

SAFE WORKING PROCEDURE

Safety Representatives

CORPORATE HEALTH & SAFETY | VERSION 5.0 | APRIL 2020

STATEMENT:

Southampton City Council formerly recognises Trade Unions as representatives of employees and in order to comply with legislation and fulfil statutory responsibility, the council must make sure that:

- Employees are consulted on matters that can affect their health and safety.
- Trade Union safety representatives are afforded the rights as laid out by the regulations detailed in this Safe Working Procedures.
- Employees have access to a Trade Union Safety representative where requested.

SCOPE:

This Safe Working Procedure (SWP) applies to:

- All managers including headteachers referred to as managers herein.
- All employees of Southampton City Council.
- All Trade Union Health and Safety Representatives.

Version Control

This Safe Working Procedure is issued and managed by Corporate Health and Safety Service.

Version Number	Date	Amendments
Version 1.00	Unknown	
Version 2.00	Unknown	
Version 3.00	Jun 2007	
Version 4.00	JuL 2010	
Version 4.01	Dec 2015	New Format
Version 4.02	Jun 2018	Small additions made 1.5 and hyperlinks updated
Version 5.0	Apr 2020	General review
Review Conducted		Next Review Date
		Jan 2012
	Dec 2015	Dec 2017
	Apr 2020	Apr 2022

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1. Responsibilities

Managers are responsible for ensuring compliance with the SWP and must:

- 1.1. Allow recognised trade unions to appoint health and safety representatives in line with the Regulations and [L146](#) Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended)
- 1.1. Provide trade union safety representatives with reasonable time off to pursue their duties; such as incident investigation, inspections and to attend training courses in line with [L146](#) Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended)
- 1.2. Provide trade union safety representatives with reasonable facilities to carry out their role in line with [L146](#) Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended)
- 1.3. Cooperate and provide trade union safety representatives with access to information, policies, procedures documentation in their pursuance of an investigation in line with [L146](#) Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended)
- 1.4. Consult with trade union safety representatives in reasonable time about matters that may have an impact on the health and safety of employees and their members.
- 1.5. Consider flexibility regarding the number of safety representatives to ensure suitable cover for the workplace and workforce. In line with [L146](#) Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended) E.g. geographical sites, risk profile of work, types of worker – contract or agency workers.

Trade Union and their Safety Representatives must:

- 1.6. Consult with management and other Trade Union bodies about proposed appointments of Trade Union safety representatives in line with the [L146](#) Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended) and inform the Council in writing about any appointments, following up in writing to Organisational Development.
- 1.7. Keep local line management informed of when they plan to perform the duties of a safety representative, ensuring the time off spent carrying out their duties is reasonable and in line with the ACOP.
- 1.8. Keep up to date with health and safety legislation.
- 1.9. Seek to resolve issues of health and safety at the local management level, escalating through the line management chain where required. If resolution cannot be made, the issue must be taken through the SWP Management Reporting Paths and Consultation Process.
- 1.10. Attend Joint Consultative Groups or other health and safety meetings representing the interests of employees of Southampton City Council.

- 1.11. Carry out the duties of a health and safety representative in line with [L146](#) Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended)
- 1.12. Notify the Council in writing when an appointment has ended.

Note: There is an agreement between Southampton City Council and Trade Unions for Trade Union to health and safety representatives to represent the interests of all employees of Southampton City Council including non Trade Union members where they have a health and safety concern.

2. Procedure

2.1. Managers, Trade Unions and their safety representatives are to carry out their responsibilities in line with the Regulations and [L146](#) Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended)

2.2. More information can be found from:

2.3.1. Health and Safety Executive (HSE) Microsite: [Worker Involvement](#).

2.3.2. HSE INDG232 [Consulting Employees on Health and Safety](#).

2.3.3. [L146](#) Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended)

3. Safe Working Procedures Relevant to This Document

- 3.1 Managing Health and Safety
- 3.2 Accident/Incident Reporting and Investigation
- 3.3 Management Reporting Paths and Consultation Process

Note: Other safe working procedures may apply and the assessor should consult the SWPs. SWPs and Forms are available on the Council's [Health and Safety Intranet](#) and [Health and Safety for Schools](#) webpage.

4. Main Legislation Relevant to This Document

- 4.1 [Health and Safety at Work etc Act](#)
- 4.2 [The Management of Health and Safety at Work Regulations](#)
- 4.3 [The Safety Representatives and Safety Committee Regulations](#)

5. Contact Address's and Guidance Links

- 5.1 Health and Safety Executive
www.hse.gov.uk/
- 5.2 Unison
www.unison.org.uk/
- 5.3 Unite
www.unitetheunion.org/

- 5.4 GMB
www.gmb.org.uk/
- 5.5 National Association of Schoolmasters Union of Women Teachers
www.naswt.org.uk/
- 5.6 National Union of Teachers
www.teachers.org.uk/
- 5.7 Trade Union Congress
www.tuc.org.uk/
- 5.8 Corporate Health and Safety Service
[Health and Safety Intranet](#)
[Health and Safety for Schools](#)