

**CRITICALLY REVIEW THE PROVISION, ROLES AND
FUNCTIONS OF HEALTH AND SAFETY REPRESENTATIVES.
[SR'S AND RES]**

Abstract

Chosen by the workers, health and safety representatives (HSR) are responsible for ensuring a safe workplace environment through discussion, safety evaluation and resolving employee's safety concerns. HSR is only committed to the workers and they are directly liable to interfere with organisational safety management, review the system and take effective safety measurement. Main aim of this report is to critically review the functions, roles and provision of HSR and its impact on successful health and safety management at the workplace. Identifying HSR's challenges and providing appropriate recommendations emerged as the main objectives of this report. HSR offers necessary training related to enhancing better equipment handling skills and resolving the safety concerns raised by employees.

The main function of HSR is to assess the potential health and safety risk at the workplace, provide solutions and investigate accident causation. Instil safety culture, criminal liabilities and monitoring the organisations are few major areas that set HSR's provisions. In addition, information related to health and safety guidelines, findings from accident causation and safety training are provided by HSR to the employees. Effective employee training and safety infrastructural development emerged as key recommendations for successful implementation of health and safety management.

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Introduction

Health and safety representatives (HSR) refer to a group of workers that looks after the employee's health and safety at the workplace. HSR ensures the safe work environment for the workers by inspecting and analysing the workplace practice and safety cultures. In addition, the members of HSR group identify the health and safety issues along with any wrong practices among workers and highlight the concerns to management. Health and safety representatives often visit the workplace without giving any prior notice to check if any worker's health or safety is being compromised during the working hours and identify health protocol breaches at the workplace. Moreover, HSR is responsible to investigate and find out the authentic reasons for accidents and any dangerous occurrence. Once the accident cause is identified HSR is responsible for assessing the risk and providing appropriate recommendations to mitigate the health and safety threats. In addition, health and safety representatives are also responsible for conducting safety events in the workplace to raise awareness among the employees. HSR also advises and assists the workers in complying with the safety provisions and implementing ideal health and safety practices at the workplace.

Aims and objectives

This report aims to critically review the roles, functions and provisions of health and safety representatives and identify its impact on successful health and safety management at the workplace.

Considering aim of this report, few major objectives emerged,

- To critically review the roles, functions and provisions of health and safety representatives
- To identify the way health and safety representatives assist employees in adhering to ideal safety environment and implementing successful health and safety management at the workplace
- To provide appropriate recommendations for implementing effective health and safety culture in workplace further

