

Organising for health and safety

Resource book

Updated July 2012



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The appointment of union health and safety representatives

This section is a useful resource for Activity two

The key piece of legislation that covers health and safety representatives is the Safety representatives and Safety Committee Regulations 1977. This is where union appointed health and safety representatives find their rights and functions outlined.

The Safety representatives and Safety Committee Regulations 1977 (Northern Ireland: Safety representatives and Safety Committee Regulations (NI) 1979)

These regulations are variously known as the “SRSC Regs”, “the Regs”, or “The Brown Book”.

Union health and safety representatives are unique in having a detailed legal framework of functions, rights and duties outlined for them. This legal framework provides a platform from which we can assert our right to do the health and safety representatives job. It provides us with a backstop if the employer is reluctant to allow us to operate effectively. We’ll find out more about other things in the Brown Book as the course progresses. At this stage, you need to be clear about your appointment as a UNISON health and safety representative.

The appointment of union health and safety representatives is covered in Regulation 3. The key points are:

- recognised trade unions can appoint health and safety reps
- the employer must be notified in writing by the union that you have been appointed as a health and safety rep
- the notification should include the group(s) of employees you represent.

You should usually have been employed in your job for at least two years, or had at least two years experience in similar employment. However, in circumstances where this isn’t either practicable or possible, then there is some flexibility.

The Regulation does not cover how your appointment takes place. This is dealt with by the internal procedures in your branch. For example:

- you may have been elected by the members in your constituency at a meeting

- you may have been elected in a branch or workplace ballot
- you may have been nominated and voted in at a branch meeting
- you may have been asked to do the job by a branch officer
- you may have volunteered

However you became the health and safety representative, you should make sure your branch has confirmed your appointment, the branch secretary has notified your employer that you have been appointed by UNISON, and that you have received a credential card and the UNISON health and safety representatives badge.

Who decides who can be a UNISON health and safety rep?

UNISON decides who will be the health and safety representative. The appointment of health and safety representatives is not a matter for the employer. It is a UNISON decision, which should reflect branch organisation and policy and the needs of the membership.

What is a constituency and who decides?

Your constituency is the group of members you represent and who elected you to be their safety rep. Each of those members, including you, belongs to a UNISON local branch. The size of the constituency or group of members should be defined by that UNISON branch.

For example, you could represent:

- the gardeners at the hospital where you work
- all the gardeners in six parks within a local authority
- all meter readers who work from your office
- the domestic workers on the ward

- all staff on a particular wing of the hospital
- all grades of staff in the City Treasurer's department
- all home helps in the authority
- a section of workers in the voluntary sector or police civilian staff
- workers across several departments or sites ie. a "roving rep".

However, it's much better to have enough reps to go around!

The best principle is that UNISON should have as many health and safety representatives as necessary to provide adequate cover for all members and, wherever possible, they should be locally-based.

Who decides how many health and safety reps there will be?

The union decides this based on things like:

- the total numbers employed
- the variety of different occupations
- the size of the workplace
- the number of locations
- the operation of shift systems
- the type of work done and its inherent dangers.

Union responsibility

Health and safety representative is an important union role. You are responsible to the members you represent and to the union that appointed you as a rep – UNISON. UNISON takes this seriously and will provide support and training for you in carrying out your role.

Health and safety problems and the organising approach

This section is a useful resource for Activity two

You will have identified many health, safety and welfare problems in your workplaces. It doesn't seem to matter where you work, problems are similar whether you work in an office, a residential home, a hospital, a maintenance workshop or a park.

Some of the problems and dangers are easy to spot:

- unguarded machinery
- poor lighting
- untidy and overcrowded workplaces
- obstructed fire exits
- poorly maintained toilets
- extremes of temperature
- damaged and broken furniture and equipment.

Others hazards can be less obvious, and affect health over time:

- the effects of exposure to chemicals, fumes and dust
- manual handling
- computer keyboard use
- radiation
- shiftwork
- heavy workloads.

Some problems have only recently been recognised as health and safety risks:

- sexual harassment
- violence
- working alone
- low morale
- bullying and intimidation by managers
- work-induced stress.

The activity will have helped you identify a range of problems that you and your members face. Many of these will be linked to other issues in the workplace that UNISON is involved in. For example:

- Cuts in staffing levels mean that everyone gets more work, they don't

have enough time to do it all, management puts pressure on, and members go off sick with stress. It doesn't end there - the fact they are off sick then puts members at risk of disciplinary action.

- Privatisation of services, with contract prices cut to the bone means that workers face worse conditions, and health and safety standards are among the first things to suffer.
- Lack of money (or management's unwillingness to spend it) often means we work with old or poorly maintained equipment, in poor quality buildings, doing things the cheap way.
- Pressure from management to get the job done means that people are often forced to cut corners, involving risks. When they have the inevitable accident, then they get the blame for being careless.

But health and safety isn't just about accidents. It's also about the quality of life that people experience at work, the conditions they have to put up with, the relationships with colleagues and management and the economics of the workplace.

Employers often take the cheap and easy option to resolve a problem. Cost is a major factor taken into consideration by the employer when deciding what to do about a problem. This can lead to conflict between employers and UNISON. We want the best standards applied to protect our members adequately; the employer may be prepared to offer a second-rate solution because it is cheaper. Sometimes employers even refuse to recognise that a problem exists.

All of the problems you have identified will be covered by the general legal requirement on your employer to ensure the health, safety and welfare at work of the employees. Many of the problems will be also covered by a specific provision in the law, yet they still exist and the legal standards are not being observed. It's obvious that the law on its own is not going to solve the problems.

We cannot stop accidents and ill-health just by making members more safety conscious or telling them to be careful. Workers are only human

– they get tired and cannot be 100% alert all the time. Could it be that members are not properly trained in safe working practices? And as we've said, not all the hazards are obvious; were the coal miners who contracted pneumoconiosis careless because they continued breathing while they were down the pit? And you don't get rid of stress-related illness by telling people to "pull themselves together"!

It's poor conditions and unsafe and unhealthy workplaces that create the vast majority of problems. Even the Health and safety Executive recognises this.

Why do members put up with the problems? Is it because they don't care, or are apathetic? That's not likely, if you think about it. People start out in the morning expecting to go home safely at the end of the day, as fit as when they began work, if a little tired. More often, it's their experience that poor conditions are part of going to work, and you just have to put up with it. You know the office will be cold, so you wear an extra thick sweater. Anyway, the threat that your job might be affected if you complain is a greater concern. An important part of your role as a health and safety representative is to educate and inform members about UNISON's role in improving health and safety, and organising their support to achieve improvements.

The trade union approach is about your role as a UNISON representative. It is about independent trade union organisation and activity, with the object of improving conditions at work.

It is not the health and safety representative's job to police the members to make them work safely – in fact, if you do this, they will come to see you as an extension of the management and your position will be undermined. You need to ensure your members have the confidence in you to help them resolve their problems.

