



Ministry
of Defence

JSP 815 Volume 2

Element 1: Leadership, Governance and Culture



Contents

Title	Page
Amendment record	1
Terms and definitions	1
Scope	1
Introduction	2
Purpose and expectations	2
Promoting a consistent approach to safety management	2
Safety culture	4
Establishing roles and responsibilities	7
Element summary	10

Amendment record

This element has been reviewed by the Directorate of Defence Safety (DDS) together with relevant subject matter experts and key safety stakeholders. Any suggestions for amendments should be sent to COO-DDS-GroupMailbox@mod.gov.uk

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1.0	Dec 22	BETA version for consultation	Dir HS&EP
1.1	7 June 23	Final version of Volume 2	DDS

Terms and definitions

General safety terms and definitions are provided in the Master Terms and Definitions Glossary which can also be accessed via the [GOV.UK](https://gov.uk) page.

Must and should

Where this element says **must**, this means that the action is a compulsory requirement.

Where this element says **should**, this means that the action is not a compulsory requirement but is considered good practice to comply with the policy.

Scope

This policy applies to all those employed by Defence (military or civilian) as well as those working on behalf of Defence (for example, contractors). It applies to all Defence activities carried out in any location (UK or overseas).

Introduction

1. This element provides the direction that must be followed and the guidance and good practice that should be followed and will assist users to comply with the expectations for leadership, governance and culture that are set out in Element 1 of the Volume 1 to JSP 815 (this JSP).

Purpose and expectations

2. This element focuses on the extent that an organisation is forward-thinking and that it has clear aims and objectives about what it wants to achieve. Together with effective leadership and governance methods organisations are to promote a consistent approach to safety management at all levels and support a positive, proactive culture of reporting and learning. This is to be supported by establishing accountability based on well-defined authority levels and a clear understanding of responsibilities.

Promoting a consistent approach to safety management

Leadership

3. The Secretary of State's (SofS) Policy Statement for Health, Safety and Environmental Protection (HS&EP) applies to everyone within Defence, including contractors and partner organisations. The Policy Statement is a commitment of the SofS's personal leadership in HS&EP and as such the SofS relies on all those in leadership roles to make sure the policy is applied. Senior leaders of Defence organisations are to lead on HS&EP through the responsibilities set out in their letters of delegation issued by the Permanent Secretary (or equivalent delegated authority). They are to make sure their Defence activities are delivered in line with the Defence Safety Management System (SMS) and their own SMS. The Defence SMS amplifies the SofS Policy Statement and describes the safety guidance and principles to be followed by Defence organisations.

4. Leadership should demonstrate a commitment to safety within their organisation by setting a clear tone from the top, promoting the Defence vision for safety and by:

- a. taking overall responsibility and accountability for the prevention of work-related injury and ill health, as well as the provision of safe and healthy workplaces and activities;
- b. making sure that they are visible across their organisation and by prioritising safety alongside other strategic objectives;
- c. communicating the importance of effective safety management and of conforming to the Defence SMS and the Defence organisation's SMS requirements using a range of communication methods;
- d. regularly reviewing safety performance at leadership meetings and bidding for the necessary finance and resources to maintain a safe workplace;
- e. developing, leading and promoting a culture in the organisation which supports the intended outcomes of the Defence SMS and the Defence organisation's SMS;
- f. ensuring the organisation establishes and implements processes for continuous engagement via consultation, training and participation of the workforce and other stakeholders;

- g. encouraging the workforce and stakeholders to identify areas for improvement, leading to continual improvement in risk management through collaboration and innovation;
- h. promoting the open and transparent reporting occurrences, hazards, risks and opportunities; and
- i. driving continuous improvement of safety performance management and effective oversight of action plans.

Governance

5. The Defence Safety and Environment Committee (DSEC) is the principal forum within Defence responsible for the governance of safety. The DSEC is supported as necessary by sub-committees and working groups comprised of representatives of the DSEC members and safety representatives from other Defence organisations.

6. Defence organisations are to establish their own governance arrangements and framework. The Defence organisation's governance arrangements should include a hierarchy and structure of safety forums with agreed terms of reference, a timetable of scheduled meetings and a formal communication route that is understood by the organisation. Safety forums are covered in more depth in Element 2 (Organisations and Dependencies) of this Volume 2.

7. Safety governance within Defence organisations should provide leadership oversight, challenge and review of safety policies, procedures, performance and effectiveness of the Defence organisation's SMS.

