

## HEALTH AND SAFETY

**Health and safety improvements have come about only because of pressure to improve standards. Trade unions have played a key part in these changes and continue to campaign to safeguard workers.**

Workplaces are often dangerous. The TUC estimates at the very least 20,000 people die prematurely every year because of occupational injury or disease, but the real figure could be much higher.

In addition, the Health and Safety Executive (HSE) estimates that 1.4 million people currently in work say they suffered from ill-health that they thought was work-related. Many of them continue to come to work, despite their illness, while others are on long-term sick leave. In addition, there are another million people who have since left work and who say that they have ill health as a result of their work. These people are still suffering the ill-effects of work after they retired or left.

All workers have the right to be safe and healthy at work, including agency, casual and hard-to-reach workers and those working unsocial hours or who work alone. They should receive training on health and safety issues in the workplace and be encouraged to report hazards and near misses without reprisal from the employer.

Union reps will often have to support safety reps to take up issues with the employer. The main source of negotiating strength is a well-organised union with the support of members who are determined to secure improvements for health and safety. Keeping members involved and informed is critical to maintaining a strong position.

Health and safety is often seen as a complex issue. It does not have to be. It is based on a simple process called risk assessment, which is described below. Union reps do not have to be 'experts' on all aspects of health and safety; it is the job of employers to get expert advice. What union reps can do is ask questions, listen to members and, when in doubt, seek advice from their union.

For union reps who have the role of health and safety rep, it is also important that they get training through their union.

This chapter is intended as only an introduction to the topics of safety reps and risk assessment. For information on specific hazards, please go to

the TUC website or consult the 2020 edition of *Hazards at Work* available from TUC Publications.

### Health and safety reps

All union reps may be asked about health and safety issues but in most unionised workplaces there will be a separate, dedicated position of union health and safety rep. This role is laid down in law.

Health and safety reps make a huge difference. Workplaces that have union safety reps and safety committees have half the serious injuries compared with those that are non-unionised and do not have reps.

The appointment and functions of trade union health and safety reps are laid down in the 1977 Safety Reps and Safety Committees Regulations (SRSC Regs). Any member of a trade union can be appointed to be a safety rep as long as the employer recognises the union.

In some unions, shop stewards are also appointed as safety reps, however these are very different roles and should be seen as separate. Once a trade union safety rep has been properly appointed or elected, the union must advise the employer of the appointment in writing.

### Involving safety reps

There is a legal duty on employers to consult, either through safety reps or directly with employees. Where a union is recognised, the consultation must be done through health and safety reps where they have been appointed.

Employers also have to: "involve employees and their reps in carrying out risk assessments, deciding on preventive and protective measures and implementing those requirements in the workplace. This may be achieved by the use of formal health and safety committees where they exist, and by the use of team working, where employees are involved in deciding on the appropriate preventative and protective measures and written procedures etc."



## FUNCTIONS OF A SAFETY REP

The main functions of a safety rep are:

- › investigating potential hazards and dangerous occurrences
- › investigating complaints by members
- › investigating the causes of injuries or 'near misses'
- › inspecting the workplace
- › inspecting documents relevant to safety in the workplace
- › making representations to the employer
- › representing members' interests in meetings with enforcement inspectors
- › receiving information from the employer
- › receiving information from enforcement inspectors
- › being consulted by the employer about issues relating to health and safety in the workplace
- › attending meetings of safety committees.

Further entitlements set out in the SRSC Regulations include:

- › being provided with facilities and assistance by the employer to carry out their functions.
- › being allowed "such time off with pay as shall be necessary" to perform their functions.
- › being allowed "such time off with pay as shall be necessary" to undergo "reasonable" training.
- › requiring an employer to establish a safety committee (this requires at least two safety reps).
- › complaining to an employment tribunal if time off is not granted or paid.

The law also says that employers must: "... establish effective means of communication and consultation in which a positive approach to health and safety is visible and clear. The employer should have adequate health and safety information and make sure it is communicated to employees and their reps, so informed decisions can be made about the choice of preventive and protective measures."

In addition, the regulations state that no legal duties are placed on safety reps because of their functions and rights. This means that a safety rep has no greater liability in law for health and safety breaches than any other employee.

