

Lessons Learned Applying Just Culture in the Workplace

Author: James Hayton

BAINES SIMMONS

As a safety consultancy with its roots embedded in the aviation sector, it is very easy to forget that a lot of the processes and practices we help organisations implement and develop are just as applicable to many other safety-critical industries. So, with that in mind, I have written this paper in an industry agnostic manner while looking back at some of the lessons we have learned over the last 20 years (and more) striving to operationalise Just Culture in the aviation sector. It must be stressed that this is not an academic or systematic analysis of the state of Just Culture within the sector, merely a collection of observations and lessons learned.

Perhaps a useful place to start is to define the term 'Just Culture', because for some organisations this is where their problems start, despite all their well-meaning intentions. Professor James Reason defined Just Culture as '...an atmosphere of trust, where people are encouraged, even rewarded, for providing essential safety related information – but in which they are also clear about where the line must be drawn between acceptable and unacceptable behaviour'¹. We frequently encounter organisations early in their Just Culture journey who have only really considered the first half of the definition and confuse a 'Just Culture' with a 'No Blame' or 'Blameless' culture. Indeed, many use the terms interchangeably, but they are not the same thing at all. A blame culture is unhelpful because indiscriminate blame hampers an organisation's ability to find out, and therefore learn from, what is going on in the organisation. So, a no-blame

culture is sometimes seen as the antidote, but a no-blame culture is in itself flawed. Many observers assume that the problem with a no-blame culture is that there will be anarchy, staff will do as they please, but the reality is more nuanced than that for 3 reasons. First, what we think others will do is based more on our emotional response than observed behaviours. In reality, most staff continue to act responsibly because they are professionals and have pride in their work. However, when they see one or two of their colleagues acting inappropriately or unprofessionally they are quite understandably aggrieved when that member of staff is "allowed to get away with it" or continue with the behaviour without appropriate disciplinary action. Consequently, no-blame cultures can become extremely corrosive to staff morale. Second, the managers are perceived to be doing nothing about this 'unprofessional' behaviour

¹ Reason, J. (1999) Managing the Risks of Organisational Accidents. Aldershot: Ashgate. Page 195



A Just Culture is a balance between the two extremes, it is neither an indiscriminate blame culture nor is it a no-blame culture. The trick is knowing how to balance the two...

and therefore the managers' credibility is undermined in the eyes of the workforce. Third, the rules and procedures within an organisation are, in part, developed to protect the workforce as well as the customers' safety, and are usually written with an implicit assumption that they will be followed. Furthermore, the managers within the organisation have a duty of care to the other staff, and customers and therefore simply cannot allow such potentially dangerous behaviour to go on unaddressed. Therefore, deviations from process and policy put both the staff and the business at risk. So, a no-blame culture is not what we want.

A Just Culture is a balance between the two extremes, it is neither an indiscriminate blame culture nor is it a no-blame culture. The trick is knowing how to balance the two, or to paraphrase Professor Reason... 'where to draw the line'. This is where we hit another sticking point, where do we draw the line between punishable and non-punishable behaviours. Many managers will say that we should punish all violations i.e. when somebody intentionally breaks the rules or procedures. But not all violations are the same. Some staff may break the rules because they don't like them and think they know better, so punishment here may be an entirely appropriate response, but there are countless other reasons why people may be breaking the rules.

Maybe the rules could not be complied with because the staff were not given sufficient time to complete the task properly, or the correct tools and equipment were unavailable, or the process is simply unworkable in the real world. Perhaps they broke the rules simply because everybody else in the organisation does (psychology tells us that social compliance is one of the strongest influencers of human behaviour), etc. In each case, we need to seek to understand why staff did not follow the rules not simply punish them for not doing so. Effective, Just investigations don't simply establish what happened and to who, that's the easy bit, they establish why it

happened and how to prevent a reoccurrence to somebody else at a later date. Martin Luther King once said, "*We should not ask who is to blame, but what is to blame?*" This is a great premise on which to build a Just Culture.