8. In its most basic form, the Health and Safety Executive (HSE) recommends the Plan, Do, Check, Act framework for managing health and safety (see HSE guidance note HSG 65 for more information). It assists Defence organisations in achieving a balance between the systems and behavioural aspects of management and treats health and safety as an integral part of good management.

9. Examples of some Defence organisation activities using the Plan, Do, Check, Act approach are shown in the following table:

Plan, Do, Check, Act	Safety management activities	Examples (not an exhaustive list)
PLAN	Determine your policy / Plan for implementation	<ul style="list-style-type: none"> • Consider where you are now and where you need to be. • Define what you want to achieve and who will be responsible for delivering that outcome. • Define and communicate acceptable performance and the resources required.
DO	Profile risks / Organise for health and safety / Implement your plan	<ul style="list-style-type: none"> • Identify and assess your risks and identify control measures. • Organise your activities to deliver your plan / involve workers and communicate. • Implement and manage control measures. • Train and instruct, to ensure everyone is competent to carry out their work and supervise to make sure that arrangements are followed.

CHECK	Measure performance (monitor before events, investigate after events)	<ul style="list-style-type: none"> ● Make sure your plan has been implemented. ● Measure and review performance. ● Assess how well the risks are being controlled. ● Investigate the causes of safety occurrences.
ACT	Review performance / Act on lessons learned	<ul style="list-style-type: none"> ● Review your performance. ● Learn from measurements and findings of investigations. ● Revisit the plan, policy documents and risk assessments to see if they need updating. ● Take action on lessons learned, including from audit and inspection reports.

Safety culture

10. Leaders in Defence set the strategic direction for safety which influences how individuals within Defence behave in relation to safety and defines the culture of the organisation.

11. Culture can be best understood as "the way we do things around here" and safety culture can be defined as "the product of individual and group values, attitudes, perceptions, competencies and patterns of behaviour that determine the commitment, style and proficiency of the organisation's safety management." A safety culture builds slowly, but behaviours are influenced quickly through strong leadership, messaging, expectations, and examples, this is known as the 'tone from the top'.

12. Building a strong culture of safety is vital to prevent accidents, injuries and deaths. Defence organisations should show genuine care to those who deliver Defence activities, support open and honest reporting and set a culture where everyone feels able to speak up before and not just after things go wrong, rather than fearing blame. They should maintain policies and processes that develop and promote a positive safety culture throughout their organisation and area of responsibility, they should share and effectively communicate good practice and any safety lessons identified in order to promote and support continuous improvement.

Clear aims and objectives

13. Defence organisations have flexibility to describe the elements of a strong safety culture using their own language. However, clear aims and objectives are important as they ensure that all stakeholders are aligned and all involved parties take the right steps in achieving an effective safety culture. The following steps should be taken by Defence organisations to achieve this:

- a. leaders should set clear expectations and communicate a 'tone from the top' based around their 'duty of care' for the health, safety and wellbeing of their people;
- b. leaders at all levels should be visible and proactive in promoting safety;
- c. their safety policies and procedures should be maintained, continually monitored and improved to mitigate human error.

- d. there should be open and honest reporting of health and safety concerns by stakeholders at all levels. A 'Just Culture' that includes learning, questioning and flexible behaviours should be actively promoted, supported and maintained. A just culture is the cornerstone in ensuring that such errors are dealt with fairly and appropriately, where personnel are supported to learn from their actions;
- e. lessons identified within one area should be effectively communicated across all areas (e.g. from occurrence reporting / investigations / trends). Human factors should be appropriately considered within their SMS to understand what lessons can be learned from occurrences and how to adapt in the future; and
- f. the management of safety should be embedded throughout their organisation which should include two-way communication, constructive challenge, open reporting and decision making which is transparent and responsive.

14. A safety culture is not something to impose on others, but a product of facilitating and inspiring enduring safety behaviours. Defence organisations with a positive safety culture should have the following characteristics:

- a. a low number of routine procedural violations;
- b. effective reporting of safety occurrences;
- c. effective feedback and learning from safety occurrence reporting;
- d. proactive rather than reactive responses to safety occurrences and regulatory interventions;
- e. compliance with the Defence SMS; and
- f. management decisions that consistently consider safety whilst planning or undertaking Defence activities.

