

Safety Reps Rights

Unite safety reps are a key part of providing better health and safety for Unite members at work. Safety reps have specific rights enshrined in law, which enable them to:

- Inspect the workplace regularly.
- Investigate employee complaints concerning health and safety issues at work.
- Investigate accidents, dangerous occurrences and potential hazards.
- Represent workers on health, safety, and welfare matters to their employer.
- Inspect health and safety documents.
- Receive information from HSE Inspectors.
- Establish a joint union-management Safety Committee.
- Receive time off to fulfil these rights and receive training.

Employers are required to consult safety reps, especially about:

- Measures introduced at a workplace that may substantially affect health and safety.
- Arrangements for appointing health & safety competent persons and emergencies.
- Health & safety information required to be provided to employees.
- Health & safety training arrangements for the workforce, such as induction training.
- New technology introduced and planned, regarding consequences to health & safety.

Employers must provide safety reps with the resources to carry out their role. This should include:

- Room with desk and chairs at work, for carrying out interviews and meetings.
- Secure facilities for storing documents.
- Access to a telephone and other communication media used or permitted in the workplace such as e-mail, intranet and internet.
- Access to printer and photocopier.
- Notice board.

Other facilities should include copies of relevant statutes, Regulations, Approved Codes of Practice and HSE guidance, copies of safety journals, and legal and international standards that are relevant to the workplace.



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Fix The Hazard Don't Blame The Workers

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Beware Behavioural Safety

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Beware Behavioural Safety!

Behavioural safety is the name given to a variety of management programmes that focus on worker behaviour. These programmes are typically sold to employers by a consultant. Behavioural safety proponents believe that 80% to almost 100% of accidents are caused by unsafe acts by workers. To prevent these unsafe acts management should target specific behaviours and aim to change them by observing and monitoring workers.

It is important to note that workplace ill health cannot be remedied by behavioural safety programmes.

Many behavioural safety programmes are designed to undermine trade union activity on health and safety, reduce the role of joint health & safety committees and shift the blame for accidents and poor health & safety from management to workers.

Unite opposes the use of any scheme that looks to 'blame the worker'. The main cause of injury and illness in the workplace is in the failings of the management of health and safety, not in the failings of workers.

Unite knows from our experience dealing with safety in thousands of workplaces that hazards and unsafe conditions cause injury and illness. When the hazards are properly identified and fixed, injury and illness decrease.

**FIX THE HAZARD
DON'T BLAME THE
WORKERS**

What to look out for?

- Reward schemes for no lost time accidents (vouchers, bonus payment)
- Disciplinary action for involvement in an accident
- Workers observation schemes being implemented
- Reps encouraged to be involved with worker observations and not being given time off to carry out safety rep inspections
- Non reporting of accidents across the organisation
- An increased focus on the use of PPE
- The overall focus of health and safety shifting away from designing out hazards, implementing engineering controls, addressing ergonomic hazards and reducing work organisation hazards (such as understaffing, production pressures or extending working hours)

What is the answer?

- Full recognition of TU safety reps and full involvement with safety management systems
- Robust risk assessment process that identifies and corrects workplace hazards and unsafe/unhealthy conditions
- Recognition of the full range of hazardous conditions to address, including biological, chemical, ergonomic, physical, psychological, work organisation and safety hazards
- Correct use of the hierarchy of controls to address hazards
- Accident/Incident/Near Miss investigation that looks for the root causes
- Workers rights to identify hazards without fear of retaliation
- Right to refuse to carry out unsafe work
- Full reporting and recording of all injuries, illnesses and near misses

Safety reps need to be involved in all decision making processes around health and safety so that they can bring their expertise to any discussions on what is needed to improve workplace health and safety. It is important that workers and unions achieve the fundamental goals of the union – achieving safer, healthier and more hazard-free jobs.

**WORKERS AND THEIR REPS
ARE THE SOLUTION TO WORKPLACE
HEALTH AND SAFETY CONCERNS,
NOT THE PROBLEM!**

Hierarchy of Controls

Health and safety law is very clear. Hazards must be identified through a risk assessment and any risk removed or reduced 'as far as is reasonably practical'. In reducing risk an employer has to go through what is called the 'Hierarchy of Control', which is a ranking of which part of the process they have to do first. These 'General Principles of Prevention' come from a European Directive called the 'Framework Directive'. It also says that 'collective protective measures (have) priority over individual protective measures.'

The Hierarchy of Control is:

- Elimination
- Substitution
- Isolation
- Reduction
- Safe Systems of Work
- Good Housekeeping
- Information, Instruction, Training & Supervision
- Provision of Personal Protective Equipment

Behavioural safety turns the hierarchy of controls on its head as behaviour modification programs favour PPE and training as the main ways of preventing injury. Because of this, many pure behavioural system programmes probably do not conform to UK or European law.