The organising approach: a key points summary

The organising approach to health and safety can be summarised by the following points:

- Health and safety problems are just one of a range of issues that concern the union. All trade union issues are inter-related, and health and safety needs to be properly integrated into all other UNISON activities in the branch.
- Conflicts of interest arise between the employer and the union on health and safety issues, particularly over cost. Health and safety representatives have an independent approach to health and safety problems in the workplace, which often challenges the employer's view. We seek to remove hazards at source, not just expect workers to adapt to them.
- Health and safety representatives organise collectively with members, other representatives and stewards, and the branch to resolve problems and improve conditions at work. We cannot rely on the law or the official enforcement procedures.
- Health and safety representatives are an integral and important part of UNISON's representative structure in the branch and need to be fully involved in all branch activities.
- Health and safety representatives don't police member's activities in the workplace. We help members to deal with their problems and interests in discussion and negotiation with management. We seek to raise members' awareness of health and safety issues.
- Health and safety representatives are not experts in technical aspects of health and safety. We organise and negotiate to improve conditions and resolve problems. We know where to find information when we need it. We see the law as setting minimum standards and negotiate to improve on these.
- Health and safety representatives monitor the employer's performance and raise problems for discussion, negotiation and resolution through

collective bargaining. We also seek to influence management's planning to build-in safety at the design stage.

- Health and safety representatives don't blame members as careless workers when they have accidents or become ill due to their work. We look for weak management systems, failure to observe high standards, unsafe systems of work, poor training and lack of adequate supervision.

How should health and safety representatives use the law?

This section provides a useful resource for Activity four

You have already been using the key part of the law relating to UNISON health and safety representatives – the Safety Representatives and Safety Committee Regulations 1977.

You may come across a situation where there is a need to speak out against wrongdoing and malpractice at work where this relates to an endemic health and safety problem that can't be resolved internally. The Public Interest Disclosure Act 1999 protects workers who speak out against corruption and malpractice at work. If you are in this position get advice from your regional organiser on “whistleblowing protection”.

The law is generally taken to be a set of rules that tell us how to behave. Some laws do this in a very detailed way, other laws are more flexible. There is a lot of law about health and safety at work, so you could think that the health and safety representative's job is simply to make sure that the employer meets their legal obligations.

It's not like that. A lot of health and safety law is quite flexible, it's full of words and phrases like “adequate”, “reasonable”, “sufficient and suitable” and so on. People can disagree about what is reasonable or adequate or suitable, particularly if what you think needs doing would cost more than the employer's proposed solution. It's easy to see that this can open up areas for discussion and negotiation between the union and the employer.

Health and safety representatives are first and foremost union representatives. As you have seen, your key function is to represent your members with the employer. This means that you will be involved in discussion, consultation and negotiation. It is simply not enough to make sure the employer observes the law, because the law itself is open to interpretation. Your ability to get things done depends on the effectiveness of your organisation, the support and commitment of your members, and the skills you develop as the UNISON representative.

You should see most of the law as providing health and safety representatives with an important source of information to help build arguments to put to the employer when a problem is identified. This may make our activity as a health and safety representative a little more difficult, but it also makes it more interesting.

The role of the health and safety representative

This section is a useful resource for Activity three

The UNISON health and safety representative is a vital link in the chain at section or department level. For most of your colleagues, you are the “public face” of UNISON, and you are responsible to UNISON and your members. Your rights as a UNISON health and safety representative are underpinned by the SRSC Regulations, but you also have responsibilities in addition to those things outlined in the Regulations.

UNISON policy and organisation determines the way you operate as a health and safety representative. UNISON provides health and safety representatives with:

- an organisational framework within which to work
- support, advice and assistance from the branch and other UNISON representatives
- information about your job as a health and safety representative
- guidance on how to do the health and safety representatives job
- a wide range of information about health, safety and welfare problems
- publicity materials on health and safety issues
- training to help you do the job more effectively.

You have joined the UNISON team, gained rights as a health and safety representative and taken on corresponding responsibilities. Below is a summary of the responsibilities you take on as a UNISON representative, and the basic rights and duties you are given in the SRSC Regulations.

You and your members

Don't forget you are organising your members to resolve health and safety issues together – you are not expected to do it all on your own. Involve members as much as possible by:

- listening to their concerns
- advising members on how to take up issues with their employer
- responding positively by assisting members with problems
- raising the profile of UNISON's organisation for health and safety
- keeping members informed about developments in UNISON policy
- publicising UNISON successes in resolving problems

- representing the interests of your members on health and safety
- reporting back to members regularly on what has happened
- consulting members regularly about what needs to be done
- developing the skills and experience to improve your performance
- always reporting-back from meetings, courses etc.
- keeping up-to-date with the latest health and safety law and standards.

You and UNISON

- to work within UNISON’s policies and be accountable to the branch
 - to participate in the branch organisation
 - to work with other health and safety representatives and stewards
 - to liaise with the branch health and safety officer
 - to keep the branch informed of problems
 - to seek help and advice from colleagues whenever you need it
 - to attend health and safety representative meetings within the branch
 - use health and safety successes to promote UNISON and recruit members
- The UNISON “Code of Good Branch Practice” sets out the branch’s responsibilities for health and safety, and the role of the health and safety representative.

Do you have the right to “stop the job”?

You have no legal right to stop the job. This is the responsibility of the employer. You should have:

- Immediate access to senior management if a serious hazard exists
- agreement with management that they will stop the job where you raise serious doubts.

Individuals have the right not to do anything they believe poses a serious risk to themselves.

Is there any legal liability on you as a safety representative?

As a health and safety representative, you cannot be held responsible for the conditions in the workplace. The responsibility for health and safety in the workplace rests firmly with the employer, under the Health and safety at Work Act 1974 and other legislation. For example, if you inspect the workplace and miss a frayed electrical cable that later causes someone to get a shock, you cannot be held responsible. No one can say it is your fault because you failed to notice the frayed cable. It is your employer's responsibility to make sure the electrical equipment is safe.

You and your rights under the SRSC Regulations

Safety representatives functions under the SRSC Regulations: Regulation 4	SRSC Regs ref.
To investigate potential hazards and dangerous occurrences	Reg 4(1)(a)
To investigate the causes of accidents	Reg 4(1)(a)
To investigate complaints by your members	Reg 4(1)(b)
To raise hazards, problems and complaints with your employer	Reg 4(1)(c)
To make representations to your employer on general matters affecting your members health, safety or welfare	Reg 4(1)(d)
To carry out inspections of the workplace	Reg 4(1)(e)
To represent your members with the inspector or other enforcing authority	Reg 4(1)(f)
To receive information from an inspector	Reg 4(1)(g)
To sit on the safety committee	Reg 4(1)(h)
To be consulted in good time on:	
– The introduction of any measures that may substantially affect your members health and safety	Reg 4A(1)a
– The arrangements for appointing competent persons	Reg 4A(1)b
– Any information the employer is obliged by law to give employees	Reg 4A(1)c
– The planning and organisation of health and safety training	Reg 4A(1)d
– The consequences of the introduction of any new technology into the workplace	Reg 4A(1)e

Facilities, time off and training

This section is a useful resource for Activity five

Your employer will usually employ a number of people specifically to deal with health, safety and welfare matters. These employees will be supported with the resources necessary for them to function effectively; offices, equipment, information, training, access to communications, support staff etc. As trade union health and safety reps we cannot function effectively without a minimum level of time off and facilities, and the SRSC Regulations reflect this.