15. The establishment of a positive safety culture within an organisation is dependent on the following:

- a. **Management commitment:** This commitment produces higher levels of motivation and concern for safety throughout the organisation. It is indicated by the proportion of resources (time, money, people) and support allocated to safety management and by the status given to safety versus delivery/output, cost etc. The active involvement of senior management in the safety system is vital.
- b. **Visible management:** Senior managers and leaders need to be seen to lead by example when it comes to safety. Good leaders appear regularly on the 'shop floor', talk about safety and visibly demonstrate their commitment by their actions. It is important that leaders are seen as committed to safety through both their words and their actions.
- c. **Good communications between all levels of personnel:** In a positive culture questions about safety should be part of everyday work conversations. Leaders should not only ask but, listen actively to what they are being told by personnel with regards to safety, and take what they hear seriously. Active personnel participation in safety is important, to build ownership of safety at all levels and exploit the unique knowledge that personnel have of their own work. This can include active involvement in workshops, risk assessments, plant design etc. In organisations with a good safety culture, personnel and leaders will be consistent, and safety is seen as a joint exercise to help change things for the better.

- d. **Effective decision making:** Safety needs to be fully embedded within all aspects of an organisation's evidence-based decision-making processes to ensure that the safety impact of any decisions is considered and understood.

Using the Parker-Hudson Ladder in the context of culture

16. The Parker-Hudson Ladder is a framework to assess an organisation's safety culture, this is shown diagrammatically in Figure 1. Each level has distinct characteristics and is a progression from the previous level. Defence organisations should aim to have a Generative safety culture where all stakeholders are informed and take accountability for their actions.

17. Hudson further defines each level of culture as follows:

- a. **Pathological safety culture:** Safety is a problem caused by the workers. The drivers are the business and a desire not to get caught by the regulator.
- b. **Reactive safety culture:** Organisations start to take safety seriously, but action is taken only after incidents.
- c. **Calculative safety culture:** Safety is driven by management systems, with much collection of data. Safety is still primarily driven by the management and imposed rather than looked for by the workforce.
- d. **Proactive safety culture:** With improved performance, the unexpected is a challenge. Workforce involvement starts to move the initiative away from a purely top-down approach.
- e. **Generative safety culture:** There is active participation at all levels. Safety is perceived to be an inherent part of the business, and safety-based solutions are welcomed as adding value and sustainability to the organisation. Safety challenges are tackled with innovative solutions.

