

Health and Safety Reps in the Quarrying Industry

Induction Course

2010 Version

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Day 1

Activity

Introductions

Aims

This activity will help you:

- get to know more about who is on the course
- work out aims for the course
- practise interviewing, listening and note-taking skills.

Task

Work with another person (preferably someone you don't know). Find out some basic information about their workplace and background.

Make some notes on the introduction worksheet on the next page.

Use these headings for your interview:

- name
- workplace and job
- union and position(s) in the union (if applicable)
- how long they have been a health and safety representative
- how many workers they represent
- other health and safety courses they have been on
- what they want to get out of the course

Report back

Be prepared to introduce your partner to the rest of the group.

Introduction worksheet

Use this sheet to keep a record of your partner's background.
It will help you get used to taking notes on the course.

Partner's name	
Their union and union position (if applicable)	
Their workplace and job	
Length of experience as a health & safety representative	
Number of workers represented	
Other health and safety courses attended	
Their aims for the course	

Keep a record here of your own aims for the course

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Introduction

Welcome to this course for health and safety representatives from the quarrying industry. It provides an introduction to the Quarries Regulations 1999, and is designed to help you build the skills, knowledge and confidence you need to carry out your work as a health and safety representative.

Aims of the course

To help course members:

- share experiences of hazards at work and the way that workers and their representatives participate in tackling hazards
- understand the participation provisions under the Quarries Regulations 1999, and the way that they fit into the regulatory framework
- develop and practice using the skills required to participate in health & safety representation
- examine the way that health and safety is managed in their workplace and the level of compliance with the Quarries Regulations 1999 and other key standards
- develop an action plan for future worker participation, that will help to meet the targets set for the industry by the Health and Safety Executive.

Programme outline

DAY	AM	PM	WORKPLACE ACTIVITY
1	<p><i>STARTING THE COURSE</i></p> <ul style="list-style-type: none"> • Introduction and aims • Introductions • How the course will work <p><i>EXPERIENCE FROM THE WORKPLACE</i></p> <ul style="list-style-type: none"> • Representation, participation and hazards 	<p><i>REPRESENTATION & PARTICIPATION</i></p> <ul style="list-style-type: none"> • SRSC Regulations 1977 • Consultation with Employees Regulations 1996 • Regulation 40 and Guidance from the Quarries Regulations 1999. 	<ul style="list-style-type: none"> • Finding information from the workplace • Surveying workers about health and safety
2	<p><i>REPRESENTATION & PARTICIPATION</i></p> <ul style="list-style-type: none"> • Workers views • Inspecting the workplace 	<p><i>REPRESENTATION & PARTICIPATION</i></p> <ul style="list-style-type: none"> • Preparing to inspect • Investigating injuries/dangerous occurrences 	<ul style="list-style-type: none"> • Inspecting the workplace • Obtaining the health and safety document and risk assessments
3	<p><i>REPRESENTATION & PARTICIPATION</i></p> <ul style="list-style-type: none"> • Results of the inspections • Preparing reports 	<p><i>OPERATORS AND EMPLOYERS' DUTIES</i></p> <ul style="list-style-type: none"> • HASAWA '74; MHSWR '99 and the Quarries Regulations '99 	<ul style="list-style-type: none"> • Obtaining the health and safety document and risk assessments • Information about safety committees
4	<p><i>OPERATORS AND EMPLOYERS' DUTIES</i></p> <ul style="list-style-type: none"> • Health and safety document and risk assessments • Safety committees 	<p><i>FUTURE STRATEGY</i></p> <ul style="list-style-type: none"> • Action planning • Course evaluation • Accreditation 	<ul style="list-style-type: none"> • Report back to workers, unions and other bodies. • Action in the workplace • Further training

Key principles

The principles upon which TUC courses are based will be reflected in this course. These principles include:

- **learning by doing**, participants learn far more by doing something themselves
- **collective work**, work in small groups with regular reporting back
- **action at work**, with close links between participants and their workplace developed through workplace activities
- **work on real problems**, hazards and problems faced by participants on the course are the best starting point to help everyone understand what is involved and what action can be taken

How the course will work

The course has been designed in a way that will help you to get the most from it. Using this workbook, you will work on a range of factors affecting your work as a health and safety representative. In doing so the course will:

- encourage a co-operative approach to learning
- provide opportunities for you to apply learning to your own work situation
- help you to build a course file as a working resource for continued use back in your workplace
- provide opportunities for you to work towards gaining six National Open College Network (NOCN) credits for your achievements in learning.