## Safety reps' legal rights to information

Workplaces with safety reps are much safer than those without.

The SRSC regulations give important rights to safety reps that are very useful to union reps in being able to obtain information quickly or investigate a problem and prevent accidents and ill health before they happen.

They have legal rights to be trained and to ask for information from the employer that can inform them about potential hazards and risks. These include:

- › hazard information
- › precautions, instructions and working procedures
- › risk assessments
- › Control of Substances Hazardous to Health (COSHH) assessments (chemicals and substances)
- › accident and ill-health information
- › injury and sickness statistics
- › injury, near miss and incident reports
- › survey, inspection and test results
- › inspectors letters and reports
- › other information from management
- › safety policies and procedures
- › training materials
- › management plans and proposed changes
- › financial information such as health and safety budgets
- › fire and emergency precautions.

## Inspections

One of the main functions of a safety rep is to carry out inspections. This is a simple process but can be very important. If you are a new safety rep, you may want to be accompanied by a more experienced rep on your first inspection. Inspections do more than just help identify potential hazards, they also show your members that you are taking your responsibilities as a safety rep seriously.

The regulations give you the right to formally inspect every three months (or more frequently if agreed with management). Arrangements for three-monthly and other more frequent inspections will normally be agreed with employers. As well as making an inspection every three months, you also have the right to inspect after any notifiable accident, dangerous occurrence or notifiable disease, where there is a substantial change in working conditions or if new information becomes available.

Formal inspections are no substitute for daily observation, but they provide a useful opportunity to carry out a full-scale examination of all or part of the workplace. Remember that an inspection is not just looking around your workplace; it includes the inspection of documents required by health

and safety legislation such as risk assessments and certificates concerning the testing of equipment. And don't just look at issues such as physical hazards when you do your inspection; problems such as workload and working time, for the impact they could have on mental health, as well as training are just as important. Inspections are also another opportunity to talk to your members.

You should prepare in advance for an inspection. It is often an idea to agree a date in advance and put up a notice telling members when the inspection will take place. You can ask them to let you know in advance if there are any problems they want you to look at.

Before you start, check the accident book in your workplace and get details of any reports under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations - the injury reporting regulations). You should also ask your employer to show you the risk assessments and any safety cases, inspection records, training records and safety data sheets. You are entitled to see these by law. In the case of risk assessment forms, it is useful to take these with you during the inspection to check whether they have covered all likely risks.

Many safety reps use a checklist for their inspections. These can be useful and an example can be found in the TUC guide to inspections (see <https://tinyurl.com/tucinspections>) though your union may also produce one.

Following an inspection, safety reps should complete an inspection form, recording the date, time and details of an inspection. An example of an inspection form can be found on both the TUC and HSE websites, though many unions produce their own. One copy of the completed form should be sent to the employer and one copy should be retained by the safety rep for their own records and for reference during safety committee discussions.

However, if a problem is identified that requires immediate action by the employer, do not rely on just a form; tell them at once verbally, too.

The safety rep must then make sure that management acts on the report. The guidance to the regulations states that:

"Where safety reps have made a written report to the employer, appropriate remedial action will normally be taken by the employer. Where remedial action is not considered appropriate, or cannot be taken within a reasonable period of time, or the form of remedial action is not acceptable to the safety reps, then the employer should explain the reasons and give them in writing to the safety reps."

The guidance also recommends that management's response should be publicised.

The best way of doing that is putting it on the noticeboard next to the safety rep's report, or on the company website.

### Union inspection notices

Some safety reps have negotiated a system whereby the employer agrees the line manager will respond to any queries within a certain time (such as 14 days). If not, the matter will be referred to the employer's safety officer or HR manager for action.

This system can also be linked to inspections but is not suitable for urgent matters.

### The law

There are many laws that are useful to safety reps and union reps and these should be the minimum standards that apply in the workplace. However, enforcement is often weak because there are too few inspectors; and penalties, when they are applied, are usually low.

Talking with an employer may prove to be quicker and more productive. Talking with other workers will help them to report health and safety hazards and identify where they might require information and training.

