to assist OHS Officers and other employees of the Authority.
- **Communicating the Benefits of OHS:** seeking partnerships with all stakeholders so as to further develop a preventive culture that encourages holistic approaches towards healthy lifestyles; increasing the level of awareness regarding the benefits of adequate health and safety levels; disseminating information on the evaluation of risks and their control.
- **Taking Appropriate Action Against Existing and Emerging Risks:** Fostering and promoting action against both traditional risks and emerging ones, based on appropriate research, including on psychosocial risks at work; increasing OHSA's capabilities to carry out research; improving the quality of service provided by occupational health service providers, and improving the effectiveness of health surveillance; promoting training among duty-holders; improving data capture for occupational incidents and cases of occupational ill-health; promoting the keeping of near-misses records with attendant corrective action.
- **Evaluating Effectiveness of Actions Taken:** Actions will be assessed against KPIs determined or adopted by the Authority, whilst ensuring the efficiency of all services provided.

VISION, MISSION STATEMENT AND MISSION ANALYSIS

Working with others to ensure healthier and safer workplaces in Malta.

Vision of the OHSA

- The development of a culture that goes beyond the workplace, which adopts a holistic view of health and that values risk prevention.
- The Maltese workplace will be an environment where health and safety are not considered as afterthoughts but are integrated throughout all work systems and processes.
- Appropriate preventative measures will be in place in all workplaces in Malta to minimise the possibility and severity of occupational incidents and illness. The goal is zero preventable incidents that can affect health and safety.
- Employers and employees will be aware of the importance of preventative health and safety measures and will have the knowledge, expertise, and commitment to apply these measures to their workplace.
- The OHSA will be a partner to organisations, working together to improve health and safety at every opportunity.
- Within the context of the European Union, Malta will participate effectively in discussions regarding the continuous development of occupational health and safety levels.

Mission Statement

Working with others to ensure healthier and safer workplaces in Malta.

Mission Analysis

The OHSa mission is succinct and direct: 'Working with others' means that the OHSa intends to involve and to collaborate with others (e.g. persons, employers, workers, constituted bodies, other countries) in order to gather feedback on policies, generate commitment and obtain consensus - the OHSa does not want to be seen strictly as a controlling body. In this sense, therefore, it is a prerequisite for employers, employees and other stakeholders and duty-holders to adopt a critical and proactive approach in recognising and controlling risks if further improvements are to be achieved.

There is a greater chance of success that health and safety levels in the workplace improve if the process is self-regulating i.e. the employers themselves recognise that it is in their best interests to provide their workforce with a healthy and safe environment.



THE PRESENT SITUATION

Despite a significant reduction in accidents and better prevention, health and safety at work standards can be improved further. The economic and social benefits resulting from achieving adequate levels of health and safety at work are well documented in terms of their positive impact on growth and higher productivity, sustainability, reduction of accidents, and lower incidence of serious illnesses.

The collation and analysis of statistics help shape policy decisions and give strategic direction while allowing the prioritisation of actions, the identification of areas meriting focus and intervention while planning for future initiatives. A detailed understanding of the current situation is therefore necessary, as this also helps to understand the underlying causes that are hindering the development of safer workplaces.

Currently, available statistics on workplace accidents are obtained through claims for an injury benefit payable under the Social Security Act. Data for fatal accidents at work are directly collated by OHSA, which gathers its information from a variety of sources, including police and media reports. Statistics concerning fatal accidents at work are considered to be more reliable and more comprehensive than that for injuries at work since the latter are dependent on claims being submitted to the Department of Social Security – when an injury occurs to a worker, and no claim for benefits is filed, the possibility is that the injury is not recorded in the official data. To counter such inaccuracies, it is more opportune to analyse trends, rather than gross annual data, since any constants appearing year on year would cancel each other out.

Poor standards of ohs, industrial injuries, fatalities and occupational diseases place a large burden on the national economy, through the payment of social benefits, hospitalisation costs, retraining and replacement of workers and lost productivity.