A co-operative approach to learning

One of the things most valued by union representatives is the non-competitive approach of TUC Education to working and learning. The course is organised in a friendly, informal, yet structured way and everyone will be encouraged to play an active role. Many of your activities will involve work in small groups. This will give you the chance to:

- discuss ideas and problems with other representatives
- work through issues in detail
- build skills, knowledge and confidence at a pace suitable to you and your group.

Your tutor's role

Some of the things your tutor will be doing are:

- helping to organise the work, by suggesting tasks and ways of working
- helping participants to agree course guidelines
- organising resources, including basic information, publications, and photocopying facilities, to help the course work
- giving advice and support
- leading some discussions and summarising key points
- giving guidance on the preparation of work for accreditation

Working and learning together

It is important that we identify guidelines for the course that incorporate certain key principles.

A key feature of TUC courses is the value we place upon the knowledge, experience and skills that each participant brings to the course.

Everyone has something to contribute and no one should feel excluded from doing so.

As a course group you should discuss and agree some practical guidelines that will help meet these key principals.

A starting point should be:

- listen to what others have to say and avoid being dismissive of their contribution
- wait until a speaker has finished, and do not interrupt their train of thought
- use language that will not offend others

These guidelines can then be monitored by you and your tutor as the course progresses.

Jargon and abbreviations

In health and safety there is a lot of jargon. This is often necessary as a way of using shorthand to save time. However, there are times when jargon or abbreviations can obscure the meaning of what is being said or written. For example, talking about the 'COSHH Regs' at a meeting without any explanation may confuse people.

As you work through the course you will come across terms that you are unfamiliar with. It is useful to keep a jargon list so that people can check what words, phrases and abbreviations mean or what they stand for. A large sheet of poster paper will be kept in the room the course is working in. If anyone (including the tutor) uses a word, phrase or abbreviation you are not familiar with then say so. It should then be written on the poster. You can keep a note yourself in the jargon worksheet in the Appendix to the course materials.

Applying learning

During the course you will gain new ideas and information which you will have plenty of opportunity to apply both on the course and in the workplace. We will use a variety of methods to help with this process.

Activities

Each new issue you work on will include an activity. This might be something you do individually or as part of a small or large group.

Activities are intended to be relevant to the situations you face at work and to help learning. In many cases, work on a course activity will prepare for what you will do back at work - for example writing a report, taking part in a meeting, writing a letter or inspection checklist.

To standardise the wording of activities the term 'worker safety representative' has been used throughout.

Activity summary sheets

It is important that you keep a record of course activity group work. You can then add to your notes both during and after the course.

Blank activity summary sheets can be located in the Appendix. You can complete these after activities and insert them into your course file. (Your tutor will copy extra supplies of these sheets when you need them).

Workplace activities

Workplace activities link the course and your workplace. They will help you to obtain information, to discuss issues with workers and management in between different days of the course. There will generally be an opportunity at the end of each day of the course to plan how to do the workplace activity. The more attention you pay to the workplace activities the more you will get out of the course.

Action at work

As the course progresses, things will arise where you will need to take some action at work. To help you to keep a record of what needs to be done, use the action planning worksheet in the Appendix.

You will have an opportunity to report back to the rest of the course on progress you are making as well as the problems you encounter.

Course meetings

Course meetings are designed to help you influence the structure of the course. They also help to develop meeting skills and share experiences. Your tutor will discuss with you the way in which course meetings could work.

