



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 09.01.1997
COM(96) 652 final

95/0155 (CNS)

Amended proposal for a

COUNCIL DECISION

**adopting a Community programme (SAFE - Safety Actions for Europe)
to improve safety, hygiene and health at work**

(presented by the Commission pursuant to Article 189 a (2)
of the EC-Treaty)

EXPLANATORY MEMORANDUM

The initial proposal for a Decision was presented to the Council by the Commission on 25 July 1995¹.

The initial proposal from the Commission referred to a programme of non-legislative measures, such as guidance notes, information material, education and training, and the SAFE programme aimed at improving safety, hygiene and health at work, particularly in small and medium-sized enterprises.

The European Parliament and the Economic and Social Committee delivered their opinions on 23 May 1996² and 22 November 1995³ respectively.

In drawing up this amended proposal, the Commission has generally taken account of the European Parliament's amendments (which follow the Council's approach by limiting the Decision to the SAFE programme) and the suggestions put forward by the Economic and Social Committee, in particular concerning:

- a) the involvement of the European Foundation for the Improvement of Living and Working Conditions and the European Agency for Safety and Health at Work
- b) the procedure to be followed for the selection of projects to be funded (criteria) and the amount of the Community contribution
- c) the maintaining of the active role played by the Advisory Committee on Safety, Hygiene and Health Protection at Work
- d) the opening up of the programme to the EEA countries, associated countries and the European Union's Mediterranean partner countries
- e) preparation of result evaluation and dissemination criteria.

This amendment is presented by the Commission pursuant to Article 189a (2) of the Treaty, but the Commission reserves the right of initiative to present a second text for a Council Decision on non-legislative measures other than SAFE.

¹ OJ No C 262, 7.10.1995, p. 18.

² OJ No C

³ OJ No C 39, 12.2.1996, p. 26.

**Amended Proposal for
COUNCIL DECISION**

**adopting a Community programme (SAFE - Safety Actions for Europe)
to improve safety, hygiene and health at work**

**COMMISSION PROPOSAL
COM(95) 282 final
OJ C 262, 7.10.1995**

adopting actions on non legislative measures
to improve safety and health at work

THE COUNCIL OF THE EUROPEAN
UNION,

Having regard to the treaty establishing the
European Community, and in particular
Article 235 thereof,

Having regard to the proposal from the
Commission¹,

Having regard to the opinion of the
European Parliament²,

Having regard to the opinion of the
Economic and Social Committee³,

Whereas prevention of accidents at work,
occupational diseases and occupational
hygiene fall within the fields and objectives
referred to in Articles 118 and 118 A of the
Treaty; whereas in this context collaboration
should be strengthened between the Member
States and the Commission and between the
Member States themselves;

**AMENDED COMMISSION
PROPOSAL**

adopting a Community programme (SAFE -
Safety Actions for Europe) to improve
safety, hygiene and health at work

THE COUNCIL OF THE EUROPEAN
UNION,


Whereas the incidence in the Community of accidents and death at work as well as occupational disease is still unacceptably high;

Whereas as this represents an enormous and unnecessary human cost as well as being an economic burden to society; whereas improving safety and health at the workplace can enhance the competitiveness since there is a clear correlation between successful companies and good safety and health practices;

Whereas it is important to create a stimulating and psychologically sound working environment in which human resources are used to best advantage, thus giving the undertaking increased flexibility and greater job satisfaction;

Whereas, despite considerable efforts, a large number of companies and especially small and medium-sized enterprises have difficulties in incorporating new production methods or adapting existing ones while safeguarding the health and safety of workers and ensuring good working environment standards in conformity with new legislation;

Whereas legislation on safety and health at work must be complemented by non legislative measures including raising awareness aimed at improving safety, hygiene and health at work, in particular in small and medium sized enterprises;



Whereas the countries of the European Economic Area, the associated countries of central and eastern Europe, Cyprus and Malte and the European Community partner countries in the Mediterranean area may participate in the programme, in accordance with the provisions set for in the relevant agreements,

Whereas in order to help raise that awareness the European Parliament, in its resolution of 6 May 1994 on the General Framework for action by the Commission in the field of safety, hygiene and health protection at work (1994 to 2000)⁴, proposed the creation of a programme to be called Safety Action for Europe (SAFE);

Whereas the Community needs to make further strides to improve health and safety in individual sectors, in respect of the materials used or for particularly sensitive risk groups as yet inadequately protected; whereas it also needs to raise awareness, training levels and information exchange and to develop cooperation with third countries and international organisations.

