

**GUIDANCE NOTES**

**ON HEALTH AND SAFETY**

**CONSULTATION**

**The Highland Council, Chief Executives Office,  
Health and Safety Team**

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## **1. Introduction**

- 1.1 The Highland Council acknowledges the importance of employee involvement in health and safety matters and that effective communication is part of that process.
- 1.2 This guidance has been produced to assist in the implementation of the Council Policy on Health and Safety Consultation with particular reference to:-
- a) The membership and remit of the Central Safety Committee.
  - b) The membership and remit of the Operational Area Health and Safety Consultation Groups.
  - c) The membership and remit of Service specific Health and Safety Groups.
  - d) The role and functions of Trade Union Health and Safety Representatives.
  - e) Health and safety training for employee representatives.
  - f) Management, staff and workplace meetings.

## **2. Legal Requirements**

- 2.1 Implementation of the Council Policy on Health and Safety Consultation in accordance with this guidance will ensure compliance with:-

The Safety Representatives and Safety Committees Regulations 1977

and

The Health and Safety (Consultation with Employees) Regulations 1996.

## **3. The Membership and Remit of the Central Safety Committee (CSC)**

- 3.1 As a sub-committee of the Councils Resources Committee's Joint Consultation Group (JCG), the Central Safety Committee provides a forum for formal consultation with the recognised Trade Unions on health and safety issues.
- 3.2 Membership of the CSC comprises:-
- 5 Elected Members appointed by the Councils Resources Committee's Joint Consultation Group.
  - 5 representatives from the recognised Trade Unions; UNISON, UNITE, GMB and UCCAT, determined on a proportional basis.
- 3.3 The Trade Unions should wherever possible be represented by their most senior safety representative.

- 3.4 Representatives from the Councils Management including the Health and Safety Manager will attend as officer advisers.
- 3.5 Following an election of Councillors and annually thereafter, the Committee shall appoint from amongst their members a Chairman and Vice Chairman. If the Chairman appointed be one of the Employers representatives, the Vice Chairman shall be one of the staff side representatives and vice versa.
- 3.6 The Elected Member appointed as Chairman (or Vice Chairman) will be the elected member with the specific remit of promoting health and safety as outlined in the Councils General Statement of the Health & Safety Policy.
- 3.7 A representative from each Health and Safety Group in the Councils Operational Areas will be invited to attend the meeting.
- 3.8 The recognised Trade Unions may, on request from the Committee Administrator arrange for safety representatives to attend the meeting as observers.
- 3.9 Meetings will normally be organised on a quarterly basis, on the same day as, and immediately following the JCG.
- 3.10 The principle objective of the Committee is the promotion of co-operation between employer and employees in instigating, developing and carrying out measures to ensure the health and safety at work of all employees.
- 3.11 The functions of the Committee should include, but not necessarily be confined to the following:-
  - a) To monitor new or amended Health and Safety legislation and consider implications for Council service delivery.
  - b) To consider reports and other items raised by safety representatives.
  - c) To consider the application of codes, guidance, safety rules and safe systems of work.
  - d) To develop and monitor the adequacy of the safety content of employee training.
  - e) To monitor the adequacy of health and safety communication and publicity.
  - f) To evaluate safety policy and make recommendations for its revision.
  - g) To consider matter relating to occupational health and employee welfare.
  - h) To consider items raised through the minutes of the Area Health and Safety Groups.
- 3.12 The CSC is the formal Committee delegated with carrying out all of the functions outlined in Regulation 9 of the Safety Representative and Safety Committees Regulations 1977.

## **4. The Membership and Remit of Operational Area Health and Safety Consultation Groups**

4.1 Area Health and Safety Consultation Groups have been established in each of the Councils 3 Operational Areas. The groups have been organised around the administrative centres of each Operational Area to avoid unnecessary travelling and to ensure that local issues are addressed. The groups cover:-

Caithness – meetings normally held in Wick.

Sutherland – meetings normally held in Dornoch.

Nairn and Badenoch – meetings normally held in Kingussie.

Inverness – meetings normally held in Inverness Town House.

Ross-shire – meetings normally held in Dingwall.

Skye – meetings normally held in Portree.

Lochaber – meetings normally held in Fort William.

4.2 Corporate Managers are responsible for organising the programme of meetings for each group in their Operational Area, and for inviting representatives from Services and Trade Unions to attend.

4.3 Membership of each Area Group should comprise of representatives from each Service together with trade union safety representatives (preferably locally based).

### 4.4 Service Representatives

It is important that each Service in the Operational Area is represented at each of the Area Groups. Service representatives should be of an appropriate level of management to give proper consideration to views and recommendations.

4.5 In addition they should:-

a) Have a minimum of 2 years experience of working within the Services.

b) Consult with all employees in the Service prior to attendance at Group meetings.

c) Provide feedback to all Service employees following attendance at Group meetings.

d) Have an appropriate level of health and safety training (see section 7).

### 4.6 Trade Union Representatives

The recognised Trade Unions should be invited to nominate safety representatives to attend the Area Group meetings.

4.7 The numbers of Trade Union safety representatives attending Area Group meetings should be determined locally on the basis of effective representation of their respective membership.

4.8 Area Groups should meet on a quarterly basis with meetings arranged to take place at least 2 weeks prior to the CSC meeting to allow minutes to be forwarded for consideration at that meeting.