To perform your role effectively, you need as a minimum:

- sufficient time off from work to do the job
- time off for UNISON or TUC approved training
- adequate facilities and assistance.

The Regulations make provision in all these areas, but, as in other cases, there is no prescribed standard. (ie it doesn't say precisely how much time you should have, or what facilities). This means that UNISON will need to negotiate for what it thinks is necessary. The standards in the Regulations are our starting point.

Time off from your normal job

1. To perform your health and safety representative functions

The SRSC Regulations say that time off to perform your health and safety representative functions is “such time off with pay during the employee’s working hours as shall be necessary...” (SRSC Regulations: Regulation 4(2)).

Many health and safety representatives find they do a lot of work in their own time, because the employer is only prepared to allow limited time off. You need to ensure that you exercise the right to time off for all your functions, not just inspections. These will include:

- attending meetings of the branch health and safety representatives
- reporting back to members about a problem
- attending the safety committee meetings and staff-side pre-meetings
- investigating a problem

- taking-up a problem with management
- anything which is related to the health and safety of your members and your job as health and safety representative.

The right is not qualified by the word “reasonable”. We can interpret this as meaning that it is up to the health and safety rep to determine, for example, how long an inspection would take. Management might try to limit the time they allow; the union position is that the health and safety representative will determine the time necessary. But there is a responsibility on you to behave correctly, and not do anything that would jeopardise the branch organisation or your own position when you are on time off.

2. For training

Regulation 4(2) on time off for training is qualified by the phrase “as may be reasonable in all the circumstances...” This can mean that the employer could refuse a specific request to attend a training course if there are particular circumstances that would be difficult (eg if you were the only person available to do your job). However, the employer could not use this excuse indefinitely; to do so would deprive you of your legal right to be trained. The employer would have to find some way to make arrangements that enable you to attend the course.

Some employers are aware that some UNISON regions run a programme of courses for health and safety representatives at weekends and use this to restrict time off for training. Where an employer consistently fails to allow time off with pay during normal working hours, this should be taken up by the branch. You have a legal right to training during working time and this right should be enforced.

Most employers are reasonable in their approach to time off. It shouldn't be the responsibility of each individual health and safety representative to argue for appropriate time off on every occasion. If there are continuing problems with time off, then the branch needs to raise this formally with the employer.

Facilities to enable you to do the job

You need adequate facilities in order to do the safety representatives job effectively. Your employer has a duty under the SRSC Regulations to provide you with “such facilities and assistance as safety representatives may reasonably require for the purpose of carrying out their functions....” (Regulation 4A(2), Regulation 5(3) and Regulation 6(2)). The following is a basic list.

You will need to check with your branch exactly what facilities are available to you, when you get back to work.

General facilities

- Secure storage place for documents and records
- Somewhere to talk to members privately
- Office space/use of a desk
- Access to:
 - Telephone and fax
 - Photocopying
 - Internal mail
 - UNISON noticeboard
 - Typing
 - Computer for data storage
 - E-mail (if you have it)

Health and safety specific facilities

- Access to monitoring equipment, eg:
 - Noise meter
 - Light meter
 - Gas analyser
 - Dust sampling
- Camera

- Specialist information
- Information from suppliers
- Health and safety publications
- Copies of relevant laws and regulations
- Use of outside advisors

Workplace inspections

Health and safety representatives will pick up workplace problems on a daily basis; they don't wait for the formal inspection. However, this doesn't mean that the regular inspection is routine. It is one of our most important jobs and politically very important. It tells the employer that you are serious about the job, you are aware of your rights and are determined put them into practice and it lets your members know the benefits of local trade union organisation.

Here are some of the reasons why we should do inspections:

- it's a systematic way of approaching our job as health and safety representative
- it's a more structured and detailed way to find out about problems
- it sends messages to the employer that we are serious about the job
- emphasises our presence and raises UNISON's profile with the members
- gives us further opportunities to discuss health and safety with members
- helps us pick up more obscure or hidden problems and hazards
- we can check that relevant standards and laws are being observed
- to check that management has carried out agreed improvements
- puts pressure on the employer to resolve problems
- makes sure that new standards, laws etc are implemented.

UNISON health and safety representatives have three main inspection rights.

1. Regular quarterly inspections.

SRSC Regulation 5 provides you with the right to inspect the workplace regularly every three months. You should give reasonable notice in writing.

You can inspect more frequently if:

- you get an agreement with your employer
- where there has been a substantial change in the workplace
- new information has been published.

During the inspection, you have the right to private discussions with your members. The employer or their representative has the right to be present in the workplace during your inspection. Employers sometimes interpret this to mean that they can accompany you, but it doesn't mean that. You should decide if you want a member of management on the inspection. There are arguments for and against. You could point out things as you go; ask questions; begin discussions; or get agreement that something is wrong. On the other hand, it could send the wrong message to members; you might be rushed along; or members might be reluctant to have even private discussions with you, as it could be obvious who had raised a problem. You should decide what you want to happen on the basis of the circumstances.

2. Inspections following notifiable accidents, occurrences and diseases.

SRSC Regulation 6 provides you with the right to inspect following a notifiable accident, disease or dangerous occurrence. Definitions of these are found in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. (RIDDOR) Your purpose is to find out what caused it, and to get management to put things right, to avoid a recurrence. The Regulation says:

- it must be safe for you inspect
- that the interests of your members might be involved.

You only have to notify the employer in advance if it is reasonably practicable to do so.

The same provision as in Regulation 5 in respect of the employer being in the workplace applies.

You can only exercise this right if things are brought to your attention immediately they happen. It is no good inspecting an accident site after everything has been cleared up, witnesses have gone home and victims taken to hospital. You need to ensure that there is a procedure in place to notify the health and safety representative immediately an accident or dangerous occurrence happens.

You should also be looking at extending this inspection right to all incidents, not just events that are covered by the RIDDOR definitions, including things that are less serious but still pose risks and problems for members.

3. Inspection of documents and provision of information

SRSC Regulation 7 allows you to inspect and to take a copy of any documents that the employer is required by law to keep in the workplace. It also requires the employer to let you have access to any other information relating to health, safety and welfare that is necessary to enable you to do your job as a health and safety representative. The regulation can be viewed as restrictive however, the Approved Code of Practice is quite helpful. Documents include:

- information about plans and performance of the undertaking
- information of a technical nature about hazards and precautions.
- information about accidents, dangerous occurrences and notifiable industrial diseases
- any other information including results of measurements and checks on effectiveness
- information on articles and substances used by homeworkers.