Some of the main laws are:

#### The Health and Safety at Work Act (HASAWA) 1974

This is the main piece of legislation and it states that employers must, as far as is "reasonably practicable", ensure the health, safety and welfare at work of all their employees. It also requires employers to consult with their workforce and places a duty on employers and the self-employed to not endanger anybody (including the public) and to provide information to the public about potential hazards.

The Health and Safety at Work Act is an enabling act and gives powers to make important sets of regulations. Some of the ones you are most likely to come across are:

- › Management of Health and Safety at Work Regulations 1999 details requirements for employers to assess hazard and risk and make effective arrangements for planning, organisation, control, monitoring and review of preventative and protective measures.

- › Health, Safety and Welfare Regulations 1992 (as amended) covers all the main day-to-day health and safety issues such as ventilation, pedestrian walkways, welfare facilities.
- › Health and Safety (Display Screen Equipment) Regulations 1992 covers workstation assessment, risk reduction, workstation standards, periodic breaks, free eye tests, provision of information and training.
- › Manual Handling Operations Regulations 1992 covers avoidance of manual handling wherever possible, risk assessment and risk reduction.
- › Personal Protective Equipment at Work Regulations 1992 (as amended 2002 and 2004) requires the provision of personal protective equipment where risks are not adequately controlled by other means.
- › Provision and Use of Work Equipment Regulations 1998 deals with suitable and safe work equipment, maintenance, information, instruction and training.
- › Control of Substances Hazardous to Health Regulations 2002 requires risk assessment of and the prevention or control of exposure to hazardous substances.
- › Control of Noise at Work Regulations 2005 provides for the assessment, prevention or control of noise exposure.
- › Reporting of Injuries, Dangerous Diseases and Occurrences Regulations 2013 includes the list of injuries and diseases that are reportable.
- › First Aid Regulations 1981.
- › Regulatory Reform (Fire Safety) Order 2005. Under this Order the 'responsible person' for each premises is required to carry out a fire risk assessment and take steps to reduce or remove the risk. The risk assessment will have to take into consideration the effect a fire may have on anyone in or around the premises. The risk assessment will need to be kept under regular review.

And there are many more that are specific to sectors and jobs that you can find out about in the TUC's *Hazards at Work* or on the HSE website.

## Risk assessment

A properly managed workplace should be both safe and healthy. The employer has a responsibility to identify any risks and take reasonable measures to minimise them. The law says that every employer has to conduct a risk assessment on the work their employees do and take "reasonably practicable" measures to ensure their workers are not put at risk. That means removing or reducing the hazards that can put people at risk.

Risk assessment is the process used to identify hazards in the workplace and assess the likelihood that these hazards will cause harm to employees and others. It is part of a systematic approach that employers are required by law to adopt in order to manage health and safety effectively. Workplace risks should never be seen as inevitable and, if risk assessments are done correctly and employers implement them fully, it means that hazards are identified and removed or considerably reduced.

It is very important that union safety reps are involved and consulted on the process of risk assessment, and should always be asked to comment on assessments, but the responsibility for doing a risk assessment lies fully with management.

If there are more than five workers employed, the risk assessment also has to be recorded.

## What is risk assessment?

The risk assessment process is really very simple. It is an examination of the work and the workplace to identify what could cause harm to people (a hazard), and following the examination an assessment of the chance - high or low - that somebody could be harmed by the hazards identified, together with an indication of how serious the harm could be (the risk). On the basis of that assessment, a decision is made as to what prevention or control measures should be taken to prevent the possibility of harm.

There is no single method of risk assessment that covers all types of workplaces and different employers will use different methods. However, with every system the process involves decisions being made on how acceptable a risk is. This, whatever management may say, is not a scientific process but one based on the value that they place on the safety and health of their workers.

It is therefore important that you understand the method of risk assessment your employer is using and make sure that the process deals promptly with the issues that concern members and reflect the real risks in the workplace, including long-term health risks.

Although there is no single correct way of doing risk assessments, what is important to remember as a safety rep is that, whatever process is used, the risk assessments should be systematic and thorough and needs to look at what actually happens in the real workplace, not what the employer thinks happens.

This means that no real risk assessment can take place unless the process involves talking to the people that actually do the jobs and who

have a practical understanding of the hazards and risks involved.

