



# HSC Consultation on improving worker involvement

What it means and how to respond

# HSC Consultation on improving worker involvement

## Introduction

This pack provides a briefing on the Health and Safety Commission Consultation Document *Improving Worker Involvement – Improving Health and Safety*. This consultation is important to every single trade union safety representative.

The pack contains:

- The arguments for improving safety representatives' rights;
- Problems with the current regulations;
- Information on what the Health and Safety Executive (HSE) has been doing to promote worker involvement;
- Details of the consultation exercise;
- Advice on how to respond.

We are asking that you:

- **Respond to the consultation.** It does not have to be a detailed response. It can even just be a letter. But use your own knowledge and experience. This pack will help you make a response.
- **Speak to your employer about a joint response.** If your employer values worker involvement or, if you have negotiated any additional rights such as roving safety representatives, then try to get a joint response. This will count a lot towards showing that many employers actually value safety representatives.

We need as many responses as possible if we are going to get any change at all. Unless we can show that there is overwhelming support from workers and safety representatives (and even some employers) for the changes, then nothing will happen. So your response may be crucial.

The closing date for responses to the HSC is 8<sup>th</sup> September – but do not leave it too late. Please send a copy of any response to your trade union head office.

# The Case for Improved Rights for Safety Representatives

The TUC believes that the involvement of the workforce is crucial to achieving good standards of health and safety, and that health and safety systems work best when trade unions and employers work together.

It has been repeatedly demonstrated in studies from a broad range of countries that worker activity, with union support behind it, is a major factor in reducing injuries and disease at work. Statistics show that better standards of health and safety are achieved in unionised workplaces than in similar non-unionised ones. At the core of this are Safety Representatives.

Since 1977 workers in workplaces that recognise trade unions have been protected by trade union appointed safety representatives. These have legal rights, which include:

- representing employees in discussions with the employer on health, safety or welfare issues and in discussions with the HSE or other enforcing authorities
- being consulted 'in good time' over a large range of health and safety issues
- being involved with risk assessment procedures
- attending safety committee meetings
- having access to relevant health and safety information
- inspecting the workplace
- investigating potential hazards
- investigating notifiable accidents, cases of diseases or ill health, and dangerous occurrences
- investigating employees' complaints
- receiving information from health and safety inspectors
- being given paid time off their normal work to carry out their functions and undergo training
- having access to suitable facilities and assistance to carry out their functions.

Since 1996, in workplaces not represented by trade unions, the employer can choose to consult workers directly or through elected representatives (called Representatives of Employee Safety).

In practice there are very few Representatives of Employee Safety. They have fewer rights and functions than trade union safety representatives, and no support or resources.

We know that the 150,000 trade union safety representatives make a difference because trade union involvement:

- Helps reduce injuries at work
- Leads to reductions in the levels of ill-health caused by work
- Encourages greater reporting of injuries and near-misses
- Makes workers more confident
- Helps develop a more positive safety culture in the organisation.

## Where is the proof for this?

There is a wealth of evidence that has been produced over the past 10 years, both in the UK and abroad. In 1995 a group of researchers analysed the relationship between worker representation and industrial injuries in British Manufacturing. It found that those employers who had trade union health and safety committees had half the serious injury rate of those employers who managed safety without unions or joint arrangements. In 2004 a further analysis of the data confirmed that “the general conclusion that health and safety should not be left to management should be supported.”

A study of 1998 figures also confirmed that “unions gravitate towards accident prone workplaces and react by reducing injury rates”. This study showed that where there is a union presence the workplace injury rate is 24 per cent lower than where there is no union presence.

Trade union safety representatives also help reduce ill-health. A study in 2000 found that “The proportion of employees who are trade union members has a positive and significant association on both injury and illness rates.” It went on to say that “the arrangements associated with trade unions... lower the odds of injury and illness when compared with arrangements that merely inform employees of OHS issues”.

In 2003 the HSE ran a number of pilots where trade union appointed “Worker Safety Advisors” went into non-unionised organisations. The report into the pilot showed that over 75 per cent of employers said they had made changes as a result and almost 70 per cent of workers had seen an increase in the awareness of health and safety.

In Ireland a group of academics looked at the construction industry in both Northern Ireland and the Irish republic. It concluded: “the strongest relationship with safety compliance is the presence of a safety representative”.