Building resources

During the course you will have the opportunity to build resources and store them in a course file. This means that when the course finishes you will have a set of materials which are easy to access, and will provide a quick reference point for issues you may deal with as a worker safety representative in quarries.

Accrediting your learning

This course is accredited by the National Open College Network (NOCN).

Successfully completing this course means you will gain credits towards the NOCN Level 2 Award for Trade Union Health and Safety Reps. This is a TUC approved qualification within the national Qualifications and Credit Framework (QCF).

The QCF is a new framework for recognising and accrediting qualifications in England, Wales and Northern Ireland. It is a new way of recognising skills and qualifications. It does this by awarding credit for qualifications and units (small steps of learning). It enables people to gain qualifications at their own pace along flexible routes.

The units of learning for this course are:

- Health and Safety representatives - Induction
- Applying health and safety legislation

There are no exams or tests but you will need to keep a record of the work you have done to demonstrate that you have met the learning outcomes in the achievement record at the end of this workbook.

If you have satisfactorily completed all the activities scheduled by your course tutor and kept a record of what you did this will be normally be sufficient.

Your tutor will be able explain this process to you.

Who is this course for?

TUC Education provides training for trade union representatives. However this course is designed to help improve health and safety standards in the quarrying industry. It will therefore be of benefit to all safety reps however they have been appointed.

There are three major pieces of legislation covering employee health and safety representation. They are discussed in detail later in the course.

1. The Safety Representatives and Safety Committees Regulations 1977 (SRSC Regs) describe trade union appointed persons as 'health and safety representatives'.
2. The Health & Safety (Consultation with Employees) Regulations 1996 use the term 'representative of employee's safety' for those in workplaces where unions are not recognised by the employer or where not all staff are represented by a union.
3. The Quarries Regulations 1999 allows for two employees to be members of a workplace safety committee.

All three sets of regulations were made under the Health and Safety at Work Act 1974 but by the end of the course you will be clear about the rights associated with each statutory role.

Activity

Your experience at work

Aims

This activity will help you:

- share experiences between workplaces
- discuss and list some of the main workplace hazards
- identify ways in which health and safety at work is managed.

Task 1

In your small group talk about and then, on a flipchart, list the main health and safety hazards that workers face in your workplace.

Task 2

Discuss

- How workers are represented on health and safety matters in the workplace
- The ways workers and their representatives communicate health and safety matters to managers.
- Do the systems you have discussed work? What would you do to improve them?

Report back

Elect a spokesperson to report back. Write the main points you want to make on a sheet of flipchart paper.

Some quarry industry health, safety and welfare issues raised on TUC courses

- Hazards from moving vehicles
- Contractors and owner drivers not adhering to the same standards as employed quarry workers
- Pedestrians and vehicles not adequately separated
- Speeding vehicles and transport systems not adhered to
- Poor edge protection for roads
- Uneven roads and potholes
- Poor visibility for drivers, for example, fog
- Poor machinery guarding
- Use of the wrong machinery for the job
- Poor maintenance for vehicles and machinery
- Unsafe access, for example, lack of handrails on walkways, unsecured ladders, slippery substances etc.
- Inadequate lighting, particularly for night shifts
- Long working hours
- Exposure to loud noise and whole body vibration
- Exposure to hazardous dust
- Hazardous substances
- Stress caused by long working hours and inadequate staffing levels
- Lifting and handling hazards
- Poor welfare facilities – lack of toilets; dirty toilets, dirty mess rooms and washing facilities; no hot water; no lockers or pegs to hang up outside clothes; inadequate first aid provision
- Inadequate fencing to deter trespassers
- Electrical hazards
- Poor or non-existent health and safety training for workers and managers

The Quarries Regulations and industry safety targets

When the Quarries Regulations 1999 were introduced at the beginning of 2000 the quarrying industry in Great Britain employed around 35,000 people at 2,200 sites.