Whereas the programme has to contribute to the enhancement of awareness of safety and health determinants and risk factors, early detection of adverse effects, counselling and advice, and social support;

Whereas, in accordance with the principle of subsidiarity, actions on safety and health at work, by reason of their scale or effects can be undertaken with more efficiency by the Community;

Whereas a multiannual programme has to be launched with clear objectives for Community action, and priority actions selected to promote the safety and health at work of all the workers of the Community as well as appropriate mechanisms for the evaluation of such actions; whereas this programme has to be five-year duration in order to allow sufficient time for actions to be implemented to achieve the objectives set;

Whereas there exist other Community programmes and initiatives fully or partly relevant as regards health and safety at work and therefore there is a need to ensure consistency between various Community actions.

Whereas, pursuant to Council Decision 74/325/EEC⁵, the Advisory Committee on Safety, Hygiene and Health Protection at Work can be consulted by the Commission on the drawing-up of proposals in this field;

Whereas, the Treaty does not provide for the adoption of this Decision powers other than those set out in Article 235,

Whereas there exist other Community programmes and initiatives fully or partly relevant as regards health and safety at work and therefore there is a need to ensure consistency and budgetary complementarity between various Community actions.

HAS DECIDED AS FOLLOWS:**Article 1**

A Community programme on non legislative measures to improve safety and health at work:

- guidance notes and core information material to help apply correctly the Community legislation; improving information, education and training; investigating key problem areas as referred to in the Annex I
- the SAFE (Safety Actions for Europe) programme referred to in the Annex II aimed at improving safety, hygiene and health at work, in particular in small and medium sized enterprises.

is adopted for a five year period, from 1 January 1996 to 31 December 2000.

Article 1

A Community programme (SAFE - Safety Actions for Europe) to improve safety and health and prevent or reduce occupational risks, particularly in small and medium-sized enterprises, is adopted for a five-year period, from 1 January 1996 to 31 December 2000.

Article 2

The programme shall have the general objective of supporting at European level actions designed to improve the work environment, work organization and working practices by

- promoting the development of practical solutions to workplace risks,

- providing support for the identification and dissemination of best practices for combating occupational accidents and disease,
- suggesting means of effectively applying legislation on health and safety at work in enterprises,
- promoting innovative approaches to emerging areas of occupational risk,
- promoting education and training aimed at improving knowledge of Community legislation and awareness as regards the working environment.

Article 2

The Commission shall ensure implementation of the actions set out in the Annexes I and II in accordance with Article 5 and 6 in close cooperation with the Member States and the institutions and organizations active in safety, hygiene and health at work.

Article 3

The Commission shall ensure that there is consistency and complementarity between the Community actions to be implemented under this programme and the other relevant Community programmes and initiatives.

Article 3

The Commission shall ensure implementation of the actions set out in Annex I in accordance with Article 6 and 7 in close cooperation with the Member States and the institutions and organizations active in safety, hygiene and health at work.

Article 4

The Commission shall ensure that there is consistency and complementarity between the Community actions to be implemented under this programme, other relevant Community programmes and initiatives as well as the work carried out by the European Foundation for the Improvement of Living and Working Conditions and the European Agency for Safety and Health at Work.

Article 4

1. The actions referred to in the Annex I shall be carried out by the Community, the Member States, the social partners, public or private organizations. Applications for financing concerning those actions shall be submitted to the Commission;
2. The actions referred to in the Annex II shall be carried out by the Member States, the social partners, public or private organizations. Applications for financing concerning those actions shall be submitted to the Commission.

Article 5

The selection of the projects to be financed and the amount of financial assistance in conformity with the objectives and the criteria referred to in Annexes I to III, shall be carried out according to the procedure provided for in Article 6.2.

Article 5

1. The actions referred to in the Annex I shall be carried out by the Community, the Member States, management and labour and public or private organizations.
2. Applications for the financing of the action shall be submitted either to the Commission by the competent bodies designated by the Member States or directly to the Commission. Copies of all applications shall be sent to the Commission and to the competent body of the Member State concerned.
 - 2a. In the case of multilateral projects the participants mentioned in paragraph 1 shall decide which competent body shall submit the application to the Commission. However, where the application is submitted directly to the Commission, copies shall be forwarded to each competent body of the member States concerned.

Article 6

The selection of the projects to be financed and the amount of financial assistance to be granted in conformity with the objectives and the criteria set out in Annexes I and II shall follow the procedure provided for in Article 7.

The Community financial contribution shall be:

- in general a maximum rate of up to 60%,
- up to 90% for SMEs of less than 50 employees.

Article 6

1. The Commission shall be assisted by a committee of an advisory nature composed of the representatives of the Member States and chaired by the representative of the Commission.
2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter if, necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition each Member States shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the committee of the manner in which its opinion has been taken into account.

Article 7

1. The Commission will encourage cooperation with third countries and with United Nations bodies and other organisations or agencies involved in the field.