For more information on the positive role that unions play in health and safety see the TUC report *The Union Effect* at [www.tuc.org.uk/h\\_and\\_s/tuc-8382-f0.cfm](http://www.tuc.org.uk/h_and_s/tuc-8382-f0.cfm)

## Problems with the existing regulations

For many years the TUC has been calling for changes to the current regulations. Top of the TUC agenda is enforcement of the current regulations. Despite the overwhelming evidence that consultation saves lives and prevents injuries, many employers do not consult with their workforce and, despite this being a legal requirement, there has never been one case where an employer has been prosecuted for this. We also want it made easier for safety representatives to use the rights they have.

The biggest problem for many safety representatives is simply getting time off to act as a safety representative, or for training, despite these being legal rights. Many safety representatives also fear victimisation. “Hazards” magazine recently reported that dismissal for raising health and safety concerns was one of the biggest reasons given for claiming unfair dismissal, and the legal system is woefully inadequate in protecting safety representatives. The Regulations are accompanied by an Approved Code of Practice and Guidance. These are in grave need of updating as they do not relate to the world of work today and are often difficult to understand.

However we also want improvements to the existing regulations. At the moment safety representatives can raise any safety matter they want with their employer – but there is no legal duty to respond. To get round that, many unions have managed to get their employer to agree to a system of “improvement notices” (also called Union Inspection Notices) whereby the employer agrees to respond to items raised by a safety representative. These however have no legal status unlike in Australia where safety representatives can issue a form of improvement notice called a Provisional Improvement Notice (PIN). These have led to increased compliance and are broadly supported by both sides of industry, and the government.

The TUC also believes that, where a workplace is clearly unsafe and a serious injury is likely to take place, a safety representative should be able to stop that work taking place. At the moment individual workers do have the right to stop work if there is a “serious and imminent” danger, but this almost never happens as, individually, they fear the repercussions from the employer. If safety representatives had the right to do it, with full protection against victimisation, dangerous practices could be stopped immediately.

There are also restrictions on those workers a safety representative can act on behalf of. Since the Regulations were made in 1977 there have been great changes in the world of work with more small employers, more contracted out staff, more agency workers. If you have employees working in the same workplace, but with different employers, then the safety representative can only represent the workers employed by his or her own employer.

Many unions have negotiated roving safety representatives as a way to get round this. They can either mean that the safety representative covers workers employed by other employers within the same workplace, or the safety representatives cover a range of workplaces. These have been most effective in areas like the NHS and education. There have also been a number of pilots in Agriculture. However, the status of these safety representatives can be unclear given the wording of the current regulations.

## More than Just New Rights

Despite a platform of legal rights, far too many safety representatives are unable to get time off to do a basic inspection of their workplace four times a year. Often safety representatives are not given copies of their employers' sickness and absence records. Nor do they always see copies of risk assessments. Sometimes they just do not have time to ask for these or to deal with them if they get them. This is mainly because safety representatives are volunteers. Often they are just overwhelmed by pressures of work. Many are also faced by an antagonistic employer. There has to be more recognition of the pressure that many safety representatives are under.

The TUC have, over the past year, been running a campaign aimed at improving the organisation of safety representatives and making them more effective. It has produced an organising pack for use by branches (available free on the TUC website, [www.tuc.org.uk/extras/organising.pdf](http://www.tuc.org.uk/extras/organising.pdf)), and the book *Hazards at Work* has been totally re-written to make it even more usable for union activists.

The HSE needs to back-up its stated commitment to worker involvement by stronger support for safety reps, for instance by providing materials that are suitable for them. Campaigns should be run to show employers the value of consultation, as well as to remind employers of their legal obligations. And action should be taken against those who do not consult with safety representatives. The HSE should also be more vocal in saying that only the union model works in protecting the health and safety of workers.

# HSC Declaration on Worker Involvement

In 2004, the Health and Safety Commission published its *Strategy for workplace health and safety in Great Britain to 2010 and beyond*. Worker involvement and consultation is a key element of this strategy.

The Commission states: “An organisation’s greatest asset is its workforce. Employees are often best able to spot issues and bring about real improvements. They can also influence health and safety through their own actions and by accepting personal responsibility. Workplace health and safety representatives operating in partnership with management are an important part of realising health and safety benefits. We recognise their valuable contribution. We need to expand the base of employee involvement in health and safety management to cover the whole workforce.”