At the end of this section there is some general guidance on conducting regular quarterly inspections; a example of an inspection checklist for workplace fire precautions and basic guidance and a checklist on the health and safety representatives role in investigating accidents.

Workplace inspections a systematic approach

This section is a useful resource for Activity eight

Planning and organising inspections

Workplace inspections should be planned and organised systematically within the branch. It is the job of the branch health and safety officer (BHSO) to co-ordinate the activities of the workplace health and safety representatives (see the Code of Good Branch Practice Section 6.7), including workplace inspections. You should plan an annual calendar of inspections at the start of the year and book your time off well in advance.

It can be a good idea for new health and safety representatives to do their first inspection with a more experienced rep.

Don't demean the status of an inspection by calling it a stroll-round. Emphasise to members the importance of the inspection process.

The general inspection

The standard workplace inspection is the general inspection, where you look at everything. You examine:

- plant and machinery
- the system of work
- the use of articles, substances and material
- storage of articles, substances and materials
- transport and handling of substances and materials
- information, instruction training and supervision
- the buildings, offices, workshops etc and physical conditions
- movement around the workplace
- fire precautions
- the environment (heat, lighting etc)
- welfare facilities (toilets, washrooms etc).

Other kinds of inspection

Don't allow the inspection process to become routine by doing the same thing every inspection. It's good practice to vary your approach, and concentrate in more detail on a particular aspect of the workplace. You can also do an inspection outside the quarterly programme in this way, if

there has been some new law or information about a particular aspect of health and safety. Some suggestions might be to:

- concentrate on the electrical equipment
- do a detailed fire precautions inspection
- focus on manual handling and lifting
- inspect documents
- look at health and safety training
- do a stress or bullying survey, and use the inspection to collect the survey forms and talk to members about problems.

You could also vary your inspection programme by asking someone with special knowledge to help you. (eg a technician's rep to help you learn more about computer workstations). Sharing an inspection with another health and safety representative in a different work area will bring a fresh pair of eyes to the conditions. This could help spot problems that familiarity masks.

Planning and organising your inspections

Good preparation and follow-up is essential to a successful inspection. Don't think that you can carry all the information you need in your head. Spend some time planning your inspection. You should do this even when you have more experience. If possible, work with another health and safety representative to do your planning.

1. Draw up an inspection plan

Think about:

- the time and date of the inspection
- notifying the employer and organising time off
- letting members know it's going to happen
- what you will look at
- who you will talk to
- what route you will use round the workplace

- how much time you will need to prepare, do the inspection and write your report.

2. Get hold of relevant information

- review your last inspection report for outstanding items
- floor plans and workplace layout (use these to map risks and potential hazards in the workplace)
- fire precautions plan (drawn-up by the fire authority and attached to the fire certificate)
- risk assessments
- legal and other standards
- information from the Health and Safety Executive
- UNISON information
- hazards data sheets for chemical substances
- COSHH assessments and records
- safe working practices and rules.

3. Develop checklists

The checklist approach is the best way of making sure you cover everything. The best example is an aircraft pilot's approach. Before flying the aeroplane, the pilot goes through a standard checklist, which covers all the safety aspects of the aircraft. It is a systematic approach that ensures that nothing is missed. Items are ticked-off as you go. If anything isn't right, the aircraft doesn't take off.

A number of specific checklists are better than one large general one. An example of a checklist on fire precautions is on page 30. Other examples can be found in the "Hazards at Work" manual. Your branch health and safety officer may have others. Don't forget that this can be one of the facilities that you can reasonably require your employer to provide. Employers' safety officers often use the checklist approach themselves.

To be most effective, checklists need to be customised to the particular workplace. You can work with other health and safety representatives to

build up a library of checklists in the branch. This job should be organised and co-ordinated by the branch health and safety officer.

4. Involve your members

- notify your members in advance
- emphasise the importance of the inspection and their role in it
- find out if there is anything particular you should examine
- discuss problems with members before and during the inspection
- find out what they think should be done.

5. During the inspection

- be positive and businesslike in your approach
- don't waste time unnecessarily, but don't rush either
- go back and check things if you need to
- tick-off your checklists
- keep additional notes as necessary
- ask questions of your members
- talk to people about the inspection
- discuss problems as you go
- take two pens in case one runs out.

6. After the inspection

- review your notes
- complete your report form with items you wish to draw to the employer's attention
- copy the report for your records and the BHSO
- submit the report to management
- prepare for, and give a report-back to your members
- make a note in your diary when you need a response from management
- prepare your report to the branch health and safety representatives committee

Reporting and recording your inspection is essential. There are copies of

the UNISON Inspection Report form in your course material pack. This is based on the official example reproduced in the UNISON booklet of the SRSC regs (pages 18 and 19 of the booklet).

Use the report form to record problems and hazards you have identified. Never use the report to say that the workplace is safe. If you haven't found any problems (and that's unlikely), you should record the fact that you have done the inspection and that there is nothing you wish to bring to management's attention. It's better to record something that could be improved, as no workplace can ever be 100% safe.

Keep copies of your reports in your filing system, and make sure you copy them to the BHSO.

It is good practice to think through and suggest possible forms of action that will resolve problems. Work with your members to identify improvements – members are good at suggesting what should be done to improve things.

7. Follow-up

Management should respond to your report, saying what action they will take over the matters reported. This response should be in writing. You should give them a reasonable time, but then if you haven't heard anything, you should chase it up.

Management may respond and tell you they will take no action, or take a form of action you think is inappropriate. You should make representations to management if you are not happy. Seek advice if you feel you need it. Make sure you always put things in writing, so you have a record of events. If you cannot get an agreement with local management, the problem may need further action at branch level. Make sure the branch officers are well briefed and have all the necessary information and paperwork to raise the problem with the employer. You should be involved in any meetings.

Report back to your members about management's response.

Guidance Note 24 – p22 of the UNISON booklet of the SRSC Regulations, says you should be given the opportunity to re-inspect when management tells you that things have been done to correct problems. You should always do this.

Example checklist: office hazards

Checklist Questions	Yes	No	Comments
Lack of Space			
1. Is the amount of space adequate for people and machinery? Has it been measured?			
2. Could proper storage help to clear floor space?			
3. Could a better planned lay-out give more space?			
4. Could office space be shared out more fairly?			
5. Are floors cleared of wires and small objects which may be a tripping hazard?			
6. Are sharp edges and projections covered and enough space allowed around these?			
Electrical safety			
1. Are all sockets, wiring and electrical equipment regularly checked and serviced?			
2. Is damaged or faulty equipment immediately taken out of service?			
Machinery hazards			
1. Is machinery properly guarded?			
2. Is the noise level as low as possible?			
3. Are chemical fumes removed by ventilation?			