Literature review

Conceptual framework

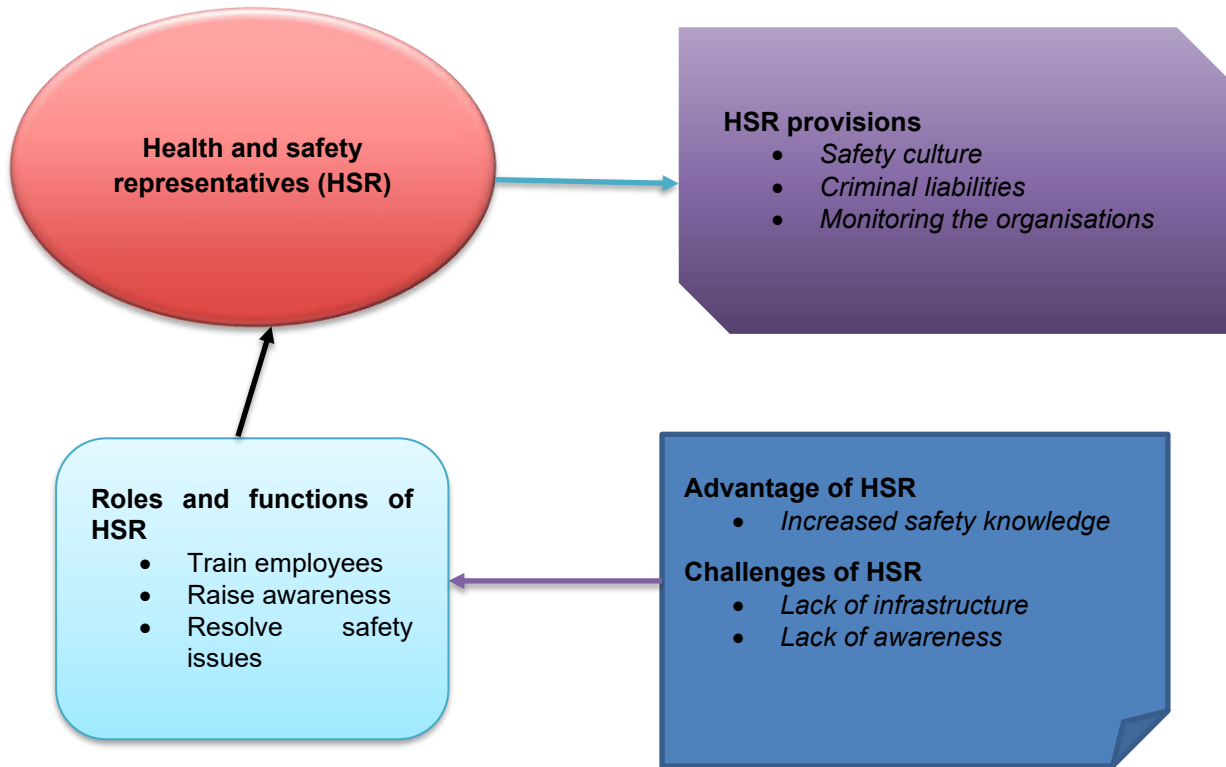


Figure 1: Conceptual framework

(Source: Self-developed)

Concept of health and safety representative

Organisational health and safety are reasonably the most crucial concern from an employee's perspective and health and safety representatives are directly responsible to deal with worker's health and safety concerns. HSR refers to a group of people selected by the workers that looks after the workplace environment and provides necessary safety solutions related to the workplace environment. As opined by Walters and Wadsworth (2020), duty of health and safety representatives lies in creating the safety awareness through campaigns and valuable safety insights to the employees at the workplace. HSR conducts relevant awareness campaigns or provides information related to accident cause, potential risks and its mitigation to assist workers in adhering to safety protocols. According to Bejinariu *et al.* (2017), HSR is an independent body that does not interfere in the operational management and only represents the workers concern related to workplace safety. HSR being solely committed to the worker's wellbeing is responsible for individual's health and safety.

HSR effectively deals with the workers' health and safety and only highlights the safety issues to management if found any discrepancies. According to Othman *et al.* (2018), "domino theory" of safety urges to investigate the accident causation by assessing the chain of events and based on that provide necessary steps to overcome the safety threats. Integrating this theoretical aspect HSR essentially evaluates the accident causations and comes up with solutions to mitigate the risk and raise safety awareness.

Roles and functions of health and safety representatives

HSR essentially plays a key role in enhancing the organisational safety culture by assessing the current workplace environment. The role of health and safety representatives stands independent to the managerial functions and it only bears the workers interest to avail a safe workplace. According to Kinman *et al.* (2017), one of the major roles of HSR is to ensure appropriate working conditions to the employees and secure the well-being of them by eliminating all kinds of safety risks related to production, storage and transportation. Health and safety executives respond to the safety concerns raised by employees and highlight the issue to organisational management. In contrast,

as stated by Alfred *et al.* (2017), health and safety representatives function independently therefore, it does not necessarily depend until workers raise an issue, it rather voluntarily investigates the safety matters. HSR itself initiates the safety check and visits organisations without informing them to witness the existing health and safety practices.



Figure 2: Key roles and functions of HSR

(Source: HSE, 2020)

As a part of employee representation HSR members need to keep in touch with the employee they are representing and even stay aware of the views workers possess (HSE, 2020). This essentially highlights the need for communication between workers and the HSR and also hints towards a major role that HSR plays in establishing effective health and safety management. Representatives need to speak to the workers on a daily basis and take their feedback on the workplace environment to evaluate the safety environment. Exposure to toxic, corrosive and flammable hazardous elements and then conduct an independent investigation to validate it with organisational safety management.

