

Safety Representatives and Safety Committees

(see also Consultation with Employees)

Statement of purpose/objectives

Shropshire Council acknowledges the importance of employee involvement in health and safety matters and the importance of the positive role played by safety representatives appointed under the Health and Safety at Work etc. Act 1974 and the Safety Representatives and Safety Committees Regulations 1977. As such, it is the intention of Shropshire Council to provide the facilities and assistance such safety representatives can reasonably require in order to carry out their functions.

Arrangements for securing the health and safety of employees

Managers are to consult with safety representatives over issues related to health, safety and welfare and to provide the information safety representatives require in order to carry out their functions.

Safety representatives are required to give the Council/departments reasonable notice of their intention to carry out inspections, to provide written reports following such inspections and to follow the Council/departments procedures when disputes over health and safety issues arise.

Shropshire Council has established a safety committee (Health, Safety & Welfare Group) which meets regularly and reviews safety performance within the Council's Service Areas. The committee will consist of employer and employee representatives and will be chaired by a person with executive power who can act upon the decisions reached by the committee.

Information, instruction and training costs

Shropshire Council will assent to paid leave for any safety representative requiring time off to carry out his/her functions or to receive any necessary health and safety training.

Safe system of work

The following procedures should be observed with regard to safety representatives and safety committees:

- Unions must inform the Manager in writing of the safety representative's appointment.
- The safety representative must receive adequate training.
- The safety representative must be aware of the disputes and grievance procedures in operation within the Council or individual Service Area.
- Service Area safety committees should meet as scheduled, have proper agendas and minutes and draw up action plans.
- Safety committees should be chaired by a person in a senior role to act upon the committee's decisions.

- Safety committees must have terms of reference and properly formulated aims and objectives.
- Safety committee members must receive adequate training.

The three most important steps with regard to safety representation and safety committees are:

- to ensure that they operate in a positive way, reinforcing the Service Areas safety culture and employee participation in solving health and safety problems
- to ensure adequate training for safety representatives and safety committee members, thus improving communications, prioritisation of risk control and the approach to solving health and safety problems
- to build the safety representative and safety committee structure into the organisational structure required by s.2 of Health and Safety at Work etc (HSWA) with regard to safety policies.

Record keeping

Records should be kept of the following:

- Appointment of safety representatives.
- Training record of safety representatives.
- Area with which safety representative is concerned.
- Group of employees represented by safety representative.
- Union to which safety representative belongs.
- Records made by safety representative following inspections, etc.
- Action taken as a result of above reports.
- Information provided to safety representative.
- Membership of safety committee.
- Training given to safety committee members.
- Action following the above recommendations.
- Past safety committee agendas and minutes.
- Accident statistics and ill health trends for use by safety committee.

Summary of statutory duties

Section 2 of the Health and Safety at Work etc. Act 1974 enabled Regulations to be made concerning the appointment of safety representatives, which became the Safety Representatives and Safety Committees Regulations 1977.

Those appointed as safety representatives must represent the employees in consultations with the employer and the employer must consult these representatives so that arrangements can be made which will enable both employer and employees to co-operate effectively in promoting and developing measures to ensure the health and safety at work of employees and in checking the effectiveness of such measures (regulation 4)

In certain cases, as prescribed in the Safety Representatives and Safety Committees Regulations 1977, the employer must establish a safety committee, whose function is to keep under review the measures taken to ensure the health and safety at work of the Service Area employees (regulation 9).

The 1977 Regulations make provisions for recognised, independent trade unions to appoint safety representatives according to their rules (regulation 3). The employer must then be notified of the appointment in writing in order that the safety representative receives the right to carry out the functions granted by the Regulations. The person appointed as safety representative must have been employed by that employer for at least two years.

Safety representatives can investigate potential hazards, causes of accidents and employees' complaints regarding health and safety (regulations 4, 5, and 6). The employer should be consulted on the above matters and on general matters affecting the health, safety and welfare of the employees.

Inspection of the workplace can be undertaken by safety representatives once every three months or more frequently if conditions in the workplace have changed substantially, new information has been published by the HSE or a notifiable accident or disease, or dangerous occurrence, has been published by the HSE or a notifiable accident or disease, or assistance as may be reasonably required by the safety representative when carrying out an inspection; it can prove advantageous to carry out joint inspections of the workplace as priority matters can be resolved quickly and effectively.

Safety representatives can represent their group of employees in consultation with HSE inspectors and can receive information from them. They may also inspect and take copies of any document relevant to the workplace that is required to be kept by any relevant statutory provision listed in schedule 1 of the HSWA (regulation 7), except employees' health records (unless permission is granted by the individual).

Time off with pay must be granted to safety representatives to allow them to perform their functions and to receive training (see action 2 of this publication).

Safety representatives can attend meetings of the safety committee. A safety committee must be established if a written request is submitted to the employer by two or more safety representatives and the employer must comply within three months of the request. The employer shall consult with the safety representatives and post a notice in the workplace stating the composition of the committee and the workplace(s) to be covered.

The Management of Health and Safety at Work Regulations 1999 (MHSWR) introduced regulation 4(a) to the Safety Representatives and Safety Committees Regulations 1977 and grants greater consultation rights to safety representatives. This regulation requires that safety representatives be consulted in good time about:

References and Further Information

- The Health and Safety at Work etc. Act 1974

- Safety Representatives and Safety Committees Regulations 1977 (as amended)
- The Health and Safety Information for Employees Regulations 1989
- The Health and Safety (Consultation with Employees) Regulations 1996 (as amended)
- Consulting employees on health and safety leaflet INDG232(rev2). HSE Books
- Consulting workers on health and safety L146. HSE Books
- Involving your workforce in health and safety (HSG263). HSE Books

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