And, of course, the role of the safety rep is not over once the risk assessment is completed and written up. It is even more important to make sure that the employer actually takes action to remove those hazards that have been identified through the risk assessment process.

### From risk assessment to risk management

What risk assessment does is simply help identify and prioritise the risks that need to be tackled in the workplace. In itself it is just a paper exercise. The important question is what action is going to be done to remove or reduce the risks identified. The decision of whether to take action, and how quickly you should take action, is completely subjective and often more down to cost than anything else.

The law is quite clear. The employer must reduce the risk to “as low as is reasonably practicable”. That does not mean what is affordable: it means a balance between the size of the risk and the size of the ‘sacrifice’ (in time, trouble and money) to prevent the risk. It is only where the cost would be grossly out of proportion to the risk that the measures would not be ‘reasonably practicable’.

Health and safety reps must be aware of the limitations of this process and use their rights to challenge any decisions they do not agree with.

Safety reps should also ensure that employers do not try to ignore some of the ‘lower-level’ risks by simply concentrating on the hazards likely to cause a fatality. Seventy-five per cent of all work-related sickness absence is caused by musculoskeletal disorders and stress-related illnesses. Because employers often concentrate on controlling hazards that they see as being potential killers such as lack of electrical safety, issues such as stress, dust and repetitive injuries are often not prioritised – despite the fact that they are far more likely to happen and will probably effect far more people.

### Prioritising prevention

The first aim of risk management must always be to remove the hazard. Unfortunately, employers often forget this and see their goal as being controlling hazards. Again, the law is quite clear and the Management Regulations lay down principles for prevention that must

be followed when deciding what to do about a potential hazard.

These are:

- › Avoid the risk.
- › Evaluate the risks that cannot be avoided.
- › Combat the risks at source.
- › Replace (substitute) the dangerous with the non-dangerous or less dangerous.
- › Provide health surveillance (blood tests, noise monitoring, etc.)
- › Give appropriate training to employees.
- › Provide personal protective equipment as a last resort.

This means that the first step must always be, where possible, to remove the hazard altogether. Only then should employers look at how to control the hazard and, even then, they must follow a certain order. They first have to look at reducing the risk, for example by using a less hazardous process or chemical. If that is not possible then they should prevent access to the hazard, such as by guarding. If that is not possible then they should try to organise work to remove or reduce exposure to the hazard. Finally, if no other control methods work and as a last resort, they should issue personal protective equipment such as hearing protection, goggles, footwear etc.

The control measures should also look at issues around training and information for employees and the provision of welfare facilities.

### Not a one-off process

Whatever system your employer uses, it is important that the assessments are reviewed regularly. That means looking at them again if there is a change in working methods, new procedures, or new equipment – sometimes even new personnel. They also have to be reviewed after any injury or work-related illness.

There also has to be procedures to ensure that the control methods that it has been decided to introduce have been put in place and are working.

Most importantly, if your injury and illness rates are not going down then your risk management process is not working. It may be that you are using the wrong method, or not covering all hazards, or the methods to remove or reduce risks have not worked.

That may mean starting again from scratch. Remember, there is no single right or wrong method, and within any method there are lots of different approaches. Although risk assessment is a tried and tested method of removing risk, there will always be ways of doing it better.

## Union involvement

The legal responsibility to carry out a risk assessment lies with the employer. Nevertheless, it is important that health and safety reps are involved in the process and play an important part in ensuring that they are done properly. This means that safety reps should always be given a copy of all draft risk assessments and asked to comment on them. Safety reps should make sure that risk assessments have been done for all workplaces, that they cover all areas and activities, that they are up to date, and that they are comprehensive.

Employers have a duty to consult with safety reps on all health and safety issues and to give safety reps information about health and safety matters relevant to their members, including information about risk assessments. They must permit safety reps to take such time off with pay during working hours to undertake their functions, and dealing with risk assessments is a valid safety rep function.

Two of the most crucial roles of a health and safety rep are that of checking and challenging their employer's risk assessments, and ensuring appropriate control measures are in place and working.

