

## Functions of union-appointed health and safety representatives

The role of the health and safety representative is **independent of management**. Representatives are there to represent the interests and concerns of their co-workers and respond on their behalf. They provide valuable insight, skills and resources that help employers and their co-workers.

The law sets out what functions representatives have. All representatives, either appointed by trade unions or elected by employees can:

- Represent the workforce on health and safety generally, or make representations on potential hazards and dangers;
- attend training courses; and
- have contact with inspectors

The law makes it clear that they can:

- represent employees generally and when the employer consults them about specific matters that will affect the health, safety and welfare of the employees;
- represent employees when Health and Safety Inspectors from HSE or local authorities consult them;
- investigate accidents near misses, and other potential hazards and dangerous occurrences in the workplace;
- investigate complaints made by an employee they represent about their health, safety or welfare in the workplace;
- present the findings of investigations to the employer;
- inspect the workplace;
- with at least one other appointed representative, request in writing that the employer set up health and safety committees; and
- attend Health and Safety Committee meetings as a representative of all employees

Investigating accidents, hazards and complaints:

There needs to be an agreed a system for informing the representative if an incident occurs and involve them in investigations as soon as possible. Such incidents can be vital signals that the employer's way of preventing or reducing risks and dangers is not working. Proper investigation can show the employer where the weaknesses are so they can work towards improving the measures they take.

Following a reportable incident:

**Employers must** make sure that:

- they tell the representatives of the action taken and confirm this in writing if they have to take urgent steps to safeguard against further or immediate dangers;
- the representatives see and take copies of relevant documents which employers have kept as part of their records for health and safety management so they can carry out inspection and examination of reportable incidents

**Health and safety representatives must** make sure that:

- when they examine any machinery, plant, equipment or substance in the workplace relevant to the incident, they must not interfere with any evidence that could disturb or destroy factual evidence before a health and safety inspector has thoroughly investigated the incident
- **representatives should only inspect once it is safe and appropriate to do so**, these inspections could include visual inspection, and discussions with those who know about the circumstances of an incident;
- when they ask employers for relevant documents for inspection, they should consider reasonable time and circumstances that employers may face in producing such documents

An investigation involving the health and safety representative can give employees more confidence to co-operate. They may feel more comfortable speaking to a co-worker who can relate to them so they will say what they really think. Representatives can play a very useful role here in communicating effectively with the employer and employees.

For health and safety representatives to be able to perform their functions, they need to be equipped with appropriate skills and knowledge, so the employer must plan for their training.

Training for health and safety representatives appointed by trade unions is arranged by their own union. Many trade unions offer online training courses, so health and safety representatives may not always have to leave the workplace, but may simply require access to online training within the workplace and time to complete the course.

It is helpful for all new health and safety representatives to have training that will cover:

- the role of the representative, including how to communicate in committee meetings, with colleagues for views, with employers to raise issues, and with health and safety inspectors;
- health and safety legislation;
- how to identify and minimise hazards and dangerous occurrences;
- health and safety issues of new technology; and
- how to carry out a workplace inspection and accident investigation

It is important that as soon as possible after a union safety representative is appointed in their workplace, they should be allowed paid time off to attend basic health and safety training approved by the TUC or by the union that appointed them. Further training can be taken as the need arises - for example, refresher courses or courses on specific hazards or issues like new safety laws.

The type of training available via the TUC is:

**Course: Stage 1 health and safety course**

Time commitment: 60 hours of guided learning (usually 10 days of day release, a day per week)

Course content:

- Role and functions of the trade union health and safety rep
- Organising for health and safety
- Preventing accidents and ill-health
- Skills for safety reps
- Planning for the future

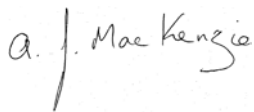
**Course: Stage 2 health and safety course**

Time commitment: 60 hours of guided learning

Course content:

- Building a safe and healthy workplace
- Building health and safety organisation
- Keeping up-to-date on health and safety
- Effecting change in health and safety
- Planning for the future

For more details on becoming a safety representative please contact your nearest union representative or trade union web site. You can also contact me directly and I will help you via your union to become a much needed safety representative.



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