

CHAPTER 4 (28:43)

Jeff: So you move on from this talking about the influence of the regulatory paradigm. Then you move on to decluttering, which I have to say, if you if you really I mean, Dave's (Provan) work obviously on decluttering, what do you need to say?

Sid: No, man my work! what do you mean?

Jeff: You don't need to buy the book compliance capitalism. You just need to get it any you can get it. Isn't that what we're trying to say? Thank you. Thank you, publishers. That's great.

Jeff: Doesn't decluttering start there? And lead to how organizations impose so much compliance burden in the misguided notion that it's going to lead them to safety.

Sid: Well, or it's compliance, not necessarily safety. Yes. So, Jeff, you're right. The I think the fundamental realization that I unpack in [Compliance Capitalism](#) is that most of the clutter in our safety systems is created by ourselves. Health care creates 85% of all the clutter that is there. So only 15% is directly relatable or traceable to what a regulator demands from them. In typical hard hat industries, it's about 60%, right? So every five rules, three of the rules you have made up, if it's stuff that you have made up, you can make up other stuff, right? But of course, what I do in Compliance Capitalism is find out how in some sense the hard shift to neoliberal governance in the nineties that hit Canada like a storm as well, like you called it, a performance-based regulation or essentially saying to the regulatees, you know your field better than we, we are being strapped for cash, which means that because we have neoliberal governance and so whether it's right or left wing doesn't matter, because even Tony Blair was super neo liberal. Right. And Bill Clinton and I mean the equivalents up here. So it was all the vogue anyway, right? Make the customer do the work. The market will solve these problems for us. And so what that meant was that you have an astounding amount of opportunity for people writing safety management systems and helping organizations show to the regulator that they know what the hell it is that they're doing. And so the response and I think you already said it, Jeff, is it's like a first year student, right, who says, oh, my God, I have this essay to write. And I go, Oh, yes, you have 1500 words. I stop reading after 1500 words, right? So whatever is behind that.

Jeff: Don't save the best for last

Sid: Yeah, exactly. It will drop off. And they give me 40,000 words, right? Because they just hemorrhage and puke and diarrhea, everything that they know in order to make sure that, oh, I pass the test. Right, I want to tell them. And so you got the same thing with safety management systems. Get these guys everything under the sun to make sure that also be anyway. So there's, there's other, other capitalistic impulses there.

Jeff: But we're inherently reactive and additive, right? Like we will react to that challenge and our default setting will be to add to that challenge thinking we'll overcome and I think that I think it's a question of who wants to be the bad guy. Like no regulatory body or government figure wants to be over over-regulative, so they'll pass it off with a bit of fear and let organizations do it.

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Sid: A bit of fear exactly. And then and then lawyers typically tend to be the ones who get to advise the board about this.

Jeff: Be careful we have lawyers here.

Sid: That's alright. I love you too. But the thing is and but even lawyers in this space would say that the more you have written, the more you will be found out of compliance. Right. So less is more. And so it's and the other thing is in case law in in common law countries, as far as I know, having the paperwork and having a lot of paperwork has never been an adequate defense in any case that involves fatalities. Right. And so yeah, it's nice to have paperwork but does it actually have any relationship to how work gets done, right?

Jeff: Yeah what actually happened...

Sid: What actually happens. And so and why it normally goes well.

Jeff: Right

Sid: So so yeah. More is not good. So how do you declutter?

Jeff: Well, I would say the caution is not to re clutter, hey? Because in your example from governmental or regulatory bodies to employers, it was really, re cluttering with a vengeance. And I think within organizations, often times we just push, push duties, the duty to investigate, for instance, they just push it down the org chart.

Sid: They do

Jeff: Which, you know, in the right mindset, it's not wrong to send the learning down to those that are expert in the work, but I think the crossover comes in that external reporting requirement where you've got to take that knowledge and process it somehow before you report out.

Sid: And do your due diligence in not self-incriminating and all of that right by which time learning has disappeared anyway.