Article 7

The Commission shall be assisted by a committee of an advisory nature composed of the representatives of the Member States and chaired by a representative of the Commission.

Article 8

The Commission may consult the committee referred to in Article 7 on any question concerning the application of this Decision.

Article 9

1. The programme activities which may be opened up to the participation of the countries of the European Economic Area, the associated countries of central and eastern Europe (ACCEE), Cyprus and Malta and the European Community's partner countries in the mediterranean area shall be defined in the context of the European Community's relations with those countries.

2. EFTA countries, in the framework of the E.E.A. Agreement and countries with whom the Community has concluded association agreements may be associated with the activities described in the Annexes I and II.

Article 8

1. The Commission will regularly publish information on the actions undertaken and possibilities for Community support in the various fields of action.

2. The cost of the participation referred to in paragraph 1 shall be covered either by the countries concerned out of their own budgets or by Community budget headings relating to the implementation of the cooperation, association or partnership agreements with these countries in the area concerned, in accordance with the provisions set for in these agreements.

Article 10

2. The Commission shall develop standard criteria concerning the dissemination of the results of the actions undertaken by this programme. These criteria shall include guidelines for:
 - promoting the results of the projects to the press, employers, employees and interested parties,
 - involving elected representatives in the promotion of the results.

The European Agency for Safety and Health at Work may be consulted in the development of these criteria.

2. The Commission will submit to the European Parliament, the Council, the Economic and Social Committee a mid-term report on the actions undertaken, as well as an overall report by 31st December 2001.
3. The Commission shall set up, where appropriate with the assistance of the European Agency for Safety and Health at Work, an information point for small and medium-sized enterprises and other applicant organisations to offer practical advice in formulating and developing project proposals. The information point shall provide details of local and national contacts involved in the health and safety area. It shall also offer a helpline and full on-line service.
4. The results of the programme shall be evaluated by the Commission with the assistance of external organizations including, where appropriate, the European Agency for Safety and Health at Work. On the basis of these findings the Commission shall submit to the European Parliament, the Council, the Economic and Social Committee and the Advisory Committee on Safety, Hygiene and Health Protection at work, not later than 30 June 1998, a mid-term report on the action undertaken, including a detailed study on the responsibilities and the activities undertaken on this matter by the specialised agencies concerned, as well as, not later than 30 June 2001, an overall assessment report demonstrating the impact of the programme on the structures and population groups targeted by the action.

Article 9

This Decision shall enter into force on...

Article 11



ANNEX I

Deleted

GUIDANCE NOTES AND CORE INFORMATION
MATERIAL TO HELP APPLY CORRECTLY THE
COMMUNITY LEGISLATION; INFORMATION,
EDUCATION AND TRAINING; IMPORTANT
OR NEW PROBLEMS
(1996-2000)


1 Guidance notes and core information material to help apply correctly the Community legislation, taking into account where necessary the reports required by the various Directives.

1.1 Prepare non binding guides to legislation, which, while not pretending to guarantee and provide the detail necessary to cover every legal aspect, provide to employers, enterprises, workers and Member States useful assistance, technical support and background.

1.2 For effective targeting of such information it is essential to know what employers, in particular in Small and Medium sized Enterprises, want and need in relation to health and safety at work.

2 Information, education and training;

2.1 Development of health and safety awareness

- 2.2 Information on Commission policies: in order to ensure transparency of its measures, the Commission will draft and disseminate information on Communities activities.
- 2.3 In keeping with the Commission's information policy relating to Community activity and the raising of awareness, particularly amongst the general public, the Commission will, in consultation with the Member States, arrange regularly a European week of safety and health at work, colloquia on safety and health education and training, competitions on training materials, festivals of audio-visual products on safety, hygiene and health at work.
- 3 Investigate certain key problem areas, taking into account existing information and research results and/or promote, where appropriate, new investigations.
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ANNEX II

SAFE (Safety Actions for Europe) aimed at improving safety, hygiene and health at work, in particular in small and medium sized enterprises.
(1996-2000)

1.1 SAFE (Safety Action For Europe) will support projects of a practical nature intended to demonstrate:

- the promotion of improvements in the work situation specifically directed at safety, hygiene and health at work, especially in small and medium sized enterprises;
- the improvements in the organisation of work practice which influence attitudes towards safety and health at work, in order to reduce work accidents and occupational diseases.

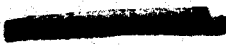
1.2 One of the objectives of the SAFE programme is therefore to support practices designed to improve the work situation, work organisation and working practices which may be directed towards a specific problem impacting on safety and health at the workplace or by demonstrating best practices to combat work accidents and/or occupational diseases or at the ways and means of effectively complying with Community legislation in individual enterprises or undertakings.