In addition, HSR also investigates the specific complaints lodged by workers related to their health and wellbeing along with resolving the issue by acting as an intermediary between workers and the management. As stated by Sutcliffe *et al.* (2018), HSR arranges

necessary safety training for the employees regarding operating critical equipment and thus makes the employees familiar with it. Equipment such as excavator, grader, wheel tractor scraper, loader and trencher essentially expose the hands, face and sometimes full body of a worker. Thus, assisting with the way to adhere to the safety protocols and maintenance of these machines HSR significantly reduces the safety risk within the construction industry.

Moreover, the concerned representatives are also liable to provide health and safety awareness training among the workers where question-answer sessions are held to provide a better safety understanding to the workers. In addition, HSR arranges various events to raise safety awareness that includes fire system and emergency exit checking. For example, “Bouygues Ltd.” a famous construction company in UK often rings the false fire alarm to check employee's response in an emergency situation (Swaniker, 2021). In addition, HSR has directed especially to the construction companies in UK to install a TV set in the workplace so the employees remain aware of the outside atmosphere and get emergency news (HSE, 2015). As per the **“safety representatives and safety committees’ regulations, 1977”** HSR is appointed by trade unions and thus protects only employee's health and safety interests (HSE, 2020a). The concerned law makes it clear for the representatives to take up employee concerns related to potential hazards and dangerous events in the workplace and offer timely solutions to them.

Provision of health and safety representatives

Health and safety representatives are essentially complimented by the legal provisions related to health and safety at the workplace in the UK. **“Health and safety at work etc. Act 1974”** sets the employer's general duties that includes primary safety and welfare guidelines of the employees (UK Government, 1974). The concerned law urges employers to ensure maintenance of plant and work systems and ensure it excludes any safety risks to the workers (UK Government, 1974). In addition, the employer needs to arrange equipment in a way that is practicable for the workers while handling equipment, string materials and transporting them (UK Government, 1974). Therefore, adhering to the workplace guidelines employer essentially ensures the workers safety facilities related to equipment handling and protects them from exposure to hazardous elements.

As opined by Sherratt (2018), HSR's responsibilities lie in monitoring the organisational activities related to maintenance of health and safety provisions. HSR essentially ensures that organisations are following health and safety acts at the workplace and are able to protect the workers. On the contrary, as stated by Oswald *et al.* (2019), it is the fundamental duty of the HSR to ensure a safe workplace for the employees, therefore, HSR is also liable to implement the safety laws at the workplace. Comparing it with the previous opinion, the role of HSR essentially appears bigger than just observing organisational health and safety measures.

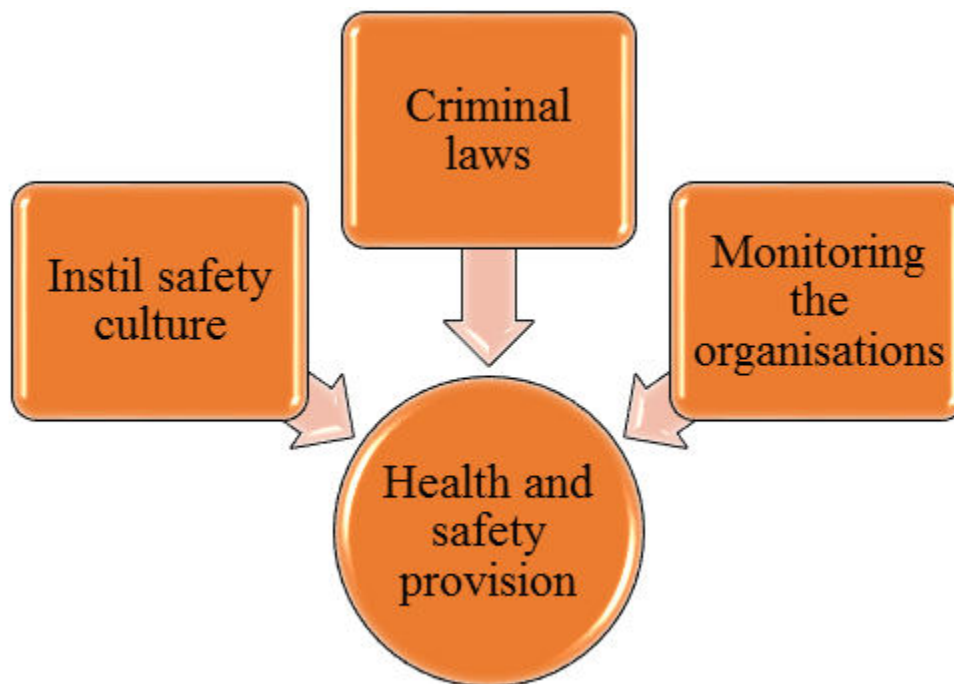


Figure 3: Key provisions of health and safety representatives

(Source: HSE, 1996)