## Hazard mapping

Although risk assessment is the responsibility of management, unions can involve their members in trying to identify what hazards they face in their working lives. Hazard mapping is a method that gives a much more visual picture than statistics from surveys etc. and should help to identify and priorities hazards. With hazard mapping, a simple map of the workplace is used to highlight where problems are found, colour-coded for different hazards so that patterns of potential hazards and ill health can be seen at a glance.

## Holding a hazard mapping session

You will need:

- › a simple plan or map of the workplace on a large piece of paper – check with your members to see if anything needs to be added. If your members move around in their jobs, your plan should try to illustrate this
- › different coloured post-it notes so that members can mark hazards on to the map, eg orange for a fire hazard, blue for an equipment hazard and so on.

## Organising the session

- › Members from a particular work area gather together and are given an explanation of what you are proposing to do.
- › Members are asked to pinpoint hazards (using post-it notes) on the map or plan with an explanation of why they should be included.
- › The plan should also include identification of where workers are situated.
- › The safety rep should keep notes of what members say around the hazard map.
- › The findings are then discussed with members. Common patterns can be identified. A lot of post-it notes will show that there is likely to be a problem that needs to be tackled.
- › Links can be made to the symptoms of ill health from the results of any body mapping exercises.
- › Members are given a chance to think about and influence priorities.

## Examples of hazards

These include:

- › physical hazards – noise, radiation, vibration, temperature, slips, trips and falls, etc.
- › chemical hazards – cleaning agents, solvents, diesel exhaust fumes, etc.
- › biological hazards – infectious diseases, bacteria, needle sticks, body fluids.
- › work design hazards – ergonomic hazards, working alone, no procedures for dealing with potential violence, etc.
- › stress hazards – workload, harassment, discrimination, shift work, long working hours, etc.

## Planning the next steps

Once the safety rep and members have identified the priorities, the causes, effects and improvement actions can be discussed.

## Workers at greater risk

Health and safety requirements can change according to personal circumstances.

One of the most important is women in the workforce who become pregnant. A risk assessment should include actions that the employer will take, including finding alternative work to avoid pregnant women putting themselves, or their baby, at risk. If a job involves any physical activity such as heavy lifting, continual standing or bending or any other activity that causes distress, exposure to toxic substances or

other risks than a person or their union safety rep should ask the employer for a copy of the risk assessment. If the employer cannot show one, or if it does not take pregnancy into account, then a request should be made that the employer conducts a risk assessment that includes actions around pregnancy.

Disabled workers and those with underlying health concerns may need consideration in risk assessments, where certain working practices may cause greater risk to them.

Young workers and apprentices may also be at risk if not properly supervised or trained. Sometimes they can be bullied into doing unsafe work or cleaning up dangerous substances.

Migrant workers or casual workers may not receive adequate instructions to do a job or may not understand them. Sometimes they are not provided with the necessary protective equipment. They also can be bullied or forced to do unsafe work for fear of losing their jobs.



### RISK ASSESSMENT - PREGNANCY AND VIOLENCE AT WORK

A care worker notified her employer of her pregnancy. The employer looked back at the outcome of the initial risk assessment, which had identified that a possible risk for pregnant women was exposure to acts of violence (eg difficult patients). The employer then conducted a specific risk assessment for the pregnant worker, who dealt with patients who were difficult and on occasion violent. As a result, the employer offered the care worker suitable alternative work at the same salary and reviewed the assessment at regular intervals. The employee accepted the alternative work and had a risk-free pregnancy. Following her maternity leave the employee returned to work.

(Source: Acas website)

## Enforcement

It is best to try to resolve issues by negotiation with the employer but sometimes this cannot be done. Once all procedures have been exhausted a safety rep or union rep can contact an HSE inspector. Environmental Health Officers (EHOs) can also be useful; they cover aspects of health and safety and are based more locally.

By law, the employer must display the HSE's Health and Safety Law poster, which gives the inspector's contact details. HSE inspectors can be contacted anonymously by any worker if the problem is severe. HSE inspectors can:

- › enter premises (with police assistance if necessary)

- › inspect and investigate
- › take measurements, samples, photos and statements
- › issue improvement or prohibition notices
- › seize, render harmless or destroy dangerous items
- › remove documents or equipment
- › close premises
- › bring prosecutions.