David Marx in his book 'Whack-a-Mole' described a Just Culture thus: '*We are all fallible human beings, susceptible to human error and behavioural drift. As your employer, we must design systems around you in recognition of that fallibility. When errors do occur, you must raise your hand to allow the organization to learn. When you drift into a risky place, believing that you are still safe, we will coach you. When you knowingly put others in harm's way, we will take appropriate disciplinary action.*' If more managers thought this way, then Just Culture would be flourishing.

So, we now have a clear idea of what we are trying to achieve, so the senior leadership writes a Just Culture policy, or more usually gets the safety manager to write it for CEO signature. Then we make the Safety Manager own the policy going forward. If we put the issue of ownership to one side for a moment, we frequently find many organisations have written a clear Just Culture policy, but their 'shopfloor' staff have had no training in Just Culture nor understand how it may be applied to them in practice. Furthermore, many staff have very little understanding of what is acceptable and unacceptable behaviour. So, the central reason for building the Just Culture is lost; staff are afraid to report their errors, deviations and misdemeanours because they are unsure how they will be treated, or more likely assume they will be punished.

Let us briefly return to the issue of ownership. When the development and management of a Just Culture are not owned at a senior level (often abdicated to the Safety Manager) we frequently see a lack of coordination and engagement between the safety department and other elements of the business during the development of the Just Culture policy, for example the Human Resources Department

and the inevitable links with the company's disciplinary policy. This is not always because of a lack of forethought by the Safety Manager, but more often the lack of clout to bring the right people together in a timely manner and to prioritise the work properly. As a result, the Just Culture is only really applied to safety investigations but for all other matters (e.g. those handled by HR) Just Culture is non-existent or at best intermittent. If the principles of a Just Culture are not consistently applied across the organisation, then you cannot say you have a Just Culture at all. For instance, if we treat one individual fairly in one circumstance but another individual differently for an identical behaviour elsewhere in the organisation then we are not really being very Just. In other words, a Just Culture needs to be baked into the organisation and how it does business as a whole. HR need to be involved from the outset and must be trained in Just Culture principles and aims, they need to ensure Just Culture is applied across the whole organisation at all levels and ensure that it aligns with standard disciplinary policy. HR also needs to be involved in any discussions about who will manage the process for assessing behaviours and deciding disciplinary actions. Of course, there are other areas of the business that need to be involved beyond HR.

A Just Culture could be titled a 'Trust Culture'; staff have to trust management to treat them fairly in the event of errors and violations. But similarly, management has to trust staff to raise their hands and own up to errors and violations when they occur, so trust is a 2-way thing. Furthermore, trust is something we develop through behaviour not through words. When your manager says, "*trust me*", would you implicitly believe them? Even when previous experience has resulted in unfair punishment? Even if your career depended on it? Probably not and this is why cultures often take time to change, trust has to be earned through demonstrable behaviours. So that leaves us with a quandary; who is going to take the leap of faith first ...the staff or the

managers? The reality we often see is that leadership publicly espouse a Just Culture and issue a policy, but the 'verbal leakage' in their every day, unguarded language demonstrates a disjoint in their underlying beliefs... "*Who did that?*", "*Which idiot cocked up this time*", "*Why won't they just follow the bloody procedures?*", etc. These managerial responses are often exacerbated when the outcomes are high (usually financial) or there is a significant impact on operational output. "*This has cost us a fortune*", or "*This has damaged our reputation in the eyes of our customers/public/regulator*", "*So heads must roll!*" Of course, this is Outcome Bias in action, our human tendency to link the size of an outcome to the magnitude of the error that led to it. But often situational factors beyond the actor's control dictate the size of the outcome, so the behaviours and outcome do not directly equate. This is doubly true in complex environments like aviation, where, due to the innumerable moving parts, actions can have unforeseen and unpredictable consequences because of the numerous moving parts beyond the control or even awareness of the actor.

