



Current situation in the Outsourced Prevention Services Sector

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The enactment of Act 31/1995, of 8th November sets the principles for the appearance of a new sector specialising in providing external prevention services to Spanish companies: to be known under our regulations as **Outsourced Prevention Services**.

The Law on Prevention of Risks in the Workplace, further regulated by RD 39/1997 on Prevention Services, has made an important change with regard to the treatment of workplace risks in companies, setting the requirement for the company to carry out a series of preventive actions.

Article 30.1 of the that Prevention Act and Article 10 of RD 39/1997, establish as a way of organising preventive action in the company, entrusting that activity to an external specialist company.

We are that Outsourced Prevention Service

It is important to remember that in order to be able to operate as Outsourced Prevention Services we must be accredited by the competent labour authority (Articles 23 and following of RD 39/1997).

The prevention services market is already well regulated; it is therefore not simply like any other business activity since the companies which implement it are required to comply with specific administrative authorisations.

The technical complexity of the preventive actions to be carried out by companies and the characteristics of our business environment have led to the fact that a large proportion of employers have outsourced their safety and prevention services. We, as Outsourced Prevention Services, come on the scene when the employer uses us to organise the necessary resources for carrying out prevention actions.

Similarly, under our regulations, the External Prevention Service is considered to be a way of organising preventive resources within the company so that **the company can opt to exclude the rest**, in other words, doing without using other internal resources or procedures. In this sense, the organisation method most exclusively used by Spanish companies is becoming the Outsourced Prevention Service.

According to a Sector Survey carried out in 2002 by AMAT (Association of Industrial Accident Mutuals) in relation to specialist commercial companies and Industrial Accident Mutuals which compete to carry out the duties which are the remit of the External Prevention Service, the Outsourced Prevention Service is the **preventive measure most commonly used** by Spanish companies.

In 1999, **38.6%** of work places had opted for this organisational method. There has been a constant increase in the number of companies signing up with one or more External Prevention Services since 1999, **affecting 51% of**



workers in 2002. It is therefore an activity in full growth.

The strong growth in the prevention market is generating a major effort of adaptation in our Outsourced Prevention Services sector in order to meet demand from companies in a competitive manner. The main challenges we are encountering in this market are quality of the services provided, specialisation of services and providing a response to all requests.

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What is the purpose of External Prevention Services?

- ▶ To provide the company with a set of human and material resources necessary for carrying out preventive activities in order to guarantee adequate protection of workers' health and safety, advising and assisting the employer, workers, their representatives and specialist representative bodies.
- ▶ To guarantee the objectives pursued by the Prevention Act, bearing in mind that considering the Outsourced Prevention Service as a "preventive way of organising resources by the

employer" gives our companies a status that goes beyond the merely commercial, since it fully enters into the social aspect due to the special activities it is carrying out.

The increase in Outsourced Prevention Services is also clearly due to the fact that Prevention of Risks In the Workplace is compulsory for all companies and in addition the fact that organisations are beginning to look at health and safety at work as something which goes beyond their own compliance with the formal aspects of the law.

"As Prevention Services, we are not just selling a service but exercising a social function in contributing to improving the quality of life of workers, actively collaborating in reducing industrial accidents and diseases, since we provide companies with the instruments they need to carry out the quality prevention they require."



According to the same source (AMAT), 69.02% of the total agreements signed with companies were performed by OPSs compared with 30.98% taken out by Accident Mutuels.

The number of workers affected by these agreements is similar in both cases: 35.26% correspond to companies and 35.7% to Accident Mutuels. Combining the above data has revealed a balance between the two types of entities competing in this activity. Nevertheless, the higher number of agreements performed by Outsourced Prevention Services demonstrates the success achieved by our companies as we have gained a very significant market share.

What responsibilities are entrusted to an External Prevention Service in a company?

The Outsourced Prevention Service provides the company with the advice and support it needs according to the types of risk that exist within it, in relation to:

- ▶ The design, application and co-ordination of preventive action plans and programmes.
- ▶ An assessment of the risk factors that can affect the health and safety of workers in accordance with the provisions of Article 16 of the law.

- ▶ Determining priorities in adopting appropriate preventive measures and monitoring their effectiveness.
- ▶ Informing and training workers.
- ▶ Provisioning first aid and emergency plans.
- ▶ Monitoring workers' health in relation to the risks associated with their work.

The Prevention Service is an interdisciplinary service and has the appropriate resources (technical and human) to carry out its duties, according to the preventive actions to be carried out and depending on the following circumstances:

What type of company can contract an External Prevention Service?

▶ Companies of 1 to 500 workers or 250 workers

(In the case of companies involving particular dangers) can contract all their prevention actions to an Outsourced Prevention Service (safety at work, industrial hygiene, occupational ergonomics, applied psycho-sociology and healthcare).

▶ Companies in which the employer assumes responsibility for preventive actions (1 to 5 workers)

Can contract healthcare and activities that the employer cannot carry out

by himself (initial risk assessment, worker training, hygiene measurements, etc.).

▶ Companies with designated employees

Can contract healthcare and activities that the designated employees cannot carry out (initial risk assessment, worker training, hygiene measurements, emergency plans etc.).

▶ Companies with their own Prevention Service

Can contract those specialist preventive services not covered by their in-house

Prevention Service and any specialist activities that they themselves cannot carry out.

▶ Companies with a Joint Prevention Service

Can contract those specialist preventive services not covered by their Joint Prevention Service and any specialist activities that it cannot carry out.

"Any type of company, in any business sector and of any size, can contract an Outsourced Prevention Service."



- ▶ size of the company,
- ▶ types of risk to which workers may be exposed, and
- ▶ distribution of risks within the company.

Current position of the sector

Companies are asking us for an agreement that we can call “all-inclusive” in other words one which includes all technical specialities and can respond to their needs regardless of the area in which they operate.

On the one hand, we can see that there is an increase in demand for these services from companies, so

that we have a **still-expanding market** which offers favourable prospects for business.

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On the other hand, in the case of **small businesses**, in other words **companies with fewer than 25 employees**. This is the sector in which there is still much to be done. The main problem is that the management of small companies “see prevention as a cost rather than an investment”.

To make these new customers aware, prevention services will have to use imaginative methods. **Ultimately, whoever is capable of offering a personalised, specialised, quality service will win.**

Work to enhance customer care and loyalty and providing an efficient service as a differentiating added value will tip the balance in favour of those companies which opt for this system.

It is a fact that prevention is profitable for everyone, since both industrial accidents and occupational diseases mean grave losses for both companies and society. Despite everything, there is still a **lack of preventive culture** which, those of us who devote ourselves to this exciting world, hope will trickle through not only to employers but also society in general. ■

