Recognised Trade Unions have the right to appoint Trade Union Safety Representatives from among the workforce. Where employees do not have Trade Union representation, employers can choose to consult with employees directly or to appoint Employee Safety Representatives. This document outlines the joint procedures to be followed in relation to the appointment and recognition of both Trade Union and Employee Safety Representatives and the facilities that should be made available to them.

**Scope**

Each establishment within Kent County Council (KCC) should develop and implement arrangements for their Trade Union and Employee Safety Representatives.

**The why, what and how**

Consulting employees on health and safety matters is an important part of creating and maintaining a safe and healthy working environment. Consultation should motivate staff, make them more aware and enable them to manage health and safety issues in the workplace.

The number of Trade Union Safety Representatives to be appointed in each county department and their constituencies should be discussed between the chief officer (or nominated manager) and the recognised Trade Unions and members in that department.

In multi-union workplaces, the unions will normally follow TUC/Local Government joint guidelines and appoint safety representatives on a joint basis.

With the exception of shared premises such as county offices, each county department is considered to be a separate unit for the purposes of appointing safety representatives. Other than in county offices and other common user areas, safety representatives perform their function solely on behalf of their department colleagues.

**Notifying and appointing Employee Safety Representatives**

If employers choose to consult employees through an elected representative then employees should, on a local basis, elect one or more of the workforce to represent them and inform them that they have been elected.

**Role of the Employee Safety Representative**

* To raise with employees any concerns about possible risks and dangerous events in the workplace that may affect them.
* To raise with employers general matters affecting the health and safety of both existing and new employees.
* To represent employees in consultations with health and safety inspectors.
* To represent employees at health and safety committee meetings.

**Notifying and appointing Trade Union Safety Representatives**

Each union will inform the appropriate chief officer (or nominated manager) of the name and constituency of each safety representative they appoint.

The essential role of the safety representative is to consult both employers and employees on matters of health, safety and welfare at work.

**Role of the Trade Union Safety Representative**

* To work with employers in arranging for competent people to be appointed to help them satisfy health and safety requirements.
* To provide up-to-date information on the likely risks and dangers arising from KCC activities and suggest ways of removing, reducing or managing those risks.
* To be aware of arrangements for health and safety training.
* To carrying out inspections or investigations of the workplace, particularly in response to accidents, diseases or other events.
* To represent employees in consultations with health and safety inspectors and to receive and pass on information from those inspectors.
* To represent employees at health and safety committee meetings.

Further detailed guidance on the role of the Trade Union Safety Representative is outlined in frequently asked questions.

**Safety Concerns/Complaints**

If you have any concerns or complaints regarding health and safety at work which have not been dealt with or cannot be dealt with by talking to the complainant’s line manager/supervisor, you should follow the guidelines for raising and resolving safety concerns and complaints.

**Associated procedures and documentation**

The topics below refers to legislation and industry standards. To read these in greater detail visit Knet or Kelsi.

**Topics**

* control of substances hazardous to health (COSHH)
* display screen equipment (DSE)
* fire safety
* first aid at work
* managing health and safety
* moving and handling
* personal protective equipment (PPE)
* risk assessment
* workplace health, safety and welfare
* work wquipment
* young persons safety.

**Frequently asked questions**

**What is the role of a Safety representatives?**

The roles and rights assigned to safety representatives are summarised below.

* To represent the relevant group of employees in consultations with the chief officer or the appropriate manager about how they can work together to promote and develop measures that will enhance the health, safety and welfare of employees and to check the effectiveness of those measures.
* To investigate potential hazards and dangerous occurrences at the workplace and to examine the causes of accidents at the workplace.
* To investigate complaints by employees relating to things that impact on their health, safety or welfare at work.
* To make representations to the chief officer or the appropriate manager on general matters affecting the health, safety or welfare at work of the employees who have elected them.
* To inspect the workplace (after giving the chief officer or agreed manager reasonable notice that that is what they are going to do). Although inspections will normally take place every three months, the management and unions may agree a different interval for workplaces where the likelihood of a hazard occurring is either higher or lower than average. They may also agree additional inspections to meet special circumstances.
* To inspect any documents relevant to health and safety in the workplace which the employer is required by law to keep. This excludes any documents relating to the health record of an identifiable individual.
* To receive information from the chief officer or appropriate manager that will enable them to do their job as safety representatives and which relates to the health and safety of employees at work. This may include being told about proposed changes to work patterns or being given technical information relevant to machines, plant, equipment, substances, processes and systems of work.
* To represent the employees in workplace consultations with Health and Safety Executive Inspectors and/or representatives from other enforcing authorities.
* To receive relevant information from Health and Safety Executive Inspectors.
* To attend safety committee meetings in their role as safety representatives in connection with any of the above functions.

**Are safety representatives allowed time off work to carry out their duties?**

* Safety representatives are allowed time off with pay to perform their duties (listed above) and to undergo training. Time off for training will only be permitted where the course has been approved by the safety representative’s union or the TUC.
* Requests for time off will be considered in the light of management’s responsibility for maintaining county council services. Safety representatives asking for time off are expected to inform the appropriate management representative far in advance as is reasonable and will indicate why they require time off, where they will be and how long they expect to be absent.
* Requests for meetings during working hours at which employees are represented shall be made to the chief officer or the appropriate manager. It is accepted that such requests will only be made when a problem affecting health and safety in the workplace needs to be addressed urgently.
* Management will co-operate in arranging for other employees to cover the work of safety representatives who need time off to perform their functions. Employees are also expected to co-operate.

**What facilities should be provided for safety representatives?**

Where possible the following facilities should be made available to safety representatives to help them fulfil their role:

* The use of a telephone for health and safety business.
* A notice board on official premises within the safety representative’s constituency.
* Reasonable use of (plain) stationery and similar materials and use of the council’s internal mailing system.

These facilities should be arranged with the chief officer or his representative.

**How do I raise a concern or make a complaint about health and safety at work?**

Safety representatives, employee representatives and trade union stewards are expected to use the appropriate safety complaints/concerns procedure to raise a complaint or concern about health and safety at work.