It is a very hazardous industry and has a poor health and safety record. Up to 2000 there were three times the fatal injury rates of the construction industry and twenty times that of British industry as a whole.

In the period leading up to 2000 numbers of accident rates were steadily rising. Since then accident rates have slowed but they are still far too high.

Deaths and injury have been caused by transport activities, falls from heights, slips and trips and manual handling. Mobile plant and vehicle movement is a particular problem.

	total deaths	annual average	total reportable injuries	Annual average
1995 – 1999 (4 years)	22	5.5	2676	669
2000 – 2007 (7 years)	21	3	2700	386

Some of the other main areas of concern were:

- use of machinery
- access to the place of work
- health issues including noise, silica, whole body/hand vibration.

Within the industry the potential for harm from work activity remains constant. However in recent years better management of risk has led to some improvement.

In 2000 a 'Hard Target' initiative was introduced as a long-term plan of action in which all elements of the industry – employers, trade unions, training organisations - would contribute to a set of activities intended to halve the number of accidents in the industry by 2005.

Back then the Chief Executive of the then HSC, Bill Callaghan said to quarry owners and operators:

"I expect you to produce challenging, practical action plans setting out how you will achieve targets that have been discussed with and agreed by your workforce. Those who do not share this vision will find that the HSE's inspectors will continue to enforce the law vigorously. They can tell the difference between fine-sounding words and real commitments that result in positive and lasting improvements."

There have been successes. By 2005 the HSE was able to report that the quarry industry surpassed its 'Hard Target' by reducing all reportable injuries by 55% in five years. Major reasons behind this success were education and training initiatives that improved competence and raised health and safety performance.

This led HSE Board member Hugh Robertson, the national TUC Health and Safety Officer, to say in November 2005:

“Well done to everybody in the industry who has risen to the challenge of the ‘Hard Target’ – to cut reportable injuries by 50% by 2005. The quarry industry has shown that a competent management and a genuinely involved workforce will deliver targets making it an exemplar to other traditional heavy industries.”

Target zero

Following those achievements the Quarries National Joint Advisory Committee (QNJAC) met to establish the ‘Target Zero’ campaign. This will work towards a further 50% reduction in injuries by 2010 with the ultimate aim of zero incidents by 2015.

The hazards haven’t gone away, but the risks arising from them are being managed better. For the momentum towards safer workplaces to be maintained continuous vigilance is required. The numbers of workers in the quarrying industry that are being killed and injured annually remains far too high.

The Quarries Regulations 1999

The Quarries Regulations 1999 came into force on 1 January 2000. They updated, clarified and extended health and safety standards in the industry.

The cornerstones of the Quarries Regulations are:

- management of health and safety
- systematic assessment of risk and the establishment of suitable control measures and on-site routines and procedures
- worker participation, for example, the quarry operator has a duty to ensure that health and safety measures are developed in co-operation with those who regularly work at the quarry.

Worker participation

By law, employers must consult all of their employees on health and safety matters.

Consultation involves employers not only giving information to employees but also listening to and taking account of what employees say before they make any health and safety decisions.

If a decision involving work equipment, processes or organisation could affect the health and safety of employees, the employer must allow time to give the employees or their representatives information about what is proposed. The employer must also give the employees or their representatives the chance to express their views. Then the employer must take account of these views before they reach a decision.

How should consultation take place?

The Safety Representatives and Safety Committees Regulations (SRSCR) 1977

If an employer recognises a trade union and that trade union has appointed, or is about to appoint, safety representatives under the SRSCR 1977, then the employer must consult those safety representatives on matters affecting the group or groups of employees they represent. Members of these groups of employees may include people who are not members of that trade union.

The Health and Safety (Consultation with Employees) Regulations (HSCER) 1996

Any employees not in groups covered by trade union safety representatives must be consulted by their employers under the HSCER 1996. The employer can choose to consult them directly or through elected representatives. If the employer consults employees directly, he or she can choose whichever method suits everyone best. If the employer decides to consult his or her employees through an elected representative, then employees have to elect one or more people to represent them.