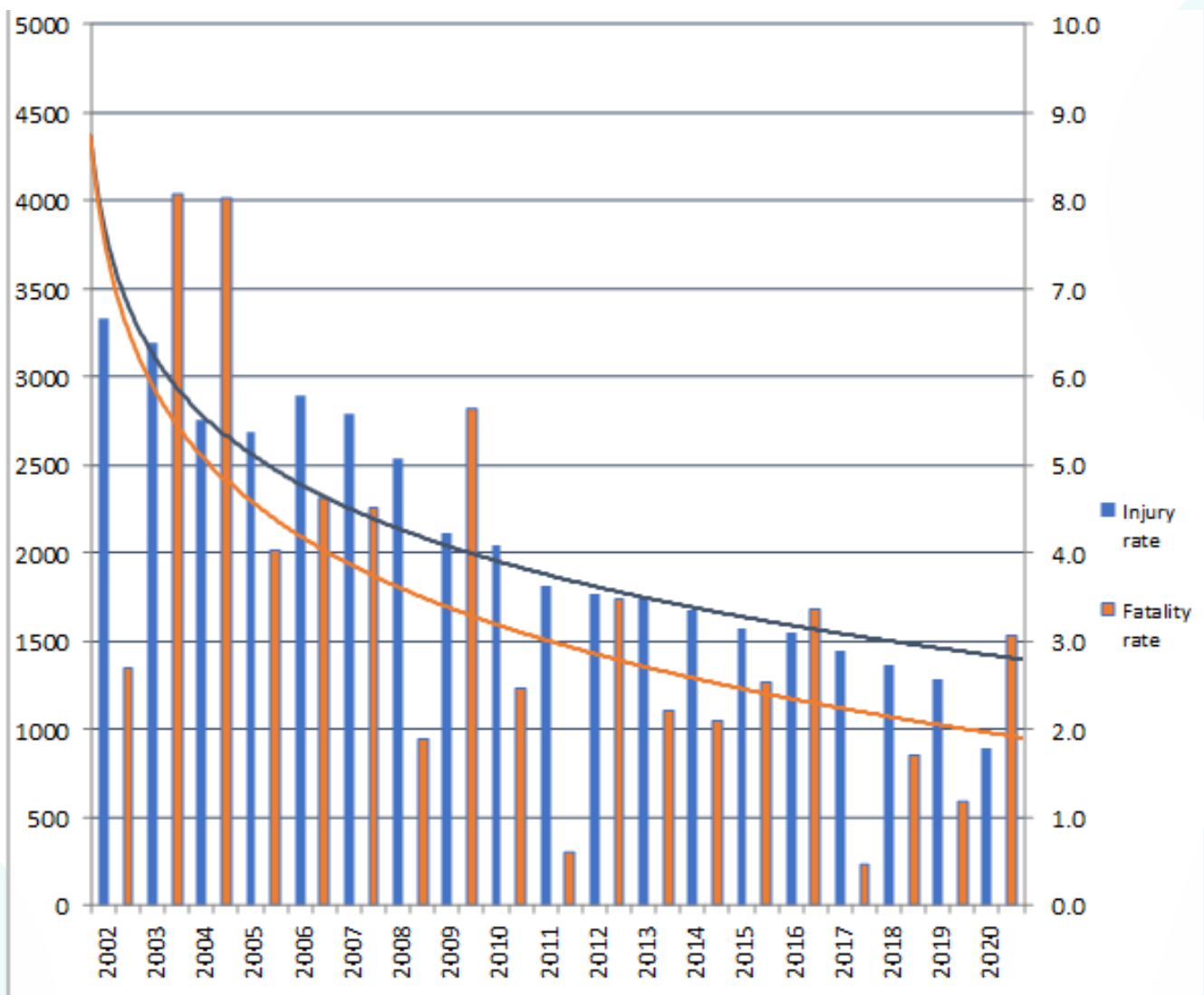


Figure 1: Workplace injury rates and fatalities, 2002-2020

Figure 1 shows the recorded injury and fatality rates (number of occurrences per 100,000 employees) since 2002[6]. The injury rates include injuries that result in a worker or self-employed person claiming one day and over of sick leave. Injury and fatal accident data include incidents that are regulated by other Acts, and not by the OHSA Act, including incidents involving the use of road vehicles, incidents on construction sites happening as a result of structural failures affecting third parties as well as maritime accidents.

[6] The year 2020 is being used as the cut-off date since it represents the year when the final, updated statistics with regards to both the denominator and the numerator have been made available by the National Statistics Office.

A recent study by Arinite Health and Safety[7] analysed the reported average workplace fatality rate per 100,000 workers across the globe to reveal which countries and industries are the most dangerous and safe for workers. The conclusions show that Malta, Iceland and San Marino are the top three safest countries for workers globally, registering a zero-fatality rate per 100,000 workers.[8]

A summary analysis of the available data concerning national fatal accidents at work highlights two important issues. Between 2002 and 2020, out of the 107 fatal accidents at work recorded and investigated by OHSA, 65 (61% of all accidents) happened in the construction industry, with 25 of these fatalities involving foreign workers (38% of construction fatalities, 23% of all accidents). This data confirms that whereas the construction sector is associated with higher risks, foreign workers, especially those in construction are associated with disproportionately higher fatality rates. Thus, both the construction sector as well as foreign workers need to continue receiving attention from OHSA in the coming years.

OHSA has in fact been reaching out to foreign workers for several years and recently also prepared a user-friendly guidance document outlining the main issues involving OHS. The guidance document addresses issues such as the duties of employers with regards to health and safety, the obligations that workers must fulfil and their legal rights, and provides information about OHS hazards at the workplace, participation in keeping the workplace safe and healthy, refusing unsafe work and above all, being able to work in a safe and healthy workplace without fear of violence or harassment. This document has been translated into another 8 languages (Arabic, Bangla, French, German, Italian, Shqip, Somali and Tigrinya) and was circulated widely amongst migrant and human rights organisations in Malta.

It is also important to identify trends within different sectors of the economy. The economic sectors associated with the highest injury rates are construction, transport/storage, manufacturing, food/accommodation, and wholesale/retail, with the transport and storage sector being accountable for the highest rates in five of the last six consecutive years. This notwithstanding, all sectors are associated with apparent downward trends, with the manufacturing sector being associated with the steepest rate of decline.

Despite a significant reduction in accidents and better prevention, health and safety at work standards can be improved further. The economic and social benefits resulting from

[7] <https://www.arinite.co.uk/the-worlds-most-dangerous-countries-for-workers>

[8] For the research, the Arinite team compiled ILO data. For those countries that didn't submit a record to ILO, the team input the global trend from the National Safety Council and Elsevier Ltd.

achieving adequate levels of health and safety at work are well documented in terms of their positive impact on growth and higher productivity, sustainability, reduction of accidents, and lower incidence of serious illnesses.