I'd like to focus on the issue of culpability models and algorithms for a moment. Some say culpability models or behavioural analysis models like Baines Simmons' FAIR3 System² should be thrown away, management should just treat staff 'fairly' and stop talking about lines in the sand. This seems very honourable and plausible on the face of it, but the problem with this approach for any organisation with more than a handful of staff is that different managers get to decide what is '*fair*', and that position is far from consistent. So, behavioural flowcharts can be helpful to provide consistency of approach across the organisation. In addition, they force managers to answer questions that they cannot without first conducting a proper investigation. However, we must remember models present a simplification of reality; not reality itself. Therefore, we must remain mindful of context whenever we use them.

² Flowchart Analysis of Investigation Results (FAIR) now in its third iteration is free to download at <https://www.bainessimmons.com/aviation-consulting-services/smarrt-tools/fair-system/>

This nicely brings us to the reality of 'the line in the sand'. Professor Reason's definition of Just Culture ended by stating '*...but in which they [the staff] are also clear about where the line must be drawn between acceptable and unacceptable behaviours.*' This seems like a nice straightforward explanation, but the real world throws up some challenges. There may be behaviours that as an organisation you do not want to punish nor do you want to encourage staff to do, so are these behaviours acceptable or unacceptable? For example, a member of staff has not followed a procedure properly and has shortcutted some steps because the business did not give her sufficient time to complete the task in accordance with the process. For an enlightened organisation, they would see this as a learning opportunity to understand why they are not giving their staff sufficient time to complete their tasks, and since they want staff to tell them about these situations in the future, they don't punish her. So, does she and her colleagues assume that shortcutting procedures is acceptable now?

These kinds of situations are exacerbated by organisations who use culpability models with definite red lines drawn on them showing all their staff the 'line in the sand'...step over it and we will punish you, stay on the right side and you're safe! But non-punishable behaviour is not the same as acceptable behaviour. We don't want to encourage that kind of behaviour by saying it is acceptable, but we do want

you to tell us about future occurrences so that we can learn. These situations offer the organisation the opportunity to explain to staff (all of them not just a few involved) why they have been punished (or not) helping to breed a better understanding of the behaviours you are trying to cultivate. If the organisation does not grip these situations and clearly explain to staff the facts of the case and the reason for the punishment decision³, rumours will fill the void. Unfortunately, rumours are rarely accurate and don't consider all the facts of the case, consequently, they can be very damaging to a Just Culture.

So, it can be really helpful to engage with your internal communications department to help manage the messaging. Oh, and that's another department that needs to be involved in building your Just Culture.

³ Taking into account the confidentiality of the individuals involved and GDPR issues.

About the Author

James Hayton,

PRINCIPLE CONSULTANT, BAINES SIMMONS

James has over 17 years' experience in military aviation and has a wealth of practical skills, spanning across engineering, psychology and management. James has held a number of senior positions in the Royal Navy, RAF and BAE Systems, working within Fast Jet, Helicopter, UAV and ISTAR domains. During his time at Baines Simmons, James has been a lead facilitator within the UK MAA's DAEMS programme and has also developed maintenance LOSA programmes. In addition to being the Baines Simmons Subject Matter Lead for Human Factors, James leads our thinking in Safety Culture and cultural change.

Expertise and capability

- Consults and advises in the assessment, development and embedding of safety culture
- Training and facilitation skills in Human Performance, Human Factors, Safety Culture, Error Management, Root Cause analysis/event investigation and Error Review Groups
- Technical expertise to support organisations on Safety and Airworthiness Management systems.
- Strategic Programme Management

Career background and experience

James has Chartered Engineer status and degrees in Mechanical Engineering, Psychology, and a Masters Degree in Human Factors in Aeronautics. He also holds active memberships with The Institute of Engineering and Technology, The British Psychological Society and is an Associate member of the Chartered Institute of Ergonomics and Human Factors.

About Baines Simmons

We are specialists in aviation regulations, compliance and safety management and partner with the world's leading civil and defence aviation organisations to improve safety performance.

As trusted advisors to businesses, armed forces, governments and regulators across all sectors of aviation, we help to advance best practice, shape safety thinking and drive continuous improvement to safety performance through our consulting, training and outsourced services.