The Quarries Regulations 1999

As well as the requirements described above, there are additional ones relating to participation of persons at work. The operator of a quarry should enable the workforce to co-operate effectively in promoting, developing and checking the effectiveness of health and safety measures. The workforce or a body representing it, e.g. a trade union, can appoint a committee. Two members of that committee have certain rights that are laid down in Regulation 40. These rights will be explored in detail later in the course.

What should the employer consult about?

Consultation with employees must be carried out “in good time” on matters to do with their health and safety at work, including:

- any change which may substantially affect their health and safety at work, for example in procedures, equipment or ways of working
- the employer's arrangements for getting competent people to help him or her satisfy health and safety laws
- the information that employees must be given on the likely risks and dangers arising from their work, measures to reduce or get rid of these risks and what they should do if they have to deal with a risk or danger
- the planning of health and safety training and the health and safety consequences of introducing new technology.

Activity

The appointment of safety reps in the quarry industry

Aims

This activity will help you:

- review how appointments as worker safety representatives take place
- compare different approaches.

Task

Working in groups:

1. Think about how you were appointed as a worker safety representative and note down as much information as you can on the worksheet on the next page.

2. In your small group compare the responses to the questions on the worksheet. Identify any differences in your group, using the following headings:

- system for election / appointment
- credentials
- information and training provided
- workers and workplaces
- length of appointment

Report back

Elect a spokesperson to report back using the headings from Task 2 above.

When the report back has been completed, note down key points on your activity summary sheet, and note any points that you need to take up on your action planning worksheet.

Worksheet

Appointment of worker reps for health and safety/safety reps

Use the questions below so that we can compare different practice on the appointment of safety representatives/worker reps.

- who asked you to be a worker safety rep?
- how were you elected /appointed?
- were you given a credential card?
- were you provided with any other information when you started the job? If so, what? (e.g. safety rep handbook, copies of any relevant documentation like the employer's safety policy). List the information and documents you received when you took up the post.
- were you given any induction or training for the job of a worker safety rep? If so, by who?
- what workers and workplaces do you represent?
- how long is your period of appointment?

Don't worry if you don't know the answer to all of these questions. Write down what you know and we will find out the rest during the course.

Appointment: the Regulation and Guidance

Safety Reps and Safety Committees Regulations 1977	Consultation with Employees Regulations 1996
<i>Safety Reps to be appointed by recognised trade unions</i> - SRSC Reg. 3(1); Guidance note 21	<i>The employer can consult employees directly or representatives of employee safety elected by employees</i> - Regulation 4(1)
Normally, reps will be appointed to represent employees for which the union has negotiating rights. But other employees can be represented - Guidance notes 23,24,25	The 1996 regulations apply only to employees not covered by safety reps from a recognised trade union - Guidance note 8
Reps are appointed to represent employees where they are likely to work or frequent i.e. the workplace plus access areas, canteens etc - SRSC Reg. 2(1)	The elected representative of employee safety must be employed in the constituency which elects them, and the elections should follow certain principles - Guidance note 25 (a) - Guidance notes 26 - 28
Management must be notified in writing of the appointment and the groups of employees represented - SRSC Reg. 3(2)	The employer should notify employees of the names of representatives, and the groups of employees represented - Regulation 4(2)
Appointment ceases when the: <ul style="list-style-type: none"> • trade union notifies the employer in writing • rep no longer works in any of the areas where s(he) represents groups of employees • rep resigns - SRSC Reg. 3(3)	An employer shall not consult if: <ul style="list-style-type: none"> • the person notifies the employer that he/she does not intend to represent the group • the person ceases to be employed in the group he/she represents; • the period expires or person incapacitated – Regulation 4(3)
A rep should so far as is reasonably practicable have been employed by her/his employer for at least 2 years, or have 2 years in similar employment - SRSC Reg. 3(4); Guidance note 22	Individuals' abilities and needs will vary. -Guidance note 23
It is for the recognised union to appoint safety representatives. The number of safety reps is up to the union but may be subject to agreement with the employer. Decisions may need to take account of : <ul style="list-style-type: none"> • numbers employed • variety of jobs and activities • size and number of locations • shift systems • type of work and hazards • speed of change in the workplace - SRSC Reg. 3(1) - Guidance notes 26 - 28	When deciding the number of representatives, account should be taken of: <ul style="list-style-type: none"> • total numbers to be represented • variety of different groupings of employees (occupation, location, type of work, shift patterns) • nature of work activities and degree of risk -Guidance note 25 (d)