Checklist Questions	Yes	No	Comments
Fire precautions			
1. Is the fire alarm system regularly checked?			
2. Are maintenance checks recorded? Fire extinguishers available and in working order?			
3. Are alarm call points clearly marked?			
4. Is the system tested weekly, and recorded?			
5. Is the alarm audible everywhere in the workplace?			
6. Are visual alarm signals in place where necessary?			
7. Do members know how to sound the alarm?			
8. Do members know where the nearest alarm call point is?			
Fire exits			
1. Are all fire exits clearly signed?			
2. Is the route to the nearest exit clearly signed?			
3. Do all parts of the floor have direct access to a fire exit?			
4. Are all exits clear of obstruction and not locked?			
5. Do all exits open in the direction of escape?			
6. Are exits clear of obstruction on the outside?			
7. Are protected stairways clear of all materials, and properly sealed against smoke leakage?			
8. Is the emergency lighting system regularly checked?			
9. Are lighting checks recorded?			
10. Do members know the way to the nearest fire exit?			

Checklist Questions	Yes	No	Comments
Environmental			
1. Is the temperature comfortable?			
2. Is there enough air without drafts?			
3. Does the atmosphere feel dry and stuffy?			
4. Is the ventilation/air conditioning system in clean working order?			
5. Are noise levels at or below 60 dB(A)? For example can you hear clearly what people are saying to you at normal conversational levels?			
6. Are lighting levels adequate in all areas?			
7. Is different lighting provided for VDU's and paperwork?			
8. Are stairs corridors and toilets/rest rooms also adequately lit?			
9. Is provision made for members with disabilities?			

Dealing with Accidents

Inspecting the scene of an accident has two main purposes:

- it helps to establish the cause, and so find ways to prevent a recurrence or similar accident
- it helps gather information, which UNISON may need to help an injured member pursue a claim for compensation.

Checklist

Safety reps action	Key points
Get to the scene as soon as possible	Make sure members know how to contact you. Make sure there is a procedure for management to notify you.
See the injured member is being looked after	Check first aid is given, ambulance called etc. Make sure your member isn't being put under pressure to make a statement.
Make sure nothing is moved	Tidying up can remove evidence about the cause of an accident. If things have been moved, try to find out what it was like before.
Take photos, measurements and make sketches	This is good evidence to establish the facts, and to use in negotiation with the employer. May need to be used in a compensation claim.
Talk to witnesses	Only an HSE Inspector can legally require anyone to make a statement. You should ask witnesses to make a voluntary statement to you while it is fresh in their mind. It's better to give a statement to the union than the employer.

Do a detailed inspection	Use the findings to make your report about the causes of the accident.
Suggest immediate precautions and longer-term improvements	Use your inspection findings to help. Talk to other workers in the area. Bring in the BHSO if necessary.
Liaise with the Inspector	Make sure the inspector has been notified. Let the inspector know you have done an investigation. Compare notes and find out what further action the inspector will take.
Check the accident records	Make sure there is an entry put in the accident book. Make sure the RIDDOR notification form is submitted. First aid records should be completed.
Advise the injured member	Tell them about their rights to UNISON assistance to claim compensation. Remind them they cannot be required to make a statement to management. If they are approached they should say nothing, and ask for their representative's advice.

Inspection checklist: the scene of an accident

The workplace and environment:

- lighting
- temperature
- noise, dust and fumes, etc
- materials, substances etc
- workplace layout
- work equipment, machinery etc
- the floor
- housekeeping.

Training, experience and supervision:

- was the worker experienced on the job?
- has the worker been trained in safe working methods? When?
- was supervision adequate?
- was the supervisor properly trained?
- What information was available to the worker:
- has risk assessment information been given?
- about safe working practices?
- about equipment, substances or materials?

Maintenance:

- if equipment was involved, was it properly maintained?
- what do the maintenance records say?
- have there been any complaints?
- Protective equipment:
- was it needed and supplied?
- was it in good condition?
- had the worker been instructed in its proper use?

Legal standards:

- has a risk assessment been done and acted upon?
- were there any clear or possible breaches of the law at the time?

Other incidents:

- are there any records of similar previous accidents?
- have there been any near misses recorded?
- is there any evidence of unsafe practices being encouraged by management?

Role of other people:

- was anyone else involved in the accident
- if so, what part did they play?

Management's investigation:

- what has management done to investigate?
- are there any crucial differences between our findings and theirs?

Experiences of UNISON safety reps

This section is a useful resource for Activity nine

Successes

“We are concerned that low grade supervisors and UNISON members were being given risk assessment duties that they did not have the time, authority, resources or training to do competently. The members felt unable to refuse to do assessments but they all agreed to write a ‘waiver’ or ‘disclaimer’ at the bottom of the form, which they signed”

Safety rep, district council

“After UNISON pressure, a start has at last been made on doing risk assessments”.

“It’s been a struggle, but management are doing better assessments”.

“We got the Health and Safety Executive in to do a training course for directors and managers on their duties and responsibilities”.

Safety Rep, further education college

“UNISON explained to members the dangers of them agreeing to carry out risk assessments if they had not been trained. They accepted our arguments and all refused to undertake risk assessments and at the same time UNISON requested proper training. Now management have agreed to provide training for all staff when and where needed.”

“We requested, in writing, that management redid their risk assessments when restructuring of the department took place, when the use of buildings was changed and concerning staff shortages. Not much has happened so far, but at least we’ve got it on record that these changes are causing risks”.

“We’ve got management to do an asbestos risk assessment and mark the location of all asbestos and establish priorities for removal in the short and long term”.

“Management have started doing training on risk assessment, following union pressure.”

“It’s now on the agenda”.

“Finally started doing them when we kicked up a fuss.”

“We found that if we took management around with us and pointed out the risks, they would then go away and rectify the problems identified to them. It’s basically like taking them round on one of our inspections. The problem is their ignorance over what we do”.

“They’ve completed display screen equipment assessments for all 20 workstations in the depot. Measures we got them to introduce include blinds on windows, better lighting, tackling the problem of glare, wrist rest and back support chairs”.

“With gluteraldehyde, new practices, equipment and monitoring have been introduced”.

“Inappropriate beds with heavy wooden bases have been adapted so they can be moved more easily, reducing the risk of back injury to staff”.

Problems

“They’ve been done, but the control not implemented”.

“Still nothing’s been done”.

“They pass these responsibilities as far down the line as possible, getting bottom grade supervisors to do them on top of all their other duties”.

“It’s unclear who in management has responsibility to do the assessments so nothing gets done”.

“Getting health and safety as a real priority on middle manager’s agenda”.

“My site is away from the main branch, so as a rep I feel isolated and feel I don’t get the support from the rest of the branch”.

“Managers have not been trained in doing assessments”.

“Front line managers just don’t understand what’s required of them”.

“Middle managers lack understanding”.

“We have problems finding out who’s done them and where they are”.

“They’ve done the assessments but are refusing to give us the results”.

“No standardisation – each department left to do its own thing”.

“Management are apathetic and ignorant”.

