

Dawlish Town Council

Policy on Health & Safety Consultation & Communication

1. Statement of Policy

Dawlish Town Council recognises the value of consultation & communication with employees in promoting a health and safety culture and in achieving the objective of reduced accidents and ill-health.

The main forum for employee and consultation will be the Health Safety and Welfare Forum, a committee chaired by the Town Clerk. Communication will be by a variety of methods including publishing of a health and safety policy, use of health and safety notice boards, verbal and written advice from the Health Safety and Welfare Officer and, where appropriate, provision of publications from the Health & Safety Executive and other authoritative sources.

Accident, incident and hazard reports are an important means of communication and staffs are encouraged to use them. These are dealt with in a separate policy.

Staff with concerns over any health and safety matters should feel free to discuss it with the Town Clerk/Administration Officer. The Health Safety and Welfare Officer can give advice to staff.

The requirements of the Health & Safety at Work etc. Act 1974 include the requirement to organise a safety committee, if requested to do so by union safety representatives, and the requirement to provide information to employees.

The duty to consult and communicate with union safety representatives is expanded by the Safety Representatives and Safety Committees Regulations 1977 as amended by the Management of Health and Safety at Work Regulations 1992. Items on which the union safety representatives must be consulted are given in appendix 3.

There is also a duty on employers to consult, either directly or through elected representatives, with employees who are not union members. This is contained in the Health and Safety (Consultation with Employees) Regulations 1996.

The Health Safety and Welfare Forum will be chaired by the Town Clerk and will include member representatives, employee representatives, and ex-officio members. The membership is given in appendix 1.

2. Organisation and Arrangements

2.1 The Administration Officer

- will organise regular meetings of the Health Safety and Welfare Forum. Such meetings will be held not less than twice per annum
- arrange for minutes to be taken and distributed;
- receive reports and agenda items and ensure that the agenda is circulated to forum members well in advance.

2.2 The Chair of the Health Safety and Welfare Forum

- will chair the forum and deal with matters relating to its membership constitution and functions. The membership of the committee is given in appendix 1;
- will liaise with managers, staff representatives and the members, as appropriate, to ensure that the forum fulfills the requirements of legislation and this policy.

2.3 Union Safety Representatives

Union safety representatives are appointed by their respective union and are not management appointees. They must be consulted on health and safety matters and have rights in law including the right to inspect the workplace and to inspect and take copies of certain documents. These documents include those required to be kept by health and safety law but exclude those relating to the health of an identifiable individual.

- they will represent members of their respective unions at the Council location where the representative is based, and so far as is practicable, at other locations;
- the functions of union safety representatives will be those given in section 2(4) of the Health and Safety at Work Act and regulation 4 of the Safety Representatives and Safety Committees Regulations. See appendix 2 for more details;
- union safety representatives will be given sufficient time off, with pay, to perform the functions in connection with their appointment, including attending training. This is a legal requirement under

regulation 4 (2) (a),(b) of the Safety Representatives and Safety Committees Regulations;

- they may, in the event of urgent business arising, request that the Principal Committee Administrator arrange for an extraordinary meeting of the Health Safety and Welfare Forum.

2.4 Representatives of employee safety

Representatives elected by non-union employees are known as “representatives of employee safety”. They are volunteers who offer themselves for election by a particular group of employees. All employees in a group will be eligible to vote in any election for a representative of employee safety. Items on which non-union employees or their representatives must be consulted are given in appendix 5. In particular they :-

- will represent members of their respective electoral groups;
- endeavour to carry out the functions given in regulation 6 of the Health and Safety (Consultation with Employees) Regulations 1996. See appendix 4 for more details;
- will be given sufficient time off, with pay, to perform the functions in connection with their appointment, including attending training. This is a legal requirement under regulation 7 (1), (2) of the Health and Safety (Consultation with Employees) Regulations;
- may, in the event of urgent business arising, request that the Principal Committee Administrator arrange for an extraordinary meeting of the Health Safety and Welfare Forum.

2.5 The Health Safety and Welfare Officer

will :-

- present to the committee accident statistics, reports, discussion documents, and other documents as appropriate;
- ensure that a copy of the Council health and safety policy is available for inspection in The Manor House and at the Leonard Lamb Community Centre and that an adequate number of copies have been distributed to departments;

- ensure that statutory notices, other notices and information sheets and other items of interest in promoting health and safety are displayed on the Council health and safety notice boards;
- use such means as are appropriate to disseminate health and safety information to staff; This may include use of the newsletter, distribution of leaflets and information sheets, etc.