Appointment: Regulation and Guidance

The Quarries Regulations 1999

Regulation 40 should be read in conjunction with the Safety Representatives and Safety Committees Regulations 1977 and The Health and Safety (Consultation with Employees) Regulations 1996
(Guidance note 333)

A committee of persons (can be contractors, employees, or self employed) with suitable practical experience of quarrying operations may be appointed for the quarry:

- by an association or body representative of a majority of the total number of persons working at the quarry or
- jointly by associations or bodies representing such a majority

(Regulation 40 (2))

Committee members should have suitable practical experience of quarry work, and may represent any section of the workforce at the quarry. A single committee covering the whole quarry or even a group of quarries is generally appropriate. In a small quarry the committee may involve every member of the workforce.
(Guidance note 335)

Two members of the committee may undertake certain functions
(Regulation 40 (3-9))

Activity

Safety rep functions and the law

Aims

This activity will help you:

- identify the functions of safety reps
- use legal standards.

Task

You will be divided into small groups to look at either:

- a summary of the Safety Representatives and Safety Committees Regulations 1977 and Regulation 40 of the Quarries Regulations 1999
or
- a summary of the Health and Safety Consultation with Employees Regulations 1996 and Regulation 40 of the Quarries Regulations 1999
 1. Discuss and note down the functions of the representative under the Regulations that you have been allocated
 2. Discuss and note down the functions of the two committee members under the Quarries Regulations 1999
 3. Identify if and how the Quarries Regulations add to the functions in the Regulations that you have been allocated.

Report back

Elect a spokesperson to report back using a chart.

When the report back has been completed, list the key functions of a safety rep in your activity summary sheet, and note down any points that you need to take up in your action planning worksheet.

Your functions and the law

A summary of the functions of trade union safety reps and how the law applies is provided here

Investigate	
potential hazards	SRSC Reg. 4(1)(a) SRSC Reg 4(1)(b)
dangerous occurrences	
causes of accidents	
complaints by employees	

Inspect	
formally inspect at least every 3 months (if agreed with management)	SRSC Reg 5(1) SRSC Guidance Note 50
inspect after a notifiable accident or dangerous occurrence	SRSC Reg 6(1) SRSC Guidance Notes 59-60
inspect after a change in working conditions	SRSC Reg 5(2)
inspect after new information has become available from the HSE	SRSC Reg 5(2)
inspect relevant documents	SRSC Reg 7 SRSC Code of Practice 65 SRSC Guidance Notes 66-68
use technical advisers	SRSC Guidance Note 54 & 64

Involve members	
safety rep investigations at the workplace	SRSC Reg 4(1)(a-b)
trade union channels should be used by safety reps to keep members informed	SRSC Guidance Note 45
safety reps entitled to have facilities for private discussion with members during inspections and after accidents	SRSC Reg 5(3) SRSC Reg 6(2)
results of inspections to be published throughout the workplace	SRSC Guidance Note 58b
safety committee minutes to be made available to members	SRSC Guidance Note 59

Deal with employers	
make representations on specific and general matters	SRSC Reg 4(1)(c&d)
give notice of hazards normally in writing	SRSC Code of Practice 29(c)
access to the employer without delay	SRSC Code of Practice 30
attendance at safety committee meetings	SRSC Reg 4(1)(h)
require the establishment of a safety committee	SRSC Reg 9(1)
consult reps over the setting up of a safety committee	SRSC Reg 9(2) SRSC Guidance Notes 69 - 73
act as a companion for workers with health and safety grievances in areas with no trade union recognition	Employment Relations Act .