“Management say they have more pressing priorities”.

“Management say they haven’t the time or money to implement changes”.

“Management don’t understand the requirements of risk assessment and they don’t have the capability to carry them out”.

UNISON and branch organisation for health and safety

This section is a useful resource for Activity 13

Health and safety representatives need to know about the other business of the branch, to make sure that anything they do is within UNISON policy, and doesn't cut across other issues being pursued by the branch. Health and safety representatives can also help to inform the branch about the health and safety implications contained in other issues and problems the branch is pursuing. As an accredited UNISON representative, you have a responsibility to play a part in policy determination and the actions taken by the branch generally, and to promote and support UNISON activity in the workplace.

Safety representatives committees

Branch organisation depends on the size and structure of the branch. In a small branch, where members all work together, the branch may set up a regular health and safety representatives meeting for all health and safety representatives. In larger branches, there may be departmental health and safety reps meetings, and a branch health and safety committee composed of delegates from the departmental committees.

The BHSO plays a central role in your organisation. Their job is to bring together all the UNISON health and safety representatives, and develop an effective organisation at branch level. A health and safety representatives committee that functions well is invaluable in developing the branch's approach to health and safety problems. It helps to build the organisation by bringing the health and safety representatives together to share experience, keep up-to-date, share good practice and develop skills, and develop an effective strategy for health and safety in the branch.

You need to establish a good working relationship at branch level, to ensure that health and safety issues are tackled effectively and that activity around health and safety issues contributes to the improvement of conditions and members lives at work.

You will need to check out what the position in your branch is when you get back to work following this course, and make sure that you get fully involved in the branch's activity.

The regional health and safety committee is a sub-committee of the regional council. Its main job is to take a strategic view of health and safety in the region. It sends a delegate to the national health and safety committee and provides a link between national and regional activity. It can provide advice and assistance with problems, and organise events. It reports to the regional council.

The national health and safety committee is a sub-committee of the National Executive Committee (NEC) and deals with UNISON policy on health and safety matters between the annual conferences of the union. Members are delegated from regional committees, and the NEC nominates members.

UNISON regional officials have responsibilities for health and safety matters as part of their general remit as officers, providing support to branches.

Head of bargaining support and health and safety. This unit produces information material about health and safety problems, and provides services, assistance and information for branches.

Information sources for health and safety representatives

A key part of effective organisation is access to information. You need to check out the following sources, as a basic toolkit of information resources that should be available through the Branch. Add things to your list of things to do.

UNISON produces a wide range of publications on health and safety issues, including a regular bulletin for safety representatives. A copy of the catalogue is in your course pack, and publications are available regionally. There is a UNISON health and safety reps pack which contains among other things the UNISON health and safety reps guide. This guide is also in your course resource folder. You need to find out what is held by your branch, and how you get copies of leaflets and publications. Does your branch have a library of publications? Where is it? How do you get access to it?

UNISON also has a website unison.org.uk which contains health and safety informational databases. You need a password for the databases.

Labour Research Department (LRD) provides a research and information service for trade unionists. It produces information on health and safety in its regular monthly magazines and also produces a number of pamphlets every year on health and safety issues. UNISON is affiliated nationally to the LRD and some LRD pamphlets have been over-stamped with the UNISON logo and are available to members from the publications catalogue. Many individual branches also affiliate to LRD. LRD also provide an enquiry service (for a small fee) for its affiliates. Check if your branch is affiliated to LRD. If it is, find out how the information is made accessible to health and safety representatives in the branch.

Health and Safety Executive (HSE) is the government body that employs health and safety inspectors. They enforce the law on occupational health and safety through a system of inspection and investigation, and will give advice and information. The HSE also produces a wide range of information on health and safety matters, from free leaflets, periodicals and a magazine, to guidance notes and booklets on a wide variety of issues and topics. They produce catalogues of priced and free publications annually, which are in your pack. Take time to read these,

and send for some free publications that are relevant to your workplace. The HSE website is hse.gov.uk

In Northern Ireland, the equivalent organisation to the HSE is the Health and Safety Agency, Northern Ireland. The Agency assumed full responsibility for all aspects of occupational health, safety and welfare matters in April 1999. If you are doing this course in Northern Ireland, contact the Agency and ask them to send you their free pack of material, particularly “The Legal Framework of Health and Safety at Work in Northern Ireland” (73 HAS 98) and “The Guide to Workplace Health and Safety” (1 HAS 98).

Your employer is required by the SRSC Regulations to give you such facilities and assistance as you may reasonably require. Employers will have key HSE publications, and usually subscribe to commercial and professional publications. Companies like Croners and others produce loose-leaf manuals on health and safety, which are regularly updated to take account of legal and other changes. ROSPA and the British Safety Council produce regular magazines. Use your rights in the SRSC Regulations to get access to such publications. Your employer should also have a lot of information about the particular hazards and risks in your workplace. You need to check with your BHSO about what is available and what arrangements are in place to give you access to information from your employer.

Hazards Magazine is a quarterly magazine for health and safety representatives. It is available on subscription from P.O. Box 199, Sheffield, S1 4YL. (Tel: 0114 276 5695). There are local hazards centres and groups around the country who can provide information, and UNISON supports the national hazards campaign, made up of unions and local hazards centres and groups. The hazards campaign holds an annual conference for health and safety representatives and activists. Details are in Hazards magazine, or from the health and safety unit at UNISON head office.

Dealing with health and safety problems

This section is a useful resource for Activities 15 and 16

One of your most important jobs as a UNISON health and safety representative is to help members to take up workplace health, safety and welfare problems. The aim of this part of the course is to help you adopt a systematic, step-by-step approach to tackling problems and hazards in an organising way. You should use this approach when you are taking up any problem. We call it:

PIPOW – problem, investigation, plan – the organising way

Problem

- Was it reported to you, or did you detect the problem?
- What are the facts of the case (who, what, where, when, how, why)?
- What seem to be the causes?
- Is this just a symptom of an underlying bigger problem?
- Is it a one-off or has it happened before?
- Is it due to the way things are done, rather than a particular hazard?
- How many workers are involved, affected or concerned?

Investigation

- Has the employer done a risk assessment? Get hold of a copy.
- How can you and the member(s) get hold of any other relevant information?
- What do your investigations show?
- Have you interviewed those involved?
- Are all members aware of the problem?
- How will you involve them in its resolution?
- What do other members feel about the issues?
- Would they support, get involved or otherwise help?
- Have you talked to any witnesses?
- What does the law say about the problem?
- What other information can you find on the particular hazard?
(Remember health and safety reps are entitled to information from the

employer covering equipment design, chemicals and other substances used at work, statistics on accidents, etc)

- Is there any union policy or guidance that may help?
- Has there been any training in this area?
- If something similar has happened before, ask other union reps how it was handled. Has the employer taken any steps to prevent it from happening again?
- What does the employer's safety policy say?