### A YOUNG PERSON'S INJURY AT WORK

Only one hour after starting her Easter holiday job, a 17-year-old woman had her left hand dragged into a pie-making machine at the bakery where she worked. She had tried to remove a pie from the machine's rotating table. She had touched a safety flap on a guard in front of the pastry press but the machine was faulty and the press came down on to her fingers. She had part of the third finger on her left hand (the wedding ring finger) amputated.

Magistrates heard a catalogue of faults in relation to the machine the woman had used:

- › The safety brake that should have stopped the machine was faulty. It had been reported as such two weeks earlier when an almost identical accident occurred – but it had not been repaired.
- › The woman had not received adequate training on the machine.
- › Her supervisor was not aware that she was using the machine until the accident happened.

(Source: TUC *Risks*, August 2010)

## Action planning for health and safety

Union reps will often work together with safety reps to achieve progress on health and safety issues.

### Involving members

It is important to involve trade union members, get them to discuss problems with each other, and make them aware that the union can help to improve their workplace.

If members feel strongly, and are prepared to give their support, this will be your main source of strength. So:

- › Keep them informed about what you are doing.
- › Involve them in identifying hazards, planning an approach and deciding what to accept.

- › Assist with surveys of members to identify hazards and areas of the workplace use mapping techniques to identify problems. (See the Hazards workers' guide to body mapping, hazard mapping and interactive hazards detective [www.hazards.org/tools](http://www.hazards.org/tools) ).
- › Discuss whether management plans and procedures are adequate.
- › Provide an opportunity for workers to express or register their concerns - by holding meetings or asking for their views.
- › Ensure the workplace is inspected regularly.
- › Encourage workers to report problems to management and safety reps.
- › Win members support by publicising successes and improvements.
- › Link health and safety to organising, learning and campaigning by using workplace issues to build up interest in the union, for example Workers' Memorial Day on 28 April each year, young workers' events, a cancer in the workplace campaign, asbestos awareness fact sheets.



## UNIONS IN ACTION

The cereal company Weetabix decided to work with trade union Usdaw to improve engagement with safety reps. Numbers of Usdaw safety reps were increased from 6 to 30 across all four main sites and all the shifts.

The company worked with the union to develop the role of the reps. This aim was to make it clearer to both the reps and their line managers what was expected.

A safety rep matrix was developed which spelled out the time commitment for reps attending training and committee meetings, carrying out inspections and other activities.

Any dates which showed as red on the matrix because the rep had been unable to make the event were discussed with the union and managers to find out what went wrong. In this way a clear message to reps and their managers about expectations for their role.

Backed with activities such as the annual health and safety event which was run by the union and attended by 150 managers across all sites, the profile of safety reps was raised.

The net result has been a better than 30 per cent reduction in all work-related injuries across all sites in the first year. Reps are now also more actively involved in risk assessment and in health issues such as management of musculoskeletal disorders arising from manual handling tasks.)



## CHECKLIST

### Risk assessment audit

#### Employer action on risk assessment:

- › Is your employer carrying out risk assessments?
- › Have assessments been carried out for all tasks or jobs?
- › If not are arrangements in hand for them to be done?

#### Resources

- › Are resources available to carry out risk assessments properly?
- › Do risk assessors have the necessary time, authority and training to do proper risk assessments?

#### Who carries out risk assessments?

- › Are they competent (do they have knowledge and understanding of the work involved, and the

principles of risk assessment and prevention and current health and safety applications)?

- › What qualifications or experience do they have?
- › What information, instruction and training have they been provided with?
- › Are outside consultants being used?
- › Have safety reps been consulted over the appointment or nomination of competent persons to deal with risk assessment and control?

#### Do assessments cover all the hazards and risks at work?

- › Have all areas, activities, processes, substances, and departments been covered?
- › Do assessments cover systems of work, supervision, training and the working environment?



- › What hazards and risks have been identified?
- › Have all risks that workers believe to be important been assessed?

#### **Do assessments cover all those who could be exposed to hazards?**

- › Are those working outside normal hours, visitors, temporary workers and sub-contractors covered?
- › Have those particularly at risk (e.g. young and inexperienced workers, those who work alone, workers with a disability) been identified?
- › Where there are women workers of childbearing age, are there risk assessments to cover the health and safety of new or expectant mothers?