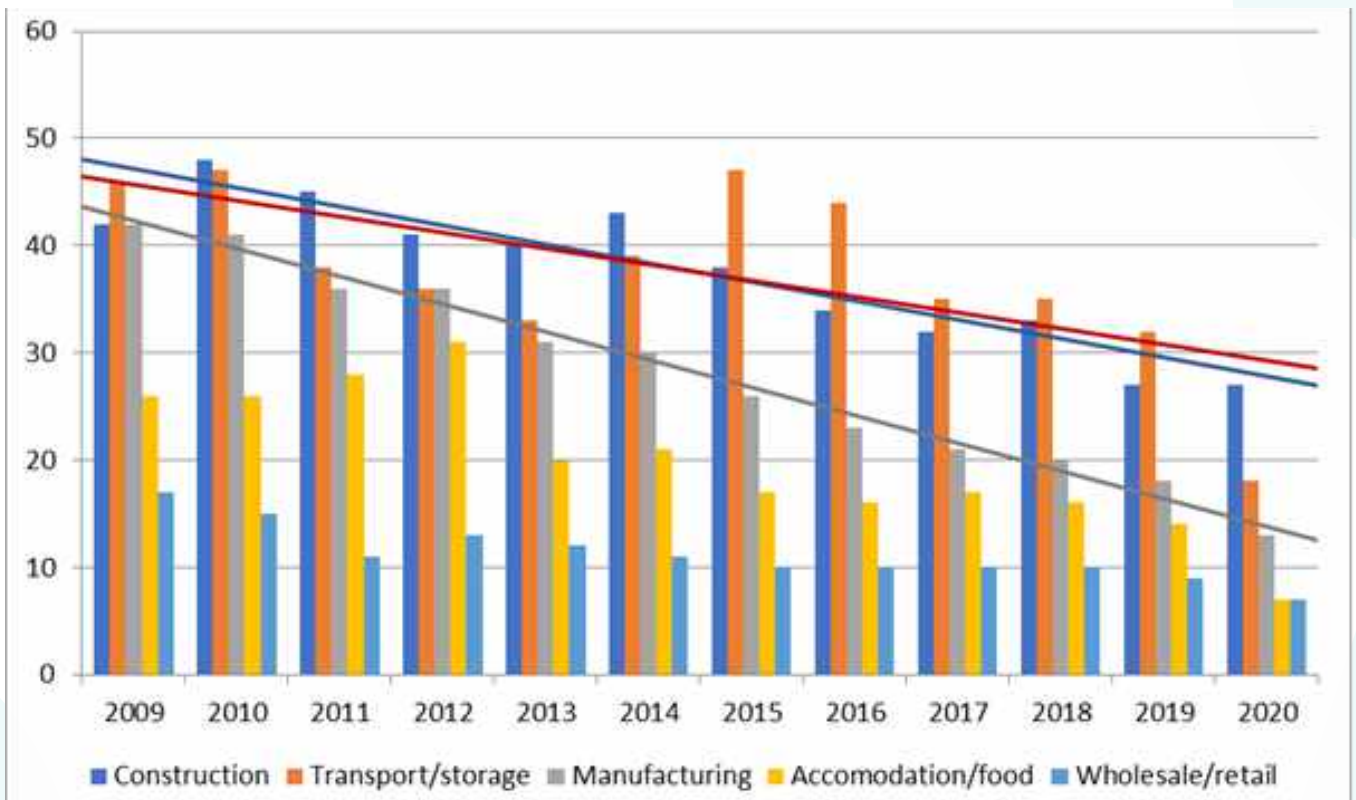


Figure 2: Trends in sectoral injury rates, 2009-2020

Whereas efforts should remain being made so that injuries at work continue to decrease, it is also very important that the severity of accidents is reduced, as the greater the severity of the accident, the more devastating the consequences.

Currently available data on occupational ill-health and morbidity remains lacking, for a number of reasons: the association between a case of ill-health and work is often missed, there may be a reluctance by medical practitioners to notify the relevant authorities as it is perceived to be an administrative burden, there may be employee reluctance to inform the employer for fear of losing a job, and a reluctance on the part of employers to notify OHS or the Department of Social Security for fear of enforcement action, amongst other possible reasons.

PART 2: THE STRATEGY



**Activity Area 1:
Legislation, Compliance and
Enforcement**

**Activity Area 2:
Capacity Building at OHSA**

**Activity Area 3:
Communicating the Benefits
of OHS**

**Activity Area 4:
Taking Appropriate Action
Against Existing and
Emerging Risks**

**Activity Area 5:
Evaluating Effectiveness of
Actions Taken**

ACTIVITY AREA 1:

LEGISLATION, COMPLIANCE AND ENFORCEMENT

The current well-developed legislative framework needs to be constantly reviewed to ensure that it remains relevant taking into consideration all technological advances, changing work practices, demographic realities and emerging risks. It is also recognised that the effective enforcement of legislation is a precondition for improving the quality of the working environment.

OHSA has already adopted a set of operational processes and conditions in its pursuance of regulation and enforcement of the OHS legislation, including an enforcement policy, which has been made public, and which includes a range of enforcement actions proportionate to the risk.

This notwithstanding, OHSA recognizes the fact that several economic sectors, employment groups and sectors of activity, face difficulties in complying with the regulatory requirements in this area. This requires a two-pronged approach - facilitating compliance by ensuring that statutory obligations remain simple, easily understood, and free from unnecessary bureaucratic or unnecessary burdens, while at the same time, recognising that compliance can be better achieved through the availability of information and practical guidance - improving the quality of information and providing practical tools to facilitate compliance with OHS legislation are therefore essential, taking into account the needs of micro and small enterprises and self-employed persons. This is an ongoing process, and OHSA will continue its efforts in this regard, with the involvement of relevant stakeholders. OHSA shall also strive to ensure that relevant developments in OHS legislation at an EU level are adequately transposed into the local legal framework within the agreed timeframes - on its part,



OHSA commits itself to finalising the entire part of the transposition process which falls under its responsibility in advance and in good time.

There also need to be adequate deterrents in place so that all duty holders understand that non-compliance does not pay. Consequently, the benefits of achieving adequate levels of occupational health and safety need to be highlighted so that duty holders need not act only when compelled to do so by OHSA, but engage in a process of self-regulation. It is also realised that legislation needs to be simple, easy to understand, and devoid of unnecessary bureaucratic or administrative burdens to facilitate compliance. Without in any way reducing the level of prevention and protection currently provided by existing legislation, OHSA needs to continue to ensure that all new legislative initiatives are fit-for-purpose and not associated with, or give rise to any unnecessary burdens.

Desired Outcomes

- Legislation and policies which are relevant, coherent, simple, effective, and fully aligned with EU directives and with the reality of today's work in Malta without having any unnecessary burdensome and bureaucratic provisions.
- The wide availability and dissemination of information, guidance and other tools that aid compliance.
- Compliant duty holders who understand the value and benefits of adequate health and safety levels, and who proactively act without the need of direct intervention from the OHSA through a process of self-regulation.
- A reformed and effective system of deterrence that is applied transparently, equitably and with the least administrative burden possible on OHSA.