In a case between **“Cemex UK operations Ltd v HSE”** health and safety representatives conducted an investigation where Cemex was found guilty in failing to maintain equipment at the workplace which led to the killing of a worker (Mangion, 2020). During the investigation HSR found that Cemex had a casual approach on workplace safety which is a direct violation of **section 2(1) and 33(1)** of **“health and safety at work etc. act 1974”** (Mangion, 2020). This led Cemex to face a massive fine of 1 million British pounds and this significantly describes the provision of health and safety representatives in UK. On the other hand, **“health and safety (consultation with employees) regulations,**

1996” provision allows the representatives to consult employees directly regarding safety complaints (HSE, 1996). Moreover, this provision urges the HSR to provide all kinds of relevant health and safety information related training, equipment handling and findings from risk assessment to the workers (HSE, 1996). Access to safety information alerts the workers about potential safety risks in office premises and identifying health risks in operating equipment.

As opined by Almond and Esbester (2018), consulting with individuals is often effective in terms of considering everyone’s opinion on organisational health and safety measurements. Therefore, applying the health and safety consultation process representatives can essentially integrate worker’s opinion in the organisational safety management. In contrast, as stated by Umar (2017), employee consultation provision is HSR’s liability towards the employee for selecting them as their health and safety representatives. However, comparing it with the previous view it appears that HSR is not just morally bound to employees to integrate their views in organisational process but it aims to address employee compounds in an effective manner. For example, HSR of “BT Group Plc” arranged a session with the workers to address the health and safety environment in the workplace and allowed the individual employees to raise their safety concerns during the session (HSE, 2020b). This essentially shows the HSR of BT group’s commitment towards the workers and establishes an example of following **“health and safety (consultation with employees) regulations, 1996”**.

“Health and safety law (criminal law)” is part of the **“health and safety at work etc. act 1974”** legislation and this law urges violation of basic employee safety can certainly be a criminal offence. As per section 2(4), extent of health and safety violation determines the intervention of criminal laws (Health and safety authority, 2020). As opined by Saeed (2017), health and safety violations that can cause threat to life are considered as criminal activities and thus it requires legal intervention. Activities related to production, storage and delivery often involve life threatening risks and thus it draws legal attention from **“health and safety law (criminal law), 1974”**. A case between **“Delphi diesel systems limited vs HSE”** triggers an investigation from health and safety representatives where it appeared that the concerned organisation has failed to integrate a safe work system (Mangion, 2020).

This essentially led the workers to be injured from highly flammable cleaning compound's vapor that caused an explosion and damaged several workers at a time. Based on the investigation representatives felt the urge of integrating intervention of criminal law that resulted in license suspension of the company (Mangion, 2020). Therefore, based on the provisions HSR's legal responsibilities have emerged as important as spreading health and safety awareness at the workplace.

Types of information provided to employees

Providing necessary and relevant information related to employee health and safety is a fundamental responsibility of HSR. As stated by Kaassis and Badri (2018), key findings from accident causation, potential health threats and access to safety resources are few major crucial information that determines employee wellbeing within an organisation. Insight related to risk management and equipment handling also enhance the worker's understanding on safety measurements and thus implements an advanced health and safety management system. In contrast, according to Hosseinabadi and Etemadinezhad (2018), providing updates on individual safety complaints significantly serves the interest of workers in mitigating health risk at the workplace and thus it appears to be the most important information among all. Comparing it with the previous findings it appears that providing an overall insight of the organisational health and safety measures along with individual complaints are basic information criteria for HSR.