Plan and organise

- What are your aims in taking up the problem? These may be short term or longer term. Short term aims are usually easier to deal with, but it may mean that the problem isn't really resolved. Always keep your longer term aims in mind. For example, members may be expected to use machinery that is very noisy. In the short term, you might agree to members wearing ear protectors. In the longer term you'd be looking for management to remove the hazard at source. See the "Hierarchy of Controls" box below.
 - Seek advice assistance and support from the branch health and safety officer and other health and safety reps, don't try to work in isolation.
 - How will you keep them informed and involved?
 - What is the level of membership support on the issue?
 - How can members be more involved in what the union is doing?
 - How can you keep members informed?
 - What can you agree with members to be a realistic aim and approach?
 - What can members do for themselves with your support and assistance?
 - As the problem is taken up what could you ask members to do to get them more active in the union?
 - What is the best way and level to raise the issue with management?
 - What is the procedure for taking up the complaint? What does the employer's safety policy say?
 - Raise the matter in writing, so you have a record.

- Make sure management don't allow things to drag on. Set yourself a time limit and try to keep to it.
- Let other local union reps know what is going on.
- What are the arguments you would use to put your case to the employer?
- How do you anticipate management will respond?

Outline negotiating plan

This section is a useful resource for activity 17

Problem

- Main facts
- Cause of problem

Information

- Relevant provisions from legal requirements
- UNISON policy and guidelines
- How the risk assessment requirements can help
- Members' views
- Other

Planning and organising

How will you involve members and keep them informed of progress?

What are your aims?

- Maximum
- Minimum

Your main arguments

- Management's likely response
- Management's likely arguments
- Your planned response

Meeting management

Checklist

Preparation: the union pre-meeting

- Arrange a pre-meeting to prepare and agree aims/ arguments
- Choose a main spokesperson
- Make sure someone agrees to take notes
- Work out tactics.

Meeting management

- Never disagree in front of management
- Use adjournments when needed
- Steer the discussion onto your strongest points
- Look for management offers and clarify them
- Never agree less than the legal minimum
- Never go below your fall-back position
- Make sure there's a written record.

After the meeting

- Review the union's position
- Decide what should be done next
- Keep the members involved up-to-date
- Don't accept final offers before reporting back to members.

Meeting management – presenting your case to management

Introduction

Much rubbish is talked about the “born” negotiator or someone who has a “natural talent” for it. Everyone negotiates in everyday life so what we need to do is recognise and apply natural rules to our union work.

Effective negotiation depends on two key things:

- good preparation
- membership support and involvement.

Of course it is important to present your case in a clear and succinct way, but most people can do that with a little practice and experience.

Conducting negotiations

Be courteous but firm – you have the right to be there because you represent the members. What you are trying to do is persuade management that what you want is best for them. That cannot be achieved if you are abusive or lose your temper. That sort of approach is likely to increase resistance of the other side.

You should not allow courtesy to be mistaken for softness. You need to be firm and determined. Be very careful in your use of language. Try to use “building” language rather than destructive language. For example, if they offer something that does not meet what you want, do not say “that’s no bloody good” but try something like ‘that’s a helpful start’. The first means you are left with nothing on the table, whereas the second will give you a starting point.

Sometimes you will meet with provocative behaviour from management. If that happens you should remain calm and stick to your case. If you over-react to their behaviour it may affect your judgement – which is possibly what they intend.

Put your case

Listen carefully to their case; defend your case – but not necessarily in that order. As a general rule the person making the claim puts their case first, whereas, the person reacting to an action taken by the other side should ask them to justify their position first. But whichever pattern is followed, make sure the case is put. At some point you should state the facts, say what you want, and why you want it.

If you take the ‘well it isn’t good enough and what are you going to do about it?’ approach you will probably end up arguing about their position rather than your case.

Clarification and exploration of ideas

Invite management to respond to your claim, ask them if they need any clarification. Explore possibilities using the ‘What if.....?’, ‘Perhaps then.....?’ approach.

Listen to what they have to say

Listening carefully is something most people are very bad at. Once they have put their case, they are much more inclined to think about what they are going to say next. Listen carefully, not just to what is being said, but the way in which they are

saying it; look for signals eg are they saying ‘never’ or ‘not at this moment’, are they saying ‘impossible’ or ‘difficult’, it may well give you a clue as to where they might be prepared to make an offer or compromise.

Defend your case

Many a good case has been lost because it has not been defended. You should never let management’s arguments go unanswered. When you prepare your case try to anticipate what arguments they will use and work out how you will reply. If management appear to have anticipated all the points you are making you probably have a difficult case.

Be ready to modify your claim and make concessions

But only do this if you get something in return. Use the “IF” and “THEN” formula – IF you give us something that we want THEN we will give you something you want. Never give anything unless you get something in return.

The adjournment

You sometimes find yourself being presented with information or arguments you had not thought about, or you have reached a point where you are not sure what to do next. If this happens ask for an adjournment in which you can consider your next move. The adjournment is not a sign of weakness, it is a sign that you are determined to get the best possible result and that you are not prepared to be rushed into something without considering all the implications.

Do not confuse lung power with brain power

If you shout you will probably lose more cases than you win. The most effective presenter is one who has well organised facts and figures and who presents them in a straightforward way that leads to a self-evident and logical conclusion.

Threats of industrial action should be used as a last resort rather than the first. In some cases you may not be able to avoid threatening sanctions – that is why you must think them out in advance.

Never bluff

A bluff is a threat you cannot deliver. You may get away with it once, but you will be found out and it will be a long time before your word is trusted again. Always avoid actions that threaten your credibility. Besides which, if you bluff, so can the management – and then neither side will be able to believe or trust the other.

Keep on bargaining

As long as you remain at the table and you can keep on talking in good faith there is always the possibility of a settlement. Agreements can only be reached in negotiations. Even when negotiations have broken down and there is a strike, the parties still have to get back together to settle the issue. Try to avoid getting bogged down on points which detract from the main purpose of the negotiation. Make sure that important “points of principle” are in fact significant.

Agree on what you have agreed

Too often negotiators part thinking they have an agreement only for it not to work because it turns out there are major differences in interpretation of what was agreed. To avoid this, sum up at the end and agree what you have agreed on and who is going to do what next.

Write it down – even to spelling out the intent as well as the words of the agreement.

Ensure that the agreement is implemented

After the negotiations, ensure that the agreement is implemented in full, that it works and that it is maintained.

If you fail to reach an agreement, then announce your intentions (the action you are going to take). Consult your member(s) and the appropriate branch officers or committee to decide on the next step.

Reporting back to members

Whether it is an individual or a collective issue, it is crucial to keep the members informed of progress and especially the result of the negotiations.

- Explain exactly what happened in the meeting.
- Explain what action you propose to take next and ask if she/he/they agree.

- Make definite arrangements to keep them informed.
- Make a note of the meeting for your records.

Reporting back to the branch

Make sure that any agreement you reach is reported to the branch and is passed to other health and safety reps. You may have achieved something that could be used to set a standard for all other employees.