Realisation

- During the coming years, OHSA will continue with its policy and legislative review to regularly update the legislative framework and keep it relevant to current needs, while being free of unnecessary bureaucratic and administrative burdens. Concurrently, there also need to be 'horizon scanning systems' in place which identify emerging risks, so that they can be brought under adequate regulatory control as early as possible.
- OHSA will participate in EU discussions concerning the publication of new Directives, or amendments to existing ones, including further reviews of, or the introduction of new occupational exposure limit values for carcinogens, mutagens and chemical agents at work, including asbestos. OHSA will also be participating in discussions at the EU level concerning the Visual Display Units Directive, the Minimum Requirements for Workplaces Directive and the Machinery Directive with the aim of making them more current and relevant.
- OHSA will continue developing and, where appropriate strengthen, all its enforcement systems and tools, so that they remain well-defined, transparent, equitable and unambiguous, and serve as an actual deterrent. This holds true, especially for cases of gross negligence and repeated or prolonged non-compliance, who should merit higher attention by OHSA. Towards this end, OHSA also needs to ensure a range of enforcement actions that it can bank on within a transparent, equitable system of enforcement actions. For this reason, OHSA will strive to regularly review and update its Enforcement Policy so that it becomes fully aligned with all legislative amendments and reflects current needs and developments. The system needs to encourage rapid compliance while penalizing detractors, especially repeat offenders. At the same time, deterrents should be proportionate to the magnitude of the offence observed. This may necessitate a review of the applicable penalties in terms of Cap. 424. Adequate safeguards should exist for the protection of enforcers and other relevant key players in the field, including OHSA's OHS Officers, construction project supervisors, designated competent persons appointed by the employer and workers' health and safety representatives.
- At the same time, OHSA will review the entire current enforcement possibilities, including the issue of administrative fines and the initiation of judicial proceedings so that any breach of legislation is met with an immediate, proportionate sanction that is applied transparently while respecting natural justice. Amongst other possibilities, OHSA needs to consider other deterrents which would not be not strictly related to interventions through the Courts and shall look into the viability of Administrative Tribunals to hear and decide breaches of ohs legislation.

- A number of government organisations have responsibilities that overlap to some degree with OHSA, or, their operational procedures could be of value to help regulate ohs. Although OHSA has no direct influencing power over other government organisations, the Authority has to proactively make collaborative approaches with these entities with the view of either delineating roles and responsibilities so as to avoid duplication of action and to decrease unnecessary bureaucratic procedures, or to solicit their cooperation in furthering the goal of high levels of occupational health and safety. This can best be achieved by having Memoranda of Understanding in place with those entities with which OHSA needs to collaborate further.
- SMEs generally have fewer resources to implement necessary preventive and protective measures; conversely, the negative impact of ohs problems can have a disproportionate effect on their operations. OHSA, therefore, has the challenge of achieving a balance between obtaining SME compliance in controlling risk, without on the other hand posing any additional bureaucratic or administrative burdens. OHSA will facilitate and promote better compliance by making available and distributing compliance-aiding tools (such as Risk Assessment checklists), and preparing and providing information and guidance that can easily be put into practice by social partners, employers and other duty holders. Furthermore, the impact of any administrative, bureaucratic or legal measure on vulnerable groups, including SMEs will continue being considered prior to the implementation of such measures. OHSA will also use its corporate website and social media tools to publish guidance and information on a regular basis, including the benefits of using the free, anonymous, Online interactive Risk Assessment (OiRA) tool developed by the European Agency for Safety and Health at Work (EU-OSHA) (which is specifically aimed at micro and small businesses) and will continue to assist the Agency in the development of more OiRA tools for different economic sectors or activities.



OHSA will also work with those constituted bodies representing SMEs to share information and guidance amongst their members and to take collaborative initiatives to further this objective. OHSA will also continue producing and making available for free, easily understood information, technical documentation, guidance documents and tools which facilitate compliance. It will also publicize and disseminate electronically all such relevant material appropriately to duty holders.

- The law assigns onerous duties to OHSA. Although the common perception remains that the Authority is the “one all, be-all, do all”, the law also assigns distinct roles and responsibilities to other duty holders, including employers and employees, clients, workers’ health and safety representatives and the designated competent persons appointed by an employer to provide advice on the preventive and protective measures required to be taken. OHSA will continue to provide information about its activities and its achievements while emphasizing the specific role of all duty holders. OHSA will seek partnerships with different stakeholders to raise awareness about the different roles while highlighting the benefits of having adequate levels of occupational health and safety in place in all workplaces and of symbiotic collaboration with OHSA.
- Whereas judicial sanctions and administrative fines should remain, and whilst ensuring that they serve as an adequate deterrent, there also needs to be systems in place that encourage compliance, which should be seen by duty holders as a desired objective, rather than an imposition by OHSA. Duty holders also need to be incentivised to be able to do this and OHSA needs to look out for opportunities by which this can be achieved. OHSA will also implement a public communication policy that promotes high-achievers, but which also ‘names and shames’ low-achievers - bad press will be a stimulus for an organisation to improve.
- To further facilitate bona fide duty holders to invest in OHS, OHSA will assist the national EU Funds Managing Authority to tailor EU funding for OHS eligible interventions, within the requirements of EU funding protocols. Such assistance may include ways to streamline improvements in OHS levels such as through training of staff, campaigns and preparation of OHS promotional material by social partners.

Main Deliverables

- The entire OHS legislative framework shall be subjected to a continuous review exercise to ensure that outdated clauses are removed in line with the spirit of better regulation and simplification.
- Transposition of EU Directives into local legislation within the timeframes established in the respective Directives.
- Act XXVII of 2000 shall be reviewed to update it to current realities and to prepare draft amendments to the judicial and quasi-judicial process described in the Act.
- OHSA continues to prepare relevant and up-to-date guidance documents that address specific concerns, or economic sectors associated with higher levels of risk. OHSA will also liaise with EU-OHSA to continue facilitating in the best manner possible the adaptation of existing OiRA tools to the Maltese scenario.