A statement issued by the HSC in 2004 on worker involvement and consultation reflects the vital importance that they place in having a workforce that is fully involved in health and safety. The purpose of this statement is to make the case for worker involvement and consultation and highlight what a collaborative approach between partners can achieve. It sets the long-term agenda and describes the measures the Commission considers necessary to achieve its goal. The HSC wants workers engaged in the management of risks to their occupational health and safety and working in partnership with management to achieve this.

The statement is based on the core principle that workers who have a voice and are given the ability to influence health and safety are safer and healthier than those who do not. It sets out:

- the principles and evidence supporting the effectiveness of worker involvement
- examples of ways to secure it
- measures for joint working by social partners to achieve the statement’s aim of securing better worker involvement and consultation for the future.

Since then the HSE has set up a “Worker Involvement Programme”. In the past two years this has led to a number of improvements including:

- The first ever HSE publication aimed specifically at safety representatives – with more promised.

- A website specifically for safety representatives on the HSE website. This includes guidance, advice and copies of forms that safety representatives can download.
- A three years Workers Challenge Fund with £1 million every year towards improving worker involvement (not however just for unions).
- Agreement with the TUC to publish the “Brown Book” and make it available free for safety reps who previously had to pay for it.
- More involvement of unions in HSE work on issues like falls from height, slips and trips, and musculoskeletal disorders.

Although there has been a considerable improvement in the attitude of some sections of the HSE towards trade unions and safety representatives through the worker involvement programme, there is still a very long way to go.

Safety representatives continue to find that inspectors will just not enforce the current consultation regulations. This is mainly because the HSE have said they do not see it as part of their function. Many inspectors still do not automatically try to speak to the safety representative when they visit the site. Most material on current issues is still aimed at employers with little regard to the role that safety representatives play in developing a safety culture within organisations.

If safety representatives are genuinely going to be seen as partners then these have to be addressed.

# The Consultation

The HSC has issued a consultation paper called *Improving worker involvement – Improving health and safety*. It is available on the HSE website at [www.hse.gov.uk/consult/condocs/cd207.htm](http://www.hse.gov.uk/consult/condocs/cd207.htm)

The consultation runs until 8th September 2006.

In the paper the HSC seeks views on a number of issues. These include:

- The balance between legislation, guidance and encouragement.
- Improvements to the current guidance.
- What, if anything, should replace the current WSA Challenge Fund.
- Whether to change the name of safety representatives to “health and safety representatives”.
- Whether there should be a legal requirement on employers to consult safety representatives on risk assessments.
- Whether there should be a legal requirement on employers to respond to representation made by safety representatives.

One of the problems of the consultation is that it suggests people should indicate whether they want the balance between guidance, encouragement and legislation to be changed. This is not the issue for trade unions. We want more of all three. But more importantly, we want more, and better enforcement.

We do not see guidance or encouragement as being a substitute for properly enforced legislation. The voluntary approach has never worked unless there is a legislative back up, which is why we support improved rights. We therefore welcome the proposed new duties as far as they go.

This is not only because they will help safety representatives, but because they will also lead to the HSE revising their current guidance for safety representatives – something that is woefully overdue.

The proposed changes may also give an impetus to the other work that the HSE are doing on safety representatives and worker involvement. However the proposals will not give us either provisional improvement notices, roving safety representatives, or the right to stop the job. We believe these are needed if safety representatives are to be able to be fully effective.

## How to respond

The TUC has asked that people do not simply make a standard response. Instead we hope that safety representatives, and trade unions will make their responses based on their practical experience. It is important that as many people respond with examples of how their effectiveness has been reduced because of the lack of effective regulation, or enforcement. We also hope that people will give examples of how they have used roving safety representatives or negotiated Union Inspection Notices to improve safety in their workplace. For example, members of the Musicians Union or Equity may want to say how Roving Safety Representatives have worked in their industry, while members of BECTU may want to say how their exclusion from the regulations has hampered their work.

Most important however will be any responses that can be submitted by unions and employers together supporting changes to the regulations, and highlighting how worker involvement has improved the culture within that organisation. We hope you will approach your employer to see if this can be done.

A briefing on possible answers to the questions in the consultation is attached. **Please note that there is no need to answer all questions, or give detailed answers, but make sure you answer questions 10 (a) and 12 (a).**

# Responding to the Consultation

The consultation paper includes a reply form to allow people to respond. This contains 20 questions. You do not have to answer all 20 questions. Just reply to those where you feel that you have something useful to contribute. The most important for safety representatives are probably questions **1, 2, 4, 7, 8, 10**. Make sure your employer supports questions **8 and 10**.