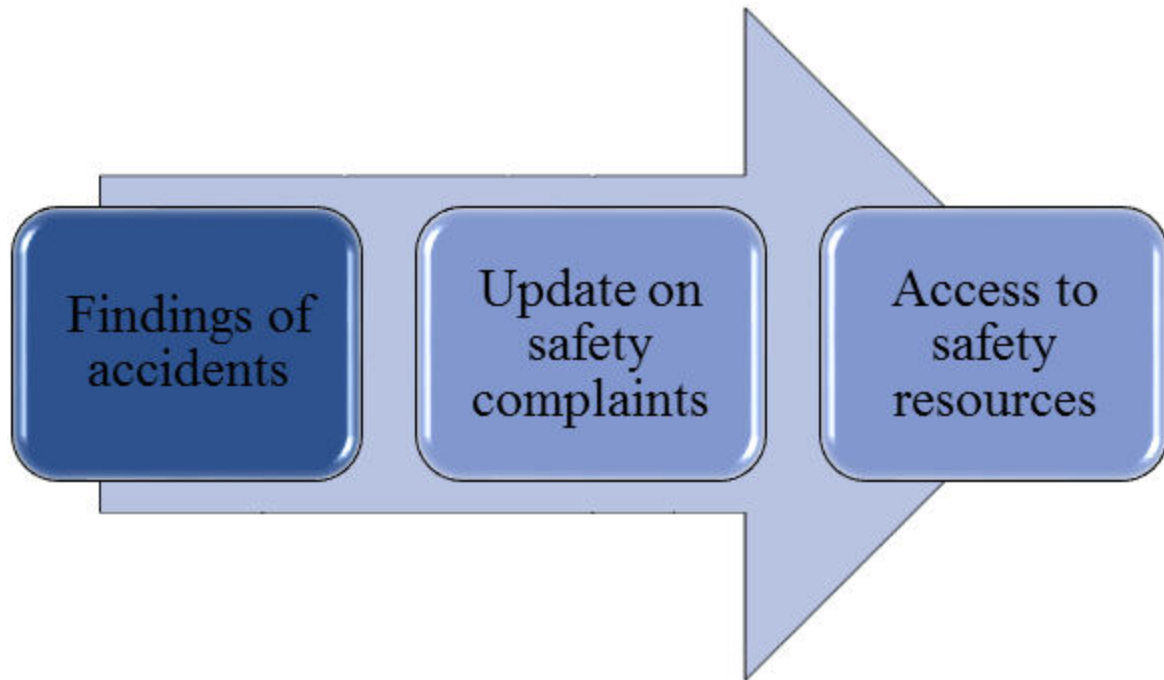


Figure 4: Type of information provided by HSR

(Source: Health and safety authority, 2020)

“Safety, health and welfare act, 2005” allows the worker to raise safety issues in front of HSR and also ask for any necessary information that leads to an ideal health and safety culture. Section 25 of the concerned law approves employee’s right to select a representative and approach regarding any health and safety concerns (Health and safety authority, 2020). In a case between **“Veolia ES v HSE”** employees essentially held liable the HSR body to provide insights on safety measurements prior to the accident occurrence (Mangion, 2020). This primarily highlights the HSR responsibility towards the employee in ensuring effective health and safety management.

Advantage and challenges of HSR to the workers

Since the inception of HSR body it successfully mitigated the safety challenges in most of the cases. However, integrating such a large and independent organisational body essentially carries both advantages and challenges for the employees. As opined by Swallow and Zulu (2019), presence of HSR reduces the legal action threat for an organisation whereas benefit the employee by arranging adequate health and safety measurement. HSR educates the workers about organisational existing health and safety and helps identifying the gaps in it through constant evaluation. In contrast, as opined by

Duryan *et al.* (2020), knowledge cultivation and sharing can be referred to as the most effective benefit for employees in terms of dealing with health and safety. Effective knowledge sharing enhances employee understanding on organisational health and safety as well helps them to deal with heavy machines such as leaders, pumps and scrapers.