ACTIVITY AREA 2:

CAPACITY BUILDING AT OHSA

Capacity building represents the degree to which OHSA is resourced and its employees trained to the best standards achievable. Resourcing incorporates both employees and the availability of systems, information and tools.

Capacity development at OHSA should focus on understanding the obstacles that inhibit OHSA's employees from realizing their development goals while enhancing the abilities and tools which enable them to achieve measurable and sustainable results.

Since its setting up in 2001, the number of employees at OHSA has remained more or less stable despite increases in the number of responsibilities assigned to OHSA, significant growth in economic activity and an increase in the regulatory control expected from OHSA. This frequently means that OHSA employees are given additional and/or different roles and functions to fulfil, and tasks that are not necessarily related to their individual area of expertise. This notwithstanding, it is to the great merit of OHSA employees that such roles and tasks are invariably carried out competently.

All employees undergo training in their areas of responsibility and can be considered adequately capable and competent. However, it is essential that all employees continue to receive training that reflects changing circumstances, especially in the world of work, and in particular, emerging risks and on ways to engage duty holders.

From a systems perspective, all employees have access to computers to allow documenting, printing, email access and internet access and are networked with the Government system. All aspects of analysis, progress monitoring, management reporting and statistics are carried out manually (albeit with the assistance of spreadsheets and word processing).



Desired Outcomes

All employees are fully competent for the tasks assigned to them, including on additional tasks arising as a result of EU Membership commitment, legislative changes and changes in the world of work.

In order for OHSA to be able to regulate and enforce OHS adequately, it needs to operate at full complement with all its employees being trained to a high degree of competence and proficiency, while at the same time investing also in IT and in IT support infrastructure.

Following the drawing up of its Business Plan during the previous strategic plan which charts OHSA requirements in HR needs, during this cycle of the strategic plan, OHSA needs to fill those vacancies and conduct those ancillary tasks which would enable it to fulfil its mandate and meet its commitments.

Realisation

- OHSA will ensure that its staff complement is sufficient and competent, to enable it to adequately fulfil the roles for which it was set up. This is particularly important to replace staff who seek a different path away from OHSA and to replace staff members who reach retirement age.
- Apart from taking stock of its staff's knowledge, skills and abilities, OHSA will also draw up a Training Plan for all positions, particularly with regards to their additional and, or changing roles. This needs to be done as an ongoing process. OHSA shall also evaluate its capacity to carry out its main duties on enforcing OHS legislation, in line with the requirements of the European Commission's Senior Labour Inspectors Committee (SLIC). Additionally, OHSA needs to review its communication needs so as to ensure a timely, effective response when indicated as well as to ensure an adequate output of information to all who may require it.
- OHSA will continue making use of all opportunities for training and in particular will continue applying for relevant EU funding as they are made available. It will also continue to participate in Inspector Training Exchange initiatives taken at an EU level as

part of SLIC's exchange of labour inspectors' programme. This training shall be in addition to other training initiatives already being taken but which will be expanded during the current cycle of the Strategic Plan, such as through the Institute of Public Service and funding of staff training through OHSA's budget as established in the collective agreement with staff. It is recognised that members of staff will be able to carry out their tasks more effectively and efficiently if they have adequate tools at their disposal. OHSA's Management Information System (MIS) is intended to minimise the involvement of the OHS Officer in administrative tasks. This is achieved through a high level of automation and a well-defined workflow. OHSA will work towards achieving greater automation in its database systems, including those relating to equipment requiring periodic certification. Moreover, more quality statistical information will become available to enable the Officer to pick those organisations, sectors of the economy or OHS risks that merit higher attention.

- Through its MIS, an abundance of statistical information will be assembled up over time from, amongst other sources of information, workplace visits, accident investigation reports, and performance indicators of the inspectorate. Equipped with this source of OHS data, OHS Officers can focus and prioritise their time much more productively, while management could closely monitor the performance of all internal OHSA activities so that progress towards achieving this strategic objective can be measured.
- OHSA needs to be able to monitor the performance of its members of staff transparently and effectively. The MIS and other HR software solutions can be used to provide performance related information relating to workflow and throughput, which can be used to gauge an employee's level of productivity. This information will also be the stimulus for future resourcing and delegation of work. A key area of performance will be the Authority's effectiveness in raising OHS compliance and awareness.
- OHSA will deploy an electronic management system to assist OHS Officers in their field duties and simplify enforcement duties. This MIS will also help OHSA to ensure that enforcement is done in a fair, and consistent manner.



Main Deliverables

- OHSA to prepare and implement a three-year business plan, based on the availability of funds which will not only lead to a gradual increase in the members of staff but would also allow OHSA to work more efficiently and effectively.
- The development of a dedicated Management Information System for OHSA.
- OHSA to continue participating in Inspector training initiatives at EU levels such as SLIC exchange of LIs, SLIC inspections campaigns and other SLIC training initiatives.

ACTIVITY AREA 3:

COMMUNICATING THE BENEFITS OF OHS

Sustained, lasting improvements in the prevailing levels of occupational health and safety can only be accomplished if all stakeholders and duty-holders recognise and appreciate the need to achieve adequate standards. Protective and preventive measures should not be seen as a cost or a burden, but as an investment in the workforce, the organisation and the nation.

Real improvements in OHS will only be registered once all employers, as the primary duty holders, genuinely appreciate the need for good preventive OHS measures in the workplace and recognise themselves as the responsible party for affecting this. They also need to invest in capacity-building to ensure occupational safety following training and education.

To achieve changes in the mentality and culture of a society, one has to embark on wide-reaching educational programmes which tackle specific target groups. At the same time, there needs to be synergy with and the mainstreaming of OHS in other policy areas such as education, public health, public procurement and employment issues.