Consult – every employer shall consult safety reps in good time with regard to:	
the making and maintenance of arrangements	HASAWA S.2.6
the introduction of any measure at the workplace which may substantially affect the health and safety of employees	SRSC Reg 4A1 (a)
the arrangements for appointing or nominating persons under the MHSW Regs 1992	SRSC Reg 4A1 (b)
Health and safety information required to be provided to employees	SRSC Reg 4A1 (c)
Planning and organisation of health and safety training for employees	SRSC Reg 4A1 (d)
Health and safety consequences of the planning and introduction of new technologies	SRSC Reg 4A1 (e) SRSC Guidance note 37

Information from the employer	
Entitled to inspect and take copies of health and safety documents. This includes:	SRSC Reg 7(1)
<ul style="list-style-type: none"> plans and performance affecting health and safety 	SRSC Code of Practice 65(a)
<ul style="list-style-type: none"> technical information on hazards and precautions including that provided by consultants, designers, manufacturers, importers or suppliers of any article or substance 	SRSC Code of Practice 65(b)
<ul style="list-style-type: none"> information on accidents, dangerous occurrences notifiable industrial diseases including statistical records 	SRSC Code of Practice 65(c)
<ul style="list-style-type: none"> results of measurements to monitor health and safety arrangements 	SRSC Code of Practice 65(d)
<ul style="list-style-type: none"> information on articles and substances issued to homeworkers 	SRSC Code of Practice 65(e)

Liaison with enforcement officers	
Representing employees in consultation with the enforcing authorities	SRSC Reg 4(1)(f)
Receive information from inspectors	SRSC Reg 4(1)(g) HASAWA s28(8)

Legal protection	
Safety reps not liable in the civil or criminal courts for anything they do or don't do as safety reps (as an employee you are still liable under Section 7 of HASAWA and Reg.14 of the MHSW Regulations 1999)	SRSC Reg4(1) SRSC Guidance Note 44
Reps should not suffer any detriment from exercising the right to withdraw from situations 'of serious and imminent danger' (the same for individual employees)	MHSW Reg 8(2)(b)
Reps should not suffer any detriment for 'whistleblowing' on health and safety	Public Disclosure Act 1998

The Health and Safety (Consultation with Employees) Regs 1996

Functions

Representatives of employee safety have the following functions:	
<ul style="list-style-type: none"> • make representations to the employer on potential hazards and dangerous occurrences 	Reg 6(a)
<ul style="list-style-type: none"> • make representations on general matters 	Reg 6(b)
<ul style="list-style-type: none"> • represent employees in consultation with enforcing inspectors 	Reg 6(c)
No legal duties are imposed on representatives of employee safety	Guidance 21

Consultation

Every employer shall consult safety reps in good time with regard to:	
<ul style="list-style-type: none">the introduction of any measure at the workplace which may substantially affect the health and safety of the employees	Reg 3(a)
<ul style="list-style-type: none">the arrangements for appointing or nominating competent persons under the MHSW Regs 1992	Reg 3(b)
<ul style="list-style-type: none">health and safety information required to be provided to the employees	Reg 3(c)
<ul style="list-style-type: none">planning and organisation of health and safety training for the employees	Reg 3(d)
<ul style="list-style-type: none">health and safety consequences of the planning and introduction of new technologies	Reg 3(e) Guidance notes 5-6
The difference between providing information to employees and consulting them, is that consultation involves listening to their views and taking account of what they say before any decision is taken	Guidance note 7

Information from the employer

The employer should make available information:	
<ul style="list-style-type: none">necessary to enable reps to participate fully and effectively in consultation and to carry out their functions	Reg 5(2)(a)
<ul style="list-style-type: none">on reportable injuries, diseases and dangerous occurrences	Reg 5(2)(b)