- 4.9 A member of the Health and Safety Team will normally attend meetings to provide advice on legal requirements, code of practice and other authoritative guidance.
- 4.10 The functions of the Group should include, but not necessarily be confined to the following:-
- a) The study of accidents and notifiable disease statistics and trends, so that reports can be made to management on unsafe and unhealthy conditions and practices, together with any recommendations for consideration in respect of corrective actions.
  - b) Examination of safety audit reports on a similar basis to the above.
  - c) Consideration of reports and factual information provided by the Health and Safety Executive inspectorate.
  - d) Consideration of reports which safety representatives may wish to submit.
  - e) Assistance in the development of safety rules and safe systems of work.
  - f) Monitoring the effectiveness of the safety content of employee training, and identifying training needs.
  - g) Monitoring the adequacy of safety and health communication and publicity in the workplace.
  - h) Monitoring the implementation of health and safety policy and the process of risk assessment at a local level.
- 4.11 Items relating to corporate issues should be referred to the CSC to determine the need for policy formulation or other corporate solution.
- 4.12 Minutes of the Area Groups together with details of proposed actions should be discussed at Operational Area Management Team meetings.

## **5. The Membership and Remit of Service Specific Health and Safety Groups**

- 5.1 The Council Health and Safety Policy requires each Service Director to establish arrangements for health and safety consultation within their Service. The formation of a Service Health and Safety Group helps to fulfil this obligation and also provides a monitoring function in terms of the overall safety management system.
- 5.2 Service groups should comprise of Management representatives from each section of the Service together with Trade Union Safety Representatives who represent members employed by that Service.
- 5.3 Service Groups should meet on a quarterly basis with meetings arranged at least 2 weeks after the CSC meetings. This will allow discussions to take place on Area Group and CSC minutes which may have relevance to Service operations.

- 5.4 The functions of Service Groups should include, but not necessarily be confined to the following:-
- a) The development of Service safety policies and guidance.
  - b) Monitoring the implementation of Corporate and Service specific health and safety policies with specific reference to risk assessment.
  - c) The study of accidents and notifiable disease statistics and trends, so that reports can be made to management on unsafe and unhealthy conditions and practices, together with any recommendations for consideration in respect of corrective actions.
  - d) Consideration of Health and Safety Advisers reports and safety audits.
  - e) Consideration of reports and factual information provided by the Health and Safety Executive inspectorate.
  - f) Consideration of reports which safety representatives may wish to submit.
  - g) Assistance in the development of safety rules and safe systems of work.
  - h) Monitoring the effectiveness of the safety content of employee training, and identifying training needs.
  - i) Monitoring the adequacy of safety and health communication and publicity in the workplace.
- 5.5 Minutes of the Service Health and Safety Groups together with action notes should be discussed at Service Management Team meetings.
- 5.6 Services should ensure that all staff are given prior notification of Service Group meetings and the opportunity to raise issues either through their section representative or Trade Union representative.
- 5.7 Services should also establish a means of communicating the outcome of meetings and particularly proposed actions to all staff.

## **6. The Role and Functions of Trade Union Health and Safety Representatives**

- 6.1 The Highland Council recognises the benefits of having trained Trade Union Safety Representatives and the fact that HSE research shows that workplaces with Trade Union Safety Representatives have 50% fewer injuries than those without.
- 6.2 Trade Union Safety Representatives play an important role in the consultation and communication process and the Council has developed a partnership approach with the recognised Trade Unions to promote the recruitment and development of an effective network of safety representatives.
- 6.3 The current Partnership Agreement is attached as an appendix to this guidance.

- 6.4 A Safety Representatives Charter has also been established through the partnership approach with the Trade Unions. A copy is attached as an appendix to this guidance.
- 6.5 The Charter sets out the agreed process for consultation and the training and competency standards of safety representatives. It also provides formal recognition of the role and functions of Trade Union Safety Representatives and details the facilities and assistance the Council will provide to ensure that the role can be fulfilled. It is designed to clarify, but in no way detract from, the statutory rights assigned to Trade Union Safety Representatives by the Safety Representatives and Safety Committees Regulations 1977 and any other health and safety legislation or code of practice.

## **7. Health and Safety Training for Employee Representatives**

- 7.1 It is recognised that Trade Union Safety Representatives receive extensive training in their role through attendance at TUC approved courses.
- 7.2 It is important therefore that any employee who is selected to represent their Service at either Area or Service specific Health and Safety Groups receive an appropriate level of health and safety training.
- 7.3 It is considered that the minimum level of training for an employee representative should be:-
- a) Attendance at Highland Council Management of Health and Safety course.
- and
- b) Attendance at Highland Council Risk Assessment course.
- 7.4 Details of both courses together with application forms are available from the Employee Development Team, Chief Executives Office, Dochfour Drive, Inverness.

## **8. Management, Staff and Workplace Meetings**

- 8.1 In order to ensure that all employees are included in the health and safety consultation process, it is a requirement that health and safety be included on the agenda of all management, staff and workplace meetings.
- 8.2 It is important therefore for managers to ensure that such meetings take place on a regular basis.
- 8.3 Items for discussion at such meetings should include, but not necessarily be confined to the following:-
- a) Health and Safety legislation – levels of compliance (new and existing).
  - b) Health and Safety policy and its implementation.

- c) Health and Safety Training – identification of training needs and distribution of course information.
- d) Details of accidents and incidents.
- e) Safety advisers or HSE Inspectorate visits and reports.
- f) Health and Safety consequences of introducing new technology, machinery work patterns and alterations to premises etc.
- g) Provision of Health and Safety information and organisation for risk assessments, fire procedures, first-aid, accident reporting etc.
- h) Progress with risk assessment and the introduction of control measures to reduce or eliminate risk.

8.4 Further information and advice on any health, safety or welfare issue raised as part of the consultation process can be obtained by contacting the Health and Safety Team, Chief Executives Office, Dochfour Drive, Inverness.