Over the years, OHSA has taken numerous awareness building initiatives, promoted education and training, and disseminated information regarding key occupational health and safety issues and the methods required to prevent occupational injury, ill-health or death. In fulfilling these statutory functions, OHSA notes that these initiatives are bearing fruit as evidenced by various indicators used to gauge improvements or otherwise. However, it is recognised that such initiatives should continue, and where necessary improved upon, so as to sustain the positive momentum achieved.



At the same time, the general opinion persists that it is the responsibility of others (Government, OHSA, employees) to ensure adequate levels of ohs; other misconceptions concerning OHSA's statutory roles and functions, as well as legal obligations, remain common. In particular, OHSA also notes that despite its efforts, a number of duty-holders remain unwilling to make the necessary financial investments by which to ensure a safe working environment for their employees.

It is a big challenge to try and change cultural complacency. A transformation in attitudes can only be achieved over time, with continual effort and focus. The initiatives planned to promote, regulate and enforce OHS are the drivers to achieving this change in attitude and are being holistically targeted through specific action themes in line with this strategic plan.

OHSA will also continue taking an active part in European and international campaigns, particularly those organised by the European Commission, the European Agency for Safety and Health at Work (EU-OSHA) and the International Labour Organisation (ILO).

To tackle these objectives, OHSA has drafted separate 5-year communications and PR plan targeting various stakeholders and economic activities through different channels to ensure that messages are delivered in a way that resonates with different audiences. Each year, OHSA will have one or more overall strategic themes targeting some of OHSA's main objectives in terms of advancing its mission and increasing its visibility while also targeting specific priority areas for action.

It is important to note that many of these initiatives are subject to both available finances and a willingness from all actors (particularly the social partners) to accept their responsibility to comply with rules and guidelines and also to participate and enable the process.

Desired Outcomes

- OHSA's visibility is increased, and its reputation consolidated as a professional organisation operating with integrity.
- Duty-holders recognise their responsibility in achieving a safe environment for their workers and feel proud of a positive contribution to OHS. Employers and the constituted bodies appreciate the importance and priority of OHS preventative measures, as well as the business case for OHS, which will, in turn, increase the probability of employers managing health and safety risks and engaging more with workers.

- Trade unions distance themselves from attempts to use OHS as a bargaining chip and understand fully the benefits of OHS. There is also a need for seriously taking on board their role in representing and supporting workers to work in healthy and safe ways while supporting businesses to innovate and raise standards of OHS within their industry, while actively participating in OHS processes, advancing OHS matters, and promoting them with their members.
- To have established communication channels to workers, mainly through their representative organisations, to be able to build easily and efficiently OHS awareness, as well as communicate changes in legislation and new developments in OHS. Increasing awareness about their rights and obligations will in turn assist them in participating and influencing OHS systems, processes and practices at their workplace.
- To have more stakeholders and influencers acknowledging OHSA, the benefits of OHS in all workplaces and of collaboration with OHSA.
- The public becomes more aware of OHSA's role and outcomes of its work (including the benefits of OHS).

Realisation

- Audiences who are informed and aware are more likely to support, contribute and encourage others to do the same. To this end, OHSA will continue advancing its engagement efforts to further build upon the awareness-building that has been embarked upon over the recent years.
- Fostering quality relationships with stakeholders is an important strategy that adds value to an entity's initiatives. Stakeholders are potential advocates and brand ambassadors and hence it is important that they are kept abreast of any developments that will affect them. OHSA has already built a high-integrity relationship with its stakeholders; indeed, the OHSA board itself is tri-partite. OHSA will endeavour to maintain this type of relationship with interested stakeholders via active, ongoing, transparent communication to keep them as engaged and involved as possible.
- By making a growing and more diverse population aware of its role (and the role of other entities), OHSA can also increase their trust and understanding. To this end, OHSA will devise an information campaign about its role and the impact of its work. The basis

of this promotional policy will be engaging in more frequent strategic storytelling that emphasises the OHSA's accomplishments such as positive news stories that highlight staff, good practice, and operations. As OHSA reaches its 20 years of operation, and in the light of new strategic objectives, new and emerging risks and changes towards green and digital workplaces and systems, OHSA will undertake a proactive brand repositioning exercise so that the OHSA brand will be better positioned to resonate with these changes, strategies and audiences. Indeed, good design mixed with an established rebranding or repositioning process is a winning formula to successfully remain relevant in the years to come.

- Awareness building will continue throughout this cycle - as the youth enter the workplace and there is a turnaround in employer management positions, it is imperative that OHS awareness is constantly pushed. Furthermore, OHSA will continue promoting the exchange of good practice as a means of supporting SMEs. Such campaigns will not only include EU wide initiatives but will also identify specific themes of local interest. Where possible, external funding for these initiatives will be sought, including from the EU-OSHA and SLIC. Where appropriate, OHSA will continue partnering with other lead organisations to assist them in the successful realisation of their projects having similar or complementary scopes as those pertaining to occupational health and safety.
- With the rise in popularity of tablets, smart gadgets, and social media platforms, online information sharing has been ingrained in almost every area of daily life. As current research proves, interest in online communications is high and is envisaged to continue to grow. These platforms, when used alongside traditional tactics, have the potential to distribute essential messages faster, and more efficiently and economically than ever before, while also promoting and supporting key organizational objectives. Moreover, digital communication supports strong tracking and measurement. In this light, OHSA will actively pursue ways to reach stakeholders virtually.



- Public policy in other areas can contribute to an improved working environment. Potential synergies with other policies concerning education, research, public health, the protection of the environment, industrial policy and public procurement will be more actively explored to ensure coherence.
- OHSA will implement one or more annual strategic themes covering topical issues and addressing specific sectors, funds permitting. These will include issues such as creating connections and growing partnerships with different stakeholders to continue to invest in risk prevention at the workplace and strive towards vision zero regarding occupational fatalities by 2030; and breaking barriers by building upon creating a strong safety culture and tackling psychosocial risks, mental health and discrimination. It will also deal with new and emerging risks and tackle the challenges brought by green, digital, and demographic transitions as well as preparedness for any future pandemics mainly through active participation in EU-OSHA campaigns.