#### **Do risk assessments contain gender-sensitive questions?**

- › Do assessments look at what actually happens in practice and include non-routine operations such as maintenance?
- › Do individual assessments need to be carried out for some workers (e.g. those working outside the main place of work)?

#### **Are preventative measures already being used working properly?**

- › Are the control measures followed?
- › Do they appear to work?
- › Is information, instruction and training provision adequate?

#### **What preventive and protective measures have been identified under the principles laid down in Regulation 4 and Schedule 1 of the Management of Health and Safety at Work Regulations 1999?**

- › Can risks be avoided?
- › Have risks that cannot be avoided been evaluated?
- › Are risks controlled at source? Is the work adapted to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production measures? This is with a view to alleviating monotonous work and work at a predetermined work rate and reducing their effect on health.

#### **Are prevention measures adapted to technical progress?**

- › Is the dangerous replaced by the non- or less dangerous?

- › Has the employer developed a coherent overall prevention policy that covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment?

- › Are collective protective measures given priority over individual protective measures?
- › Are appropriate instructions given to employees?

#### **Have protective and preventive measures been introduced?**

- › Has a plan of action been drawn up for putting into practice the necessary measures identified by the risk assessment?
- › Does the plan identify priorities and set an agreed timetable for action?
- › Has the money been made available to implement control measures?

#### **Are risk assessments kept up to date?**

- › Do planned reviews of risk assessments take place at regular intervals? Are new risk assessments completed before changes are made to tasks, workplaces, equipment, etc.
- › Are risk assessments reviewed if evidence suggests that control measures are not adequate (eg following accidents, near misses, reports of ill health, findings of safety reps' inspections)?
- › Are risk assessments signed by the appropriate manager?

#### **Safety rep and worker involvement**

- › How are workers and safety reps involved in the risk assessment process?
- › If they are involved, are they satisfied with the extent of their involvement?
- › Do they feel that the risk assessments are satisfactory?
- › Are inspections used to monitor and review the employer's risk assessment procedures?
- › Have safety reps been given copies of the written risk assessments (or been given access to copies)?
- › Are there any procedures or agreements regarding risk assessment?

## Taking up health and safety issues with management

Sometimes minor issues can be sorted out informally by direct contact with relevant managers. But if procedures are inadequate or are not tackling the risks effectively, it is likely that safety reps will need to raise the matter formally. They can:

- › raise the matter in writing
- › encourage other safety reps' and union reps' support as a back up
- › use special safety procedures or an agreed procedure for resolving problems
- › raise the problem directly with senior management if it is urgent
- › use safety committees, which can sometimes help to make plans for implementation
- › use health and safety problems to organise members to build the strength of the union
- › evaluate the outcomes following appropriate action in the workplace to allow reflection upon what has happened and determine what, if anything needs to be done next.

## Publications

*Hazards at Work - Organising for Safe and Healthy Workplaces.*

## More information

### **European Agency for Safety and Health at Work**

<https://osha.europa.eu>

Fact sheets providing practical advice on a variety of hazards.

### **European Trade Union Institute**

[www.etui.org/topics/Health-Safety-Various-Working-Conditions](http://www.etui.org/topics/Health-Safety-Various-Working-Conditions) resources.

### **Hazards magazine**

[www.hazards.org](http://www.hazards.org)

Excellent news and resources.

### **Health and Safety Executive (HSE)**

[www.hse.gov.uk](http://www.hse.gov.uk)

One of the best government websites. It includes all regulations and guidance.

### **TUC**

[www.tuc.org.uk/workplace-guidance/health-safety-and-wellbeing](http://www.tuc.org.uk/workplace-guidance/health-safety-and-wellbeing)

There is a range of guides and resources for safety reps, including guides to risk assessment, organising in the workplace, and most of the issues you are likely to encounter as a union rep. Keep up to date on health and safety by reading Risks, the TUC's weekly e-bulletin for safety reps at [www.tuc.org.uk/mediacentre/register](http://www.tuc.org.uk/mediacentre/register)