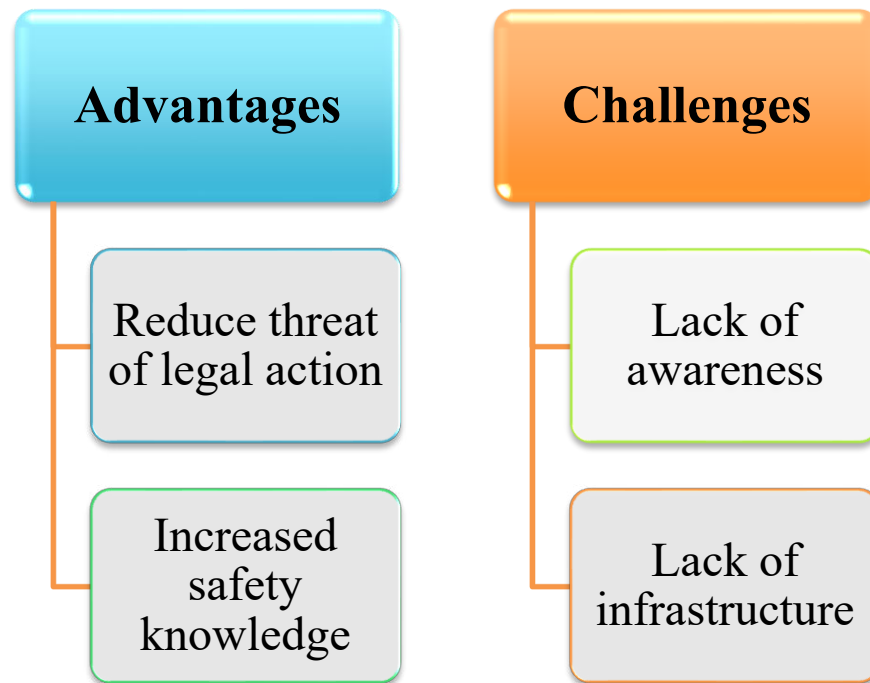


Figure 5: Challenges and advantages of HSR

(Source: Wiengarten *et al.* 2017)

On the other hand, lack of training and awareness appeared to be major challenges for workers to deal with HSR. As stated by Wiengarten *et al.* (2017), lack of understanding of ideal safety culture and inability to distinguish safety threats do not essentially complement HSR activity in an organisation. This in turn reduces the efficiency of HSR as employees find it uninteresting to participate. Moreover, workers tend to avoid the health and safety events as well, which only increases the communication gap between HSR and workers. **“Health and safety law (civil law), 1974”** allows the HSR to provide appropriate information and training materials to the employees to deal with organisational health and safety. In addition, HSR essentially considers this provision as civil responsibility to avoid the criminal law intervention (Health and safety authority, 2020). However, lack of health and safety measurements often fails the HSR to secure

the civil responsibilities and forces it to integrate criminal intervention. This takes a long process to mitigate the employee concerns and often appears to be challenging for the employees in terms of ensuring timely health and safety measurements.

Literature gap

Literature utilised for review highlights the role and impact of health and safety representatives in an organisational context. However, most of the literature has failed to integrate the employee perspective on measuring HSR's success which significantly appears as a major literature gap.

Recommendations and conclusions

Recommendations

Employee training and raise awareness

In order to address the lack of employee health and safety understanding, arranging training sessions appears to be appropriate in this regard. As stated by Al Karim (2019), training is a basic skill to develop the cognitive ability and employee training related to handling construction equipment enhances their knowledge. Moreover, providing appropriate training to the employees is a key responsibility of HSR to raise the health and safety awareness.

Infrastructural development to avoid legal consequences

In most of the cases HSR fails to ensure the civil responsibilities regarding health and safety due to lack of infrastructural development. As opined by Cooklin *et al.* (2017), rapid health and safety infrastructural development in the form of access to safety resources such as fire extinguishers can enhance employee health and safety for certain. Therefore, arranging primary health and safety resources such as first-aid tools, risk assessment, welfare facilities and safe machinery can essentially enhance the civil responsibilities. This in turn can reduce the chance of intervention of criminal liabilities and works in favour for both organisation and the employees.

Conclusion

Health and safety undoubtedly is one of the major concerns for organisations and the employee's perspective. Employees and trade unions collectively choose their representatives to form an organisational body named "Health and Safety Representatives (HSR)". The concerned representatives are responsible for ensuring an

ideal safety culture at the workplace for employees by assessing safety risks and raising awareness among the workers. Adhering to the “health and safety at work etc. act 1974” HSR has provisions to look after the organisation's health and safety management and sager necessary information with the workers. Employee training and infrastructural development emerged as major recommendations in response to lack of awareness and inadequate health and safety infrastructure in this regard.

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