Main Deliverables

- OHSA to prepare and implement a five-year communications and PR plan, based on the availability of funds to meet the above objectives and any which might arise over time.
- OHSA to launch an updated corporate website to raise OHSA's corporate profile, ensure a higher web presence and provide ease of access of OHS information by the public.
- OHSA to increase its presence on media and social media.
- OHSA to continue participating in national and international awareness raising and information campaigns.



ACTIVITY AREA 4:

TAKING APPROPRIATE ACTION AGAINST EXISTING AND EMERGING RISKS

Working life is in a state of constant change, often brought about by a shift towards intensive production consequent to the newly emerging structures in world economics. In effect, this means that, apart from the traditional problems of industry, there are now newly emerging challenges, which include:

- the introduction of new technologies and the ever-growing importance of information and communication technology;
- growth in the services sector, resulting in increases in ergonomic and psychosocial risks;
- new employment trends including increases in part time and temporary jobs, self-employment and outsourcing;
- demographic changes, including the ageing of the working population and increasing participation of women in the workforce;
- a higher awareness on mental health challenges at the place of work, because of an increase in work intensity, telework and workload, amongst others and
- a move towards a green economy, with more investments in renovation of existing buildings, a circular economy, and great strides in renewables.

These so-called new and emerging risks either did not previously exist and are caused by new processes, new technologies, new types of workplace, social or organisational change; or, are long-standing issues that start being considered as risks due to a change in social or public perception (e.g. stress, bullying). There are also new risks that have long been in existence, but there is now enough evidence that sheds light on the extent or severity of the problem.

At the same time, “traditional risks” remain relevant and require continued attention. Examples include ergonomics, psychosocial risks, falls from height, and physical, chemical, and biological risks (including



carcinogens, mutagens, and reprotoxins). OHSA will retain a prominent role to ensure that the principles of relevant chemical legislation are complied with, and will work further with the Health Division's Health Promotion Directorate to promote and encourage changes to lifestyles that have a positive impact on the health of workers.

It is recognised that emerging risk identification is a highly complex task, requiring a high level of expertise due to major data gaps and uncertainties in the evaluation process. However, even limited data can serve to identify new risks if properly analysed – a case in point concerns the ongoing data collated by the Authority concerning the high incidence of fatal accidents involving foreign workers – these have accounted for 28% of all fatal accidents occurring in the construction industry. The Authority recognises that Malta faces a problem involving irregular workers, and in respect of whom there may be inequitable access to health and safety prevention and protection. There exist other groups of workers who may themselves be vulnerable by virtue of some other factor – the presence of a disability, the extremes of age and the gender of the worker – such factors necessitate different or higher levels of protection. This and other situations require the collection of data, which is relevant, correct and up to date if any analyses are to be made and any meaningful conclusions reached, especially with regards to emerging risks. It is important that evidence-based policies can rely on reliable, timely and comparable statistical data on work-related accidents and diseases, occupational exposures, work-related ill-health.

Desired Outcomes

- To have in place a system for the collection of comprehensive and accurate data on occupational accidents, injuries, ill-health, morbidity, and fatal accidents, with the full participation of medical practitioners, employers and other Government entities that have a role to play.
- To have medical practitioners who are fully knowledgeable of their legal responsibilities, are aware of the association between ill-health and work conditions, and who are sensitised to the different health needs of different sectors of the worker population. One focus of the OHSA is to increase the level of injury and ill-health reporting. Whilst the employer, self-employed & employee may decide not to submit an injury benefits claim, many injuries will require clinical treatment. It is proposed that OHSA renews its efforts so that clinical staff who encounter cases of occupational injuries and or ill-health, inform OHSA. This may necessitate a legislative review, with the collaboration of the Health authorities, so that medical practitioners who become aware that a worker is suffering from an occupational disease, are legally required to notify OHSA or the employer of that worker accordingly.

- To have accurate detailed information about the state of play with regards to ohs in Malta and its effect on the economy.
- To ensure the full and equitable access to ohs preventive and protective services, which considers both individual and collective needs.
- OHS Officers who are suitably competent to monitor, enforce and advise duty holders on traditional and emerging risks.
- OHSA continues to participate in international fora on best practices to identify and address these risks, including on how to advise duty holders and social partners to include these risks in risk prevention programmes.
- Accredited certification of all persons who tender their advice to employers and other duty holders in terms of the law.
- Close collaboration and synergy with the Office of the Commissioner for Mental Health to address mental health at the place of work. OHSA also envisages a role for civil society and NGOs to tackle this difficult topic. OHSA will continue to work to raise awareness and propose practical solutions to all parties in this field.

Having more up-to-date information about carcinogen use at the workplace and occupations at risk. Greater synergy with the Ministry of Health in the implementation of the National Cancer Plan[9] with reference to workplaces.

Realisation

- OHSA needs to improve its data collection abilities as would allow it to carry out targeted research in the area. Such research will be used to determine the prevailing levels of occupational health and safety and to identify problem areas; such research will be useful in determining future national OHS policies or intervention areas. OHSA will also continue to participate in international initiatives in this field particularly research projects at EU level.
- OHSA will continue its discussions with the Department of Social Security, the Health Division and other stakeholders so that all data concerning the true incidence and prevalence of occupational injury, disease, morbidity and fatality can be collated. In

[9] The National Cancer Plan for the Maltese Islands, 2017-2021.

particular, OHSA will actively continue discussing with other stakeholders, including insurance agencies, for the adequate sharing of information.