ANNEX I

Actions to improve standards of safety and health at work, in particular in small and medium-sized enterprises
(1996-2000)

The programme is to support practical projects designed to improve the working environment as regards the safety and health of workers, in line with the general objectives set out in article 2. In particular, it will support projects relating to one or more of the following points:

1. Development of reference workplaces which have developed practical solutions to workplace risks and which can serve as models;
2. Initiatives in the field of information, training and education designed to improve knowledge of health and safety legislation and improve awareness of safety and health at work;
3. Projects which provide guidance on safety and health measures relevant to one or more sectors of activity, especially in more than one Member States;
4. Innovative approaches to emerging areas of risk or to high-risk activities including the use of safe and/or clean technologies.

- 1.3 This is why the SAFE programme will also support the development of reference workplaces, which have developed practical solutions to workplace risks and which will serve as models for others who would like to change existing workplaces or design new ones. It will also promote innovative approaches to emerging areas of risk or to high risk activities, whether this is by promoting the use of safe and/or clean technologies, or by other innovative measures.
- 1.4 Support will also be provided for specific education and training initiatives designed to improve knowledge of Community legislation and improve awareness of the working environment.
- 1.5 The SAFE programme will also consider projects prepared by European organisations, individual enterprises, employers or workers. Such projects should provide guidance for decisions concerning measures to be put into practice throughout entire sectors of activity especially in more than one Member State.
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**ANNEX III
SELECTION CRITERIA**

I General criteria

In order to be eligible for selection the projects submitted must meet all the following criteria:

- have a good cost-effectiveness ratio;
- generate a European plus value eg through a lasting multiplier effect on European scale;
- demonstrate an effective and balanced degree of cooperation between the various partners at the levels of:
 - . project design;
 - . project implementation;
 - . financial participation;

II Evaluation criteria

Priority will be given to projects satisfying, as far as possible, the following criteria. They should:

ANNEX II

I General criteria

In order to be eligible for Community assistance, the projects submitted must meet all the following criteria:

1. generate a Community added value;
2. be relevant to the needs of SMES;
3. have a good cost-effectiveness ratio;
4. specify expected outcomes and how they will be measured;
5. aim at outcomes that can be transferred;
6. specify a means of disseminating those outcomes;
7. avoid duplicating projects carried out at national level;
8. demonstrate resources commitment from partners involved in the project;
9. demonstrate the necessity of Community funding.

II Other criteria

Priority will be given to actions which meet one or more of the following criteria. They must:

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| <ul style="list-style-type: none"> - contribute to the prevention of causes of accidents and occupational diseases rather than remedying their effects; - facilitate the lasting integration of safety and health at work in the enterprises management or in the quality management of products; - promote the transfer and exploitation of innovative experiments on an European scale; - promote social dialogue; - promote permanent efforts rather than quantified results; - encourage innovation and entrepreneurial activity, in particular in high risk activities; - support the development of practical solutions to workplace risks; - support cooperation between firms; - support improved information exchange, education and training; - contribute also to the implementation of action programmes or Community policies concerning: - lifelong learning. - equal opportunities - integration of the disabled | <ol style="list-style-type: none"> 1. contribute to the prevention of accidents and health risks (rather than remedying their effects) and promote mental health protection; 2. encourage innovation in particular in tackling high risk activities; 3. have an innovative character; 4. support the development of practical solutions to workplace risks; 5. aim to address proven risks which either already affect or have the potential to affect workers and offer substantial reductions in those risks; 6. demonstrate likely effectiveness beyond the life of the project, e.g. by integrating health and safety into management practices; 7. promote social dialogue and cooperation between firms; 8. contribute also to the implementation of action programmes or Community policies concerning: <ul style="list-style-type: none"> - lifelong learning; - equal opportunities; - integration of the disabled; |
|--|--|

- | | |
|---|---|
| <ul style="list-style-type: none"> - bringing back to employment the long-term unemployed - prevention of accidents to the public (domestic, sport, road,....) - sectoral policies (to be specified) - other programmes or policies (to be specified) | <ul style="list-style-type: none"> - bringing back to employment the long-term unemployed - prevention of accidents to the public (domestic, sport, road, etc.); - sectoral policies (to be specified); - other programmes or policies (to be specified). |
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III Exclusion criteria

The following are not eligible:

- actions limited to a single Member State and not transferable to others;
- actions limited to achieving compliance with national requirements even if these result from Community law;

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1. OJ C 262, 07.10.1995, p. 18
 2. OJ N° C.....
 3. OJ C 39, 12.02.1996, p. 26
 4. OJ C 205, 25.7.1994, p. 478
 5. OJ L 185, 09.07.1974, p. 15

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DOCUMENTS

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