

COMMUNICATION/CONSULTATION ON HEALTH & SAFETY

(See also: [Management of Health & Safety\(51\)](#); [Computer software\(17\)](#))

INTRODUCTION

Communicating and consulting on matters of health & safety are vital elements in organising for health and safety. They help promote a positive health and safety culture and secure the implementation and continued development of health and safety policies.

COMMUNICATION

Communication involves information coming in to the business, flowing within the business and going out from the business i.e.

- Arrangements should be in place to either receive or be alerted to legal, technical or health and safety management practice developments that could affect your business. This may be via trade or in-house publications, specialist health and safety periodicals or information (including Help/Advice Lines) provided by enforcing authorities.
- Effective internal communication is essential if health and safety procedures / policies are to be understood and consistently implemented. Organisations successful in health and safety make full use of three inter-related methods: **visible behaviour** by managers and others, the **written word** and **face-to-face discussion**. Any written documents should be tailored to the needs of your business, in general with the degree of detail being proportional to the level of complexity and risk. In addition to permanent documents, employees can be informed through posters, hand bills, newsletters, campaigns or promotions. Posters are best used to support the achievement of specific targets or to improve knowledge of particular and relevant risks. Face-to face discussion supports other communication activities by enabling employees to participate. Formal consultative meetings can be further supplemented by team briefings or general management meetings with health and safety as a standing agenda item.
- Information leaving the business may include the supply of accident or ill-health information to the enforcing authority or sending safety policies to clients.

CONSULTING EMPLOYEES

Consultation with employees must be carried out on matters to do with health and safety at work, including:

- any change which may substantially affect their health and

safety at work, for example in procedures, equipment or ways of working

- the employer's arrangements for getting competent people to help
- information on hazards and risks and preventive measures, procedures and practices.
- planning health and safety training
- new technology

Consultation is required by the following:

1. The Safety Representatives and Safety Committees Regulations (SRSCR) 1977

If an employer recognises a trade union and that trade union has appointed, or is about to appoint, safety representatives under the SRSCR 1977, then the employer must consult those safety representatives on matters affecting the group or groups of employees they represent. Members of these groups of employees may include people who are not members of that trade union.

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

Any employees not in groups covered by trade union safety representatives must be consulted by their employers under the HSCER 1996. The employer can choose to consult them directly or through elected representatives. If the employer consults employees directly, s/he can choose whichever method suits everyone best. If the employer decides to consult employees through an elected representative, then employees have to elect one or more people to represent them.

If the employer's arrangements already satisfy the law then there is no need for change.

The employer must make sure that elected representatives receive the training they need to carry out their roles, give them the necessary time off with pay and pay any reasonable costs to do with that training.

The difference between the roles of trade union safety representatives and elected representatives of employee safety (the latter being elected by groups of employees not covered by trade union safety representatives) is as follows:

Under the **SRSCR 1977** the roles of trade union safety representatives are:

- to investigate possible dangers at work, the causes of accidents there and general complaints by employees on health, safety and welfare issues and to take these matters up with the employer;

- to carry out inspections of the workplace particularly following accidents, diseases or other events;
- to represent employees in discussions with health and safety inspectors and to receive information from those inspectors; and
- to go to meetings of safety committees.

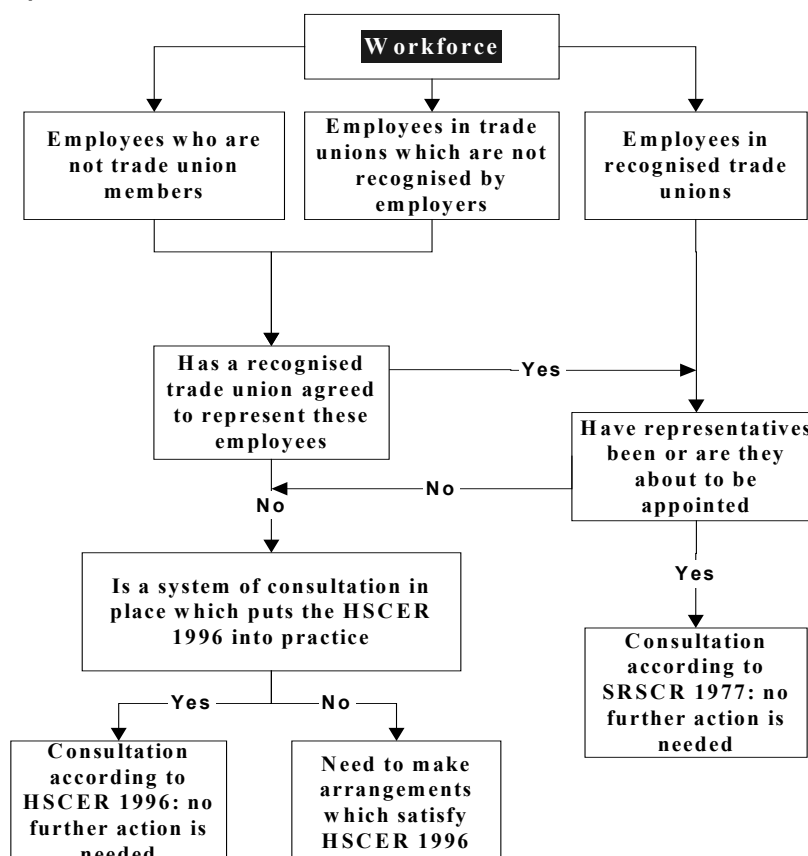
The employer must set up a safety committee if two or more trade union safety representatives ask for one.

The separate **HSCER 1996** give elected representatives of employee safety the following roles:

- to take up with employers concerns about possible risks and dangerous events in the workplace that may affect the employees they represent;
- to take up with employers general matters affecting the health and safety of the employees they represent; and
- to represent the employees who elected them in consultations with health and safety inspectors.

Employers may chose to give elected representatives extra roles as well.

The following diagram shows the relationship between the two sets of regulations and how they affect employers and their employees.



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INFORMATION, INSTRUCTION AND TRAINING

Appendices A and B in booklet L95 - A Guide to the Health and Safety (Consultation with Employees) Regulations 1996 (See References) contain excellent summaries of the requirements for information, instruction and training for employees in existing legislation.

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**CHECKLIST -
COMMUNICATION/CONSULTATION
ON HEALTH & SAFETY**

**COMMUNICATION
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- | | | | |
|----|---|-----|----|
| 1. | Do you have means to regularly receive relevant information on health and safety matter? | YES | NO |
| 2. | Do you have an effective system to communicate on issues of health and safety within your business? | YES | NO |
| 3. | Do you maintain necessary outflows of information (e.g. accident and ill-health reporting) and are all employees aware of the requirements? | YES | NO |
| 4. | Are you meeting your various legal obligations to inform, instruct and train your employees? | YES | NO |
| 5. | Do you meet the consultation requirements in HSCER 1996? | YES | NO |

REFERENCES/FURTHER DETAILS

- * 1. Booklet L95 - A guide to the Health and Safety (Consultation with Employees) Regulations 1996 (ISBN 0 7176 1234 1) (HSE)
- **2. Leaflet IND(G)232L - Consulting employees on health and safety (HSE). www.hse.gov.uk/pubns/indg232.pdf

* Available to view by prior arrangement at Nuneaton and Bedworth Borough Council, Environmental Health Services, Council House, Coton Road, Nuneaton. CV11 5AA

** Free copy available from Nuneaton and Bedworth Borough Council at the above address.

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