- Cognizant of the fact that previous attempts to introduce postgraduate courses in occupational health for medical practitioners have not been successful, OHSA will be exploring other avenues by which such an important group of stakeholders can be provided with information as would allow them to appreciate better the association between work and ill-health and to report cases of occupational diseases which come to their attention.
- OHSA will continue with its initiatives targeting people with whom it is inherently difficult to communicate and will initiate information and educational campaigns together with the various stakeholders.
- OHSA will strengthen its existing networks and establish new ones which bring together various professionals in the field to improve the exchange of information between it and the various stakeholders. Practitioners in this field will also have a forum whereby examples of good practice can be rapidly disseminated and shared.
- Launch an accredited certification system for third party OHS practitioners. OHSA will also initiate discussions with the Malta College for Arts, Science and Technology for the launch of a Diploma Course in OHS, which is considered as an adequate entrance level qualification for practitioners in the field.
- Closer collaboration and synergy with the Ministry of Health to effectively mitigate exposure to carcinogens and mutagens in the workplace. On the other hand, education and training of workers coupled with health surveillance of workers who are potentially exposed to carcinogens would also contribute to improve cancer survival through early detection.



Main Deliverables

- Launch an accredited certification system for third party OHS practitioners. OHSA will also initiate discussions with the Malta College for Arts, Science and Technology for the launch of a Diploma Course in OHS, which is considered as an adequate entrance level qualification for practitioners in the field.
- Closer collaboration and synergy with the Ministry of Health to effectively mitigate exposure to carcinogens and mutagens in the workplace. On the other hand, education and training of workers coupled with health surveillance of workers who are potentially exposed to carcinogens would also contribute to improving cancer survival through early detection.

ACTIVITY AREA 5:

EVALUATING EFFECTIVENESS OF ACTIONS TAKEN

It is critical that OHSA monitors performance in its drive towards improved OHS in the Maltese Islands. Its current framework of Key Performance Indicators (KPIs) needs to be revisited so that it reflects performance levels to determine whether the strategic objectives defined here have been met. Current KPIs in use by OHSA are a mix of 'leading' indicators, relating to OHSA actions and productivity, as well as 'lagging' indicators, that relate to the effect that OHSA actions are having in the workplace.

Most KPI information is already available, through statistics and OHS activity tracking by OHSA. Target setting is also a critical KPI requirement, as this is the performance benchmark that each KPI is expected to achieve. Target setting is an annual process, where all targets will be agreed upon with the KPI owners.

The revised KPI framework will be used as the main strategic reporting tool during management meetings and will form the basis of transparent communication to all stakeholders.

The KPI framework is not intended to be fixed in stone or to encompass all areas of management reporting. It is a strategic tool and must therefore adapt to the changing strategic focuses of the OHSA.



Main Deliverables

- The ability to generate user-defined reports from the MIS relating to OHSA outputs, which shall be measured against pre-set targets.
- Ensure that one peer review of OHSA's operations is conducted to ensure alignment with SLIC's Common Principles, which are considered as the benchmark against which Labour Inspectorate activities are measured.
- Implement performance appraisal tools and monitor the quality and quantity of every employee's output.

PART 3



Conclusion

List of Main Deliverables

Further Information

CONCLUSION

The main objective of this strategic framework is to mobilise social partners and all other relevant stakeholders (including workers, employers, civil society, and the general public) to put occupational health and safety at the top of their agenda. It creates a framework for action that OHSA will be undertaking within the timeframe of this strategy.

This strategy emphasizes the role of all stakeholders and invites them to become active partners in the process of continued development and improvement of the prevailing levels of OHS in all workplaces, particularly in the light of new strategic objectives, new and emerging risks and changes towards green and digital workplaces and systems, for the benefit of society as a whole.



LIST OF MAIN DELIVERABLES



The main deliverables of this Strategic Plan are outlined below.

- The entire OHS legislative framework shall be subjected to a continuous review exercise to ensure that outdated clauses are removed in line with the spirit of better regulation and simplification.
- Transposition of EU Directives into local legislation within the timeframes established in the respective Directives.
- Act XXVII of 2000 shall be reviewed to update it to current realities and to prepare draft amendments to the judicial and quasi-judicial process described in the Act. Act XXVII of 2000 shall be reviewed to update it to current realities and to prepare draft amendments to the judicial and quasi-judicial process described in the Act.
- OHSA continues to prepare relevant and up-to-date guidance documents that address specific concerns, or economic sectors associated with higher levels of risk. OHSA will also liaise with EU-OHSA to continue facilitating in the best manner possible the adaptation of existing OiRA tools to the Maltese scenario.
- OHSA to prepare and implement a three-year business plan, based on the availability of funds which will not only lead to a gradual increase in the members of staff but would also allow OHSA to work more efficiently and effectively.

- The development of a dedicated Management Information System for OHSA.
- OHSA to continue participating in Inspector training initiatives at EU levels such as SLIC exchange of LIs, SLIC inspections campaigns and other SLIC training initiatives.
- OHSA to prepare and implement a five-year communication and PR plan, based on the availability of funds to meet the above objectives and any which might arise over time.
- OHSA to launch an updated corporate website to raise OHSA's corporate profile, ensure a higher web presence and provide ease of access of OHS information by the public.
- OHSA to increase its presence on media and social media.
- OHSA to continue participating in national and international awareness-raising and information campaigns.
- Elaboration of data being published by NSO to include more parameters.
- Preparation of guides on OHS matters and make these guides available on OHSA's corporate website in various languages.
- Targeted inspection interventions by OHSA on emerging risks without ignoring traditional risks.
- Prepare and disseminate OHS good practice guidance on OHS challenges and means to address such risks.
- Launch of a Diploma course by MCAST.
- New legislation in place which requires medical practitioners to report cases of occupational disease.
- The ability to generate user-defined reports from the MIS relating to OHSA outputs, measured against pre-set targets.
- A peer review of OHSA's operations by the Senior Labour Inspectors Committee to ensure alignment with SLIC's Common Principles.
- Implement performance appraisal tools and monitor the quality and quantity of every employee's output.

FURTHER INFORMATION



For further information, one may contact the Occupational Health and Safety Authority.

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