It is also not necessary to use the reply form. A simple letter outlining your views would also be sufficient. If you do use the reply form, in some cases, for example questions **8(a), 8(b), 10(a)** and **10(b)** there is no space on the form for an explanation so you may want to include any further information or comments you have on a separate piece of paper.

What is most important is to give practical examples based on your experience as a safety representative. These can include examples of where existing regulations have been insufficient to allow you to help you fulfil your role as a safety representative or where you have negotiated roving safety representatives or inspection notices with your employer and this has made a difference.

The current regulations, Approved Code of Practice and Guidance – also called the “Brown Book” – is on the TUC website at [www.tuc.org.uk/extras/brownbook.pdf](http://www.tuc.org.uk/extras/brownbook.pdf)

The TUC is not providing a “model response” for safety representatives. This is because these would all be treated as one response, and it would lose the personal and practical touch that your own words can give.

## Questions

**Q1: Have we got the right...legislation, guidance, encouragement?**

We hope that you will tick **no** for “legislation”.

**Q2(a): Have we got the balance between these right?**

We hope that you will tick **no**.

**Q2(b): If not, which pillar or pillars need adjusting and how?**

We need more legislation, but more importantly, we need more enforcement of legislation. Legislation that is not enforced is meaningless. While guidance and encouragement is welcomed, the voluntary approach, in itself, has never worked and

guidance and encouragement should be there to support and reinforce a strong regulatory framework.

**Q3(a): What impact have the ICE Regulations had (or do you think they will have) on your organisation?**

This question relates to the information and consultation of employees regulations 2004 which have only just come into force from April this year, and then only for large employer. They are therefore unlikely to have had any impact on the organisation yet. They require employers to inform employee representatives about the organisations activities and economic situation and to consult them on employment issues and major changes in work organisation. There is only a need to answer this question if you have had discussions with your employer on this.

**Q3(b): What impact have the ICE Regulations had (or do you think they will have) on consultation on health and safety?**

It is impossible to say what impact these regulations are likely to have on consultations on health and safety, as there is no way of knowing how effective they will be. It is also unlikely that any resources will be put into enforcing them. This should not be seen as a substitute for proper regulations on consultation on health and safety.

**Q4(a): Do you think the existing guidance should be improved?**

We hope that you will answer **yes** to this question.

**Q4(b): If so, in what way?**

The guidance is contained within the “Brown Book”, available on the TUC website. There is also an approved Code of Practice covering the functions of safety representatives and access to information.

The Code of Practice and Guidance are both unclear in many areas such as training. They also need clarification in respect of which workers safety representatives can cover. The guidance does not reflect the changing world of work since 1977 in respect of greater shift working, part time working, home-working, and contractorisation. It should cover issues relating to the increased flexibility within the workforce. There is also a need for practical examples within the guidance. However, much of what is in the guidance should actually be within the Code of Practice so that employers have to take it into account. Nevertheless, simply improving the Code of Practice of Guidance, in itself, will not improve the ability of safety representatives to perform the functions unless it is combined with new regulations and enforcement.

**Q4(c): What is the most useful part of our current guidelines?**

Please give examples of how and when you have used the guidelines or code of practice. This might include when seeking to establish safety committees, to exercise your rights to time off to undertake their duties in areas such as inspections or for training, or when seeking information.

**Q5(a): Based on what we know so far, do you think that we should promote a further voluntary initiative like the WSA Challenge Fund, once it ends in March 2007?**

Most safety representatives will have no experience of the WSA Challenge Fund and may not wish to comment on it.

There is support for the continuation of some sort of fund to support worker involvement, but unions would want to ensure that any fund is, first and foremost, to develop sustainable models of worker involvement. It must be aimed at funding work that will develop lasting partnerships between employers and employees to improve health and safety and promote the union model.

Where worker/employer partnerships have been developed with help from the HSE, there have been long term improvements in the health and safety culture of these sectors. Any new fund should support such a partnership with the emphasis on worker involvement. Funding should be available for trade/employer groups and employee representative organisations to secure funding to develop morals that were appropriate for that industry or sector, set targets and develop and promote a plan to achieve these targets. Funding should also be available for periods beyond just one year.