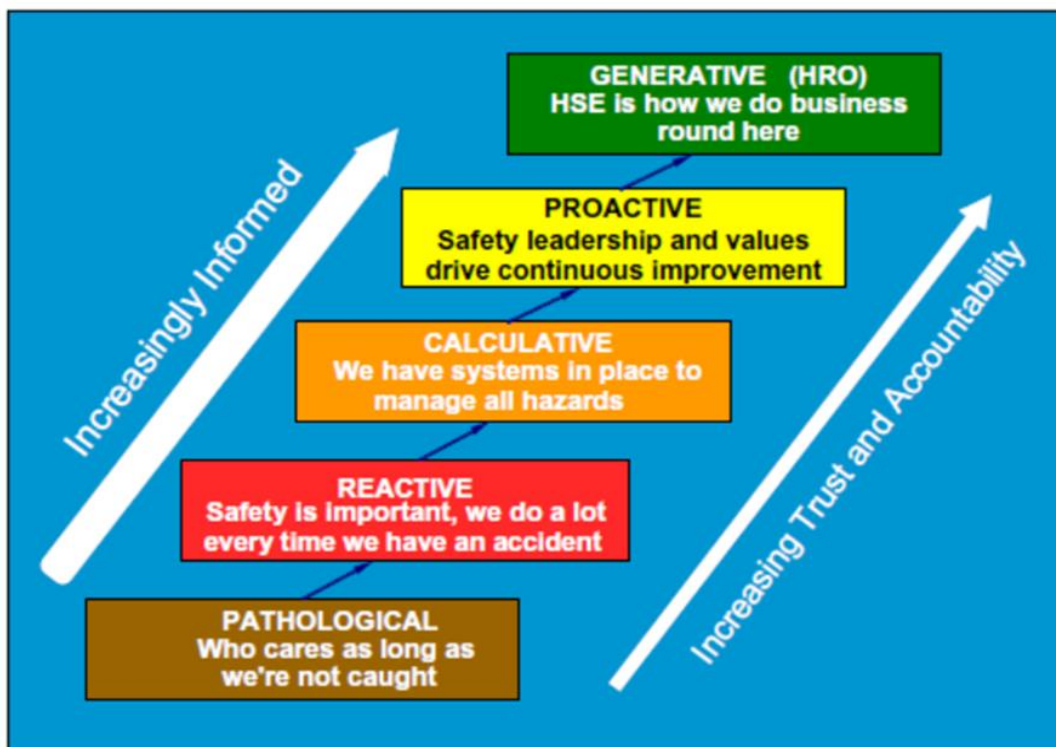


Figure 1 - Parker-Hudson Ladder

Establishing roles and responsibilities

18. The following people are responsible for safety in an organisation but this list is not exhaustive:

Role	Responsibility
The Secretary of State for Defence	The SofS is regarded as the employer for the purposes of complying with the requirements of UK HS&EP legislation. They are answerable to Parliament for ensuring Defence complies with this duty as set out in a Policy Statement which identifies the key requirements and high-level responsibilities for HS&EP management. The Policy Statement is the Defence policy for complying with HS&EP requirements and applies to all Defence activities and its personnel.
The Permanent Secretary	As the Department's most senior official the Permanent Secretary is to ensure that effective management arrangements and resources are in place to achieve compliance with the SofS Policy Statement. The Permanent Secretary is to include safety performance in the Department's holding-to-account process and delegates functional ownership to the Chief Operating Officer reporting to the Second Permanent Secretary.
The Second Permanent Secretary	The Second Permanent Secretary has been delegated by the Permanent Secretary as the Department's most senior official for safety matters with responsibility for safety policy and co-chairing the Defence Safety and Environment Committee.
The Chief Operating Officer (COO)	The Chief Operating Officer (COO) leads on developing functions and functional integration for Defence, enables the Head Office to operate effectively and is the Defence Safety Function owner.
The Director of Defence Safety (DS)	The Director of Defence Safety (DS) is the Defence Safety Function leader and the owner of the Defence Safety Functional Strategy, Operating Model, the overarching Defence Safety Management System (Defence SMS) and Defence safety policy.
The Director General, Defence Safety Authority (DG DSA)	<p>The Director General, Defence Safety Authority is empowered through a Charter with the SofS as the independent Defence regulator and has the following responsibilities:</p> <ul style="list-style-type: none"> a. Empower suitably qualified and experienced Crown servants to regulate safety for Defence activities in the UK where it has disapplications, exemptions or derogations from UK statutory requirements and Defence activities overseas, outside of the requirement to respond to host nations' relevant safety expectations and co-operate with their safety authorities; b. To be the primary Convening Authority (CA) for Service Inquiries (SIs) into safety related fatalities, serious injuries and significant loss of major capability. To support in this function, DG DSA maintains the Defence Accident Investigation Branch (DAIB);

	<p>c. As the Defence Authority for safety setting standards through the creation of regulation and taking assurance of compliance measures by Defence organisations where Defence has disapplications, exemptions or derogations through the Defence Regulators;</p> <p>d. Providing independent advice to the SofS on safety policy in Defence and with evidence-based assurance that the policy is being promoted and implemented in the conduct of Defence activities; and</p> <p>e. Providing the Defence Board with information on safety matters at each meeting and an Annual Assurance Report (AAR).</p>
Defence organisations senior leader	The most senior leader in each Defence organisation should lead on safety through the responsibilities set out in their letters of delegation issued by the Permanent Secretary.
Defence organisation Safety Centre	Each Defence organisation has established a Safety Centre or equivalent that is generally headed up by a Safety Director or Chief of Safety and is staffed by safety professionals from within the Defence organisation.
Chief Environment and Safety Officer	Under the Health and Safety at Work etc Act 1974 (HSWA74) senior leaders of Defence organisations must appoint a competent person to assist them manage Health, Safety and Environmental Protection within their organisation. This role is typically provided by the Chief Environment and Safety Officer (CESO) or an equivalent competent person. They are required to provide advice on and assurance of compliance with legislation, Defence safety policy and regulations, they are also the Defence organisations point of contact for liaising with statutory and Defence Regulators.
Duty Holders	<p>Duty Holding must be applied for military activities that the Defence organisation's most senior leader considers:</p> <p>a. are justified and present a credible and reasonably foreseeable Risk to Life (RtL); and</p> <p>b. the Duty of Care, or other statutory arrangements and/or the control of risks are considered to be inadequate and require enhanced safety management arrangements; or</p> <p>c. are mandated through regulation.</p> <p>The SofS for Defence requires that the Defence organisation's most senior leader is appointed as the Senior Duty Holder (SDH) and is ultimately accountable for RtL for the military activities for which that senior leader has decided to apply Duty Holding.</p>