January 2003

Appendix 1

The Membership of the Health Safety and Welfare Forum

As at January 2003

Chairman

Town Clerk

Employee Representatives

Administration Officer
Administration Assistant
Waterfowl Warden
Caretaker

Union Health and Safety Representatives

None

Member Representatives

Chair Finance and General Purposes Committee
Chair Management Committee
One nominated Member

Ex-Officio Members

Town Mayor

Clerk to the Committee

Administration Officer

Appendix 2

Functions of union safety representatives

The main function of safety representatives given in Section 2 (4) of the Health and Safety at Work Act is to represent the employees in consultations on health and safety with the employers.

More detailed functions are given in regulation 4 (1) of the Safety Representatives and Safety Committees Regulations and these are reproduced in slightly modified form below. **Nothing in the above mentioned regulations imposes any duty on a safety representative over and above the duties imposed on all employees by Sections 7 & 8 of the Health and Safety at Work Act.**

The more detailed functions of the safety representatives are to :-

- investigate potential hazards and dangerous occurrences at the workplace (whether or not they are drawn to his or her attention by the employees he represents) and to examine the causes of accidents at the workplace;
- investigate complaints by any employee he or she represents relating to that employee's health, safety or welfare at work;
- make representations to the employer on matters arising out of the above investigations;
- make representations to the employer on general matters affecting the health, safety or welfare at work of the employees at the workplace;
- carry out inspections of the workplace in accordance with the above mentioned regulations;
- represent the employees he or she was appointed to represent in consultations at the workplace with inspectors of the Health and Safety Executive and of any other enforcing authority;
- receive information from inspectors in accordance with Section 28 (8) of the Health and Safety at Work Act;
- attend meetings of the Health Safety and Welfare Forum.

Appendix 3

Matters on which union safety representatives must be consulted

The Health and Safety at Work Act, Section 2 (6), places a general duty on employers to consult union safety representatives :-

- with a view to the making and maintenance of arrangements which will enable the employer and his employees to cooperate effectively in promoting and developing measures to ensure the health and safety at work of the employees and in checking the effectiveness of such measures.

The employer is required by regulation 4 A of the Safety Representatives and Safety Committees Regulations to consult the union safety representatives in good time in respect of the following matters :-

- the introduction of any measure at the workplace which may substantially affect the health and safety of the employees the safety representatives concerned represent;
- arrangements for appointing a competent person or persons to assist the employer in meeting legal requirements in respect of health and safety;
- arrangements for nominating a sufficient number of competent persons to implement evacuation procedures from premises in the event of serious and imminent danger;
- any health and safety information that the employer is legally required to provide to employees the safety representatives concerned represent;
- the planning and organisation of any health and safety training the employer is legally required to provide to employees the safety representatives concerned represent;
- the health and safety consequences for the employees the safety representatives concerned represent of the introduction (including planning) of new technologies into the workplace.

Appendix 4

Functions of representatives of employee safety

The main function of representatives of employee safety are given in regulation 6 of the Health and Safety (Consultation with Employees) Regulations 1996 and these are reproduced in slightly modified form below. **Nothing in the above mentioned regulations imposes any duty on a representative of employee safety over and above the duties imposed on all employees by Sections 7 & 8 of the Health and Safety at Work Act.**

The functions of the representatives of employee safety are to :-

- make representations to the employer on potential hazards and dangerous occurrences at the workplace which affect, or could affect, the group of employees he or she represents;
- make representations to the employer on general matters affecting the health, safety or welfare at work of the group of employees he or she represents, and in particular on matters which are the subject of consultation with the employer;
- represent the employees he or she was appointed to represent in consultations at the workplace with inspectors of the Health and Safety Executive and of any other enforcing authority.

In addition to the above functions which are specified in the Regulations, the Council requires representatives of employee safety to :-

- endeavour to attend meetings of the Health Safety and Welfare Forum.

Appendix 5

Matters for consultation with non-union employees or their representatives

The employer is required by regulation 3 of the Health and Safety (consultation with Employees) Regulations to consult non-union employees or their representatives in good time in respect of the following matters :-

- the introduction of any measure at the workplace which may substantially affect the health and safety of the employees;
- arrangements for appointing a competent person or persons to assist the employer in meeting legal requirements in respect of health and safety;
- arrangements for nominating a sufficient number of competent persons to implement evacuation procedures from premises in the event of serious and imminent danger;
- any health and safety information that the employer is legally required to provide to employees;
- the planning and organisation of any health and safety training the employer is legally required to provide to employees;
- the health and safety consequences for the employees of the introduction (including planning) of new technologies into the workplace.