**Q6(a): Do you believe that a framework of standards of best practice would be a useful and effective tool to encourage worker involvement?**

This simply asks for a “yes” or “no” answer. Instead we would suggest you answer on a separate piece of paper that they would not work in isolation. The voluntary approach in itself has never been effective. Standards of best practice would only be useful or effective, if they are designed to reinforce strong regulation, and that these regulations are enforced. Voluntary standards are not a substitute for regulation and enforcement.

**Q6(b): Would you use such a tool in your own workplace?**

We would recommend that you either ignore this question, or respond on a separate piece of paper that this would only be of use if you knew that any employer failing to engage in the process would be subject to enforcement action.

**Q7(a): What sorts of incentive to encourage more worker participation have been successful in your experience?**

Please give any practical examples from your own experience. These can include any initiatives your union has undertaken in your workplace or you have taken jointly with your employer.

Employers can encourage employees to become more involved by making public statements that they support the role of safety representatives, encouraging their workforce to join a trade union setting up and supporting safety committees.

**Q7(b): What more can we in the HSC and HSE do to help?**

The biggest assistance would be to start enforcing the current consultation regulations. All inspectors should ask an employer how they consult, and ask for documentary evidence, on each visit. They should also ask to see any safety representatives as a matter of course.

Much good work has been done by the worker involvement team of the HSE in providing some additional resources that safety representatives can use, but there has to

be much greater promotion of worker involvement in all HSE materials and resources. In addition more materials have to be targeted specifically at safety representatives. As unpaid volunteers, safety representatives also need access to all regulations, ACoPs and guidance without having to pay for them.

**Q8(a): Do you agree that a duty on employers to consult safety representatives on the overall mechanism of risk assessment and on significant assessments would be helpful?**

We hope that you will answer **yes** to this question.

*(There is no space on the form for any detail so please respond on a separate piece of paper.)* Please also give any practical examples from your own experience of how consultation on risk assessment has, or has not worked, in your workplace on a separate piece of paper. In our recent TUC survey less than three in 10 safety representatives were satisfied with their involvement in risk assessment. Around half are not consulted at all.

While the risk assessment process is clearly a responsibility for management, it is clear that risk assessments can only be of practical use if safety representatives are involved. Safety representatives know what actually goes on in the workplace, not what should go on.

**Q8(b): Are our proposals practical?**

We hope that you will answer **yes** to this question. However, the TUC is concerned that it is proposed that any risk assessments that only affect an individual should only involve the safety representative if the employee effectively consents. This gives the wrong impression that it is the person, and not the work activity which is being assessed. Workers change, and also the effects of a work activity will always affect more than one person. Safety representatives should be consulted on all risk assessments.

**Q9: What other measures do we need to take to make sure this does not become bureaucratic or simply a paper exercise?**

Consultation need not be bureaucratic or a paper exercise. It is important that proper records of a risk assessment are kept. There is no reason why consulting a safety representative on this should be any greater a burden than any other part of the risk assessment process. Risk assessment is one of the main planks of the health and safety culture within the UK. It is a serious omission that it is not currently a specific duty on employers to consult with safety representatives and correcting this omission should not be seen as being an administrative burden. Instead it should be viewed as a positive towards making the process more effective.

**Q10(a): Do you agree that employers should have a duty to respond to representations from safety representatives?**

We hope that you will answer **yes** to this question.

*(There is no space on the form for any detail so please respond on a separate piece of paper.)* There is no doubt that it is a serious omission that the current regulations state that safety representatives have the right to make any representations on health, safety and welfare to their employers but there is no legal duty on the employer to respond. Clearly this is contrary to the intention of the regulations and needs to be corrected. If there are any

examples of how this has caused problems within your workplace please give them in your answer to this question either here or on a separate piece of paper.

Also many Safety Managers would welcome this as they find that when safety representatives raise issues with line managers the managers often do not respond and nothing happens.

**Q10(b): Do you consider that written representations and responses would be necessary?**

We hope that you will answer **yes** to this question.

**Q10(c): What sort of systems do you think would work?**

There is no need for a detailed bureaucratic system to be set up. Many safety representatives have managed to negotiate agreements whereby an employer will respond within a certain period of time, and if they do not, or if the response is inadequate, it goes to the line managers superior for further consideration. This system, known as Union Inspection Notices has been very effective and has helped improve the safety culture within most of these organisations where they have been used. However they have suffered from the absence of any legal backing, and a duty to respond will give this system validity.