Further training for health and safety

At this point in the course, you have probably realised that you need further training. There are a number of further training opportunities available.

UNISON regional training programme

UNISON promotes a regional education programme, which has a range of courses on specific health and safety issues and problems. Courses can also be provided for branches on request. Throughout this course we have made many references to doing things the organising way. UNISON's "Winning the Organised Workplace" (WOW) course helps activists to understand the various aspects of organising and what is meant by the move to an Organising Culture. The UNISON programme also includes courses on:

- risk assessment
- stress
- bullying at work
- work related upper limb disorders (WRULD's)
- sickness absence
- display screen equipment, COSHH and other regulations.

You should also consider attending more general trade union skills courses like "Handling Grievances and Disciplinarys" and "Communications Skills". These will help you develop your skills to represent members effectively.

Trades Union Congress (TUC) Education Service

The TUC Education Service offers a range of courses for union safety representatives, provided by public sector educational bodies like the WEA and local colleges of further education. These courses are either general courses for safety representatives from all unions, or can be tailor-made for individual unions.

The core course for union health and safety representatives

The core course for health and safety representatives is a 20-day course, which follows on from this induction course. The course is split into two stages, (Stage 1 and Stage 2), each of 10-days duration. The course is

usually provided on a day-release basis, each stage being 10 days over 10 weeks. You need to have done Stage 1 to progress to Stage 2.

TUC diploma in occupational health and safety

This is a oneyear course, one day per week, leading to the TUC Certificate in Occupational Health and Safety.

Finding out about courses

Contact your branch education officer, branch secretary, regional officer or regional education officer for details of the UNISON and TUC course programmes in your region. Details of the TUC programme are also available from the TUC regional education officer in the region. Your rights to attend, with paid release during working time, apply to all UNISON or TUC approved courses.

Appendix A

Essential “starter kit” of information for health and safety representatives

UNISON publications

Hazards at Work manual

UNISON health and safety ‘six pack’ guide.

This Includes guidance on:

- The Management of Health and safety Regulations 1999.
- Workplace Health, Safety and Welfare Regulations 1992.
- Provision and Use of Work Equipment Regulations 1992.
- Display Screen Regulations 1992.
- Manual Handling Regulations 1992.
- Personal Protective Equipment Regulations 1992.

UNISON Safety Representatives Guide.

UNISON Code of Good Branch Practice.

Risk Assessment – a guide for UNISON reps

UNISON Guide to Inspections.

UNISON guide Working with HIV

UNISON health and safety webpages at unison.org.uk

UNISON Health and Safety Organiser. Available in Focus. If not check regional office.

Agreements/employer documents

Time off and facilities agreement

Grievance procedure and any specific health and safety procedure.

Any specific health and safety agreement(s).

Your employers safety policy.

Constitution and standing orders of the Safety Committee.

General sources

Safety Representatives and Safety Committee Regulations (The Brown Book).
(Now provided as a UNISON booklet)

Labour Research Department publications.

Hazards Magazine.

The Six Pack Regulations, Codes of Practice and Guidance Notes.

The Health and Safety at Work Act 1974.

Health and Safety Executive publications and website

Appendix B

Interviewing members

Interviewing skills are essential for any union representative to make sure you get all the facts from a member, before taking up a case. The following points will help you to do this in a methodical way.

The main points are:

1. organise the interview properly
2. put the member at ease
3. get the facts
4. ask the member what they would like done
5. tell the member what you plan to do and get agreement from them on how they can work with you to achieve aims
6. make definite arrangements to keep them informed.

1. Organise the interview

- Check the person is a paid-up member, and entitled to UNISON representation.
- Find out roughly what the problem is about.
- Make sure you have a suitable place to meet, in private and without interruption.
- Arrange time off for yourself and the member for the interview.
- Get any relevant documents eg agreements, procedures, letters etc.
- Take a notebook and two pens.
- Prepare your questions.

2. Put the member at ease

The member may come to you angry or upset because of what has happened, and may need calming down before you can sort out the facts.

- Assure the member that the interview is confidential.
- Be sympathetic and avoid giving the member the idea you are cross-examining.
- Establish a relaxed, friendly and supportive tone.

- Explain that you will need to take notes.
- Limit your own talking. You need to concentrate on what the member has to say, and make notes. Give them your full attention, and let them see that you are really interested in their problem.

3. Get the facts

Start off by asking them to tell you the whole story. Do not interrupt them.

When they have finished, repeat the story to them as you understand it and check that they agree with your version. Then develop your understanding of the story by asking the six key questions:

- who? names of people involved
- what? nature of the problem
- where? exact locations
- when? dates and times
- why? reasons why the problem occurred
- how? the problem came about.

The 'how' and 'why' questions are the most difficult. Members will want to give you a favourable view of their case. But if you are to take the matter up you need to know the weak points as well and, in some cases, you may need to know background information - for example – about domestic matters, to help you to do this.

There are different kinds of questions you can ask. Some are positive and helpful; others are negative and can be obstructive in getting the story. The skill is to decide when to use what type of question.

Positive kinds of questions

Closed questions allow a 'yes', 'no' or other short response and are useful to establish facts.

Open questions allow people to give their own answers and are good for getting at details, reasons and opinions.

Extending and clarifying questions help you to get more information, or develop your understanding.

Negative kinds of questions

Hypothetical questions don't help to clarify what really happened.

Double-barrelled questions asking people to consider two things at once can be confusing. People usually only respond to one part of the question.

Questions that imply value judgements can be taken as criticism of the person you are interviewing, and put them on the defensive.

The way you ask questions is important. Your questions should be friendly and supportive, not hostile or hectoring. If there are inconsistencies in their answers, ask a series of clarifying questions, to make sure you have the correct information.

Take adequate notes

Don't try to remember what was said. It is essential that you make adequate notes about the problem during the interview.

When you have finished, explain your understanding of the problem to the member. If necessary, show your notes to the member to confirm they are accurate.

Finally, always ask if there is anything else you should know.

4. Ask the member what outcome they want

Once you have the facts, always try to establish what it is the member wants you to do. Many hours have been wasted by reps fighting for something the member(s) did not want. Discuss or suggest possible courses of action for the member to consider.

5. Propose action

Be careful what you tell the member. They should be clear about:

- what you are going to do
- who you will approach
- when you are going to do it
- how long it may take.

You must be honest – but without making the member feel you are unsympathetic:

- make it clear that you will do your best
- don't make promises or raise false hopes
- if a case is a “loser”, not genuine, or against UNISON policy, then explain this factually
- if in doubt, look into the matter and take advice before you tell a member what action you propose.

6. Make definite arrangements to report back to the member.

Do not leave the member dangling on a string by saying, “Leave it with me”, or “I'll get back to you when I know something”.

Make a firm arrangement to contact the member and keep them up-to-date with progress. Don't delay passing on concrete information as soon as you have it.

Make sure the member understands that they have your support and that they can contact you whenever they need to.