	<p>The fundamental elements of Duty Holding management arrangements are that there are three levels of accountable individuals for managing risk where a Duty Holding framework has been applied and they are the: Senior Duty Holder (SDH), Operating Duty Holder (ODH) and Delivery Duty Holder (DDH). When appointed, an MOD Duty Holder is responsible for the safe conduct of activities within their AoR by ensuring that RtL is ALARP and Tolerable.</p> <p>Duty Holding in Defence should not be conflated with duty holding as outlined in HSWA74. Please refer to Element 5 of this Volume 2 for further details on Duty Holding.</p>
<p>Duty Holder Facing organisations</p>	<p>A Duty Holder Facing organisation is any organisation whose activities and decisions could affect the ability of a Duty Holder to mitigate associated RtL so that they are ALARP and Tolerable. This includes, but is not restricted to: providers of support and facilities; Financial / Military Capabilities (Fin/Mil Cap); Defence Equipment and Support (DE&S); Defence Infrastructure Organisation (DIO); and other Defence enabling organisations.</p> <p>Duty Holder Facing organisations are responsible for assuring Duty Holders that equipment, platforms and infrastructure are safe to use by providing evidence in safety cases or equivalent safety evidence and/or providing the necessary support to Duty Holders, e.g. building regulatory compliance, in service (safety and compliance) inspections & assurance procedures.</p> <p>Duty Holder Facing organisations are to report to the Duty Holder any failures to meet agreed safety criteria and agree a plan with the Duty Holder and be able to confirm that the associated risk has been mitigated to a level assessed as ALARP and tolerable.</p>
<p>Defence Contractors</p>	<p>Where Defence Contractors undertake work or provide services directly in support of Defence activities, they are to comply with relevant safety legislation, the requirements of the SofS's Policy Statement and with relevant Defence regulation and policy. This must be prescribed expressly in relevant contractual arrangements. Generally, Defence Contractors cannot benefit from any disapplication, exemption or derogation from statutory requirements granted to Defence where they control activities. There may be exceptions to this which should be specific in contractual arrangements where they occur. Significantly though, Defence Contractors are not exempt from prosecution.</p> <p>Specifically, where any UK Defence contractor designs, manufactures, imports or supplies any equipment for use by Defence at work it has legal responsibilities under UK health and safety legislation' with specific regulations under the HSWA74, e.g. the Supply of Machinery (Safety) Regulations 2008. For overseas manufacturers and suppliers, these requirements should be included in contractual arrangements.</p>

	<p>The UK responsibilities are to:</p> <ol style="list-style-type: none"> a. Ensure, so far as is reasonably practicable, that the equipment is designed and constructed to be safe to operate; b. Carry out or arrange for the equipment to be tested and examined to verify that it is safe to operate; c. Provide the user of the equipment with information verifying that the equipment is safe to operate; and d. Inform the user if the equipment becomes unsafe to operate.
Employee responsibilities	<p>All Defence employees have legal responsibilities in UK health and safety legislation to take reasonable care for their health and safety and that of any other persons who may be affected by their acts or omissions at work.</p> <p>Defence employees are also required to co-operate with their line management or chain of command to make sure that their legal responsibilities are complied with. In doing so, no employee is to intentionally or recklessly interfere with or misuse anything provided in the interests of their health, safety or welfare. Employees are also required to comply with the requirements of the SofS's Policy Statement.</p>

Element summary

19. Defence organisation senior leadership should:

- a. Set the "tone from the top" and actively demonstrates their commitment to safety.
- b. Promote a culture of continuous improvement, speaking up and embedding transparent and open reporting.
- c. Set clear safety responsibilities by which the organisation is measured and held to account.
- d. Make sure that leadership is visible at all levels of the organisation; including through direct interactions with the wider workforce and supply chain on matters of safety.
- e. Make sure that corporate governance holds safety as an equal partner to other strategic objectives such as capability, cost and schedule.
- f. Make sure that a culture is in place that fosters resilient safety management, engages people and promotes effective safety behaviours.