**Q11: What do you consider to be a “reasonable time” for a response?**

Clearly employers must be given sufficient time, not only to respond, but to actually make a considered response. It is therefore not in anyone’s interests for either the timescale to be too short, or too long. A possible rule of thumb would be that the employer should acknowledge receipt within seven days and give a detailed response within 28 days. However, the 28-day period should be seen as an absolute maximum and in most cases there is no reason why the matter should not be resolved within the initial week. In certain complex cases, it may be that both the manager and the safety representative would agree that an extension to the 28-day period is required.

**Q12(a): Do you agree that both the proposed duties should be extended to include consulting and responding to representatives of employee safety under the HSCWE Regulations?**

Clearly the ideal model is trade union safety representatives supported by the union and with full rights. Representatives of employee’s safety (who operate in a small number of non-unionised workplaces) do not have access to independent advice and support. However, there is no reason why the proposed duty should not be extended to include this group so we hope you will answer yes to this question.

**Q13: Do you agree that the titles of “safety representative” and “representative of employees safety” should be changed to “health and safety representative” and “representative of employee health and safety”?**

Safety representatives now do fulfil the duties of a health and safety representative. Much more of their work is taken up with occupational health issues around sickness management and dealing with health problems. The proposed change in title will be welcomed by many health and safety representatives.

**Q14: Will the options suggested improve worker involvement for those who do not have access to either a trade union or non-trade union safety representative – for example, people who work in very small organisations?**

It is likely that only those who work for small organisations will wish to respond to this question. However, it should be emphasised that trade unions can be just as effective, if not more so, in small organisations, and the HSE should be encouraging trade union membership within these sectors as being a way forward.

**Q15: If we were to propose legislative amendments, how can we keep administrative burdens to a minimum and maximise the impact on improved health and safety?**

The proposed legislative amendments simply reinforce and support the current regulations. These are what any good and sensible employer would be doing anyway. They should not be seen as a “burden on business”. The fact that employers do not respond, or do not consult safety representatives in risk assessments so as that clearly the consultative framework we have now is inadequate and in need of change. There is no reason to believe that either change will create a “burden on business”. If you have any examples of how either union inspection notices come up or safety representatives consultation on risk assessment has operated within your workplace please give it.

**Q16: Please would you tell us which option (whether it is one of ours, or a suggestion of your own) will, in your opinion, be the single most effective thing we can do, and why?**

Give the example that would work best in your workplace. One change that would have a major effect would be to make safety representatives compulsory in all workplaces with more than 5 employees. The TUC would also like to see roving safety representatives, the right for safety representatives to stop work when there is a serious and imminent threat, and the right to issue legally binding improvement notices, as operates in some jurisdictions in Australia.

However, we also believe that it is important to ensure that inspectors enforce any regulations.

**Q17: The HSC would welcome comments on the assumptions made in compiling the partial RIA and on its conclusions. Do you have any additional evidence to convince us that the benefits will outweigh costs?**

The regulatory impact assessment goes on the basis that there will be 100 per cent compliance with the new regulations and that this will place a cost on employers. Clearly the first part is nonsense. The existing regulations have certainly not got universal compliance and there is no reason to believe that, even with a stronger enforcement regime, the proposed changes will lead to any significant cost for employers. In fact the proposals are simply what any good employer should be doing already.

The assessment also totally underestimates the value of safety representatives’ input into risk assessment, and the benefits to workplace culture or managers responding to safety representatives concerns.

If you have any examples of how safety representative involvement has assisted in preventing injury or illness then please include them in your response.

**Q18: We would be particularly interested to hear from local authorities about what would be the impact on them of enforcing additional regulations on worker involvement. If you are from a local authority, please let us know your thoughts?**

This is only intended to be answered by local authorities.

**Q19: In your view, how well does this Consultative Document represent the different policy issues involved in this matter?**

The TUC believes that the consultation document does not seek views on many of the extensions to safety representative's rights that would make a significant difference. These include roving health and safety representatives, the right to stop the job, and the right of safety representatives to issue legally binding improvement/enforcement notices.

**Q20: Is there anything you particularly liked or disliked about this consultation exercise?**

The form simply asks for a "Yes" or "No" answer to many questions, in particular those relating to changes in regulations, without encouraging respondents to give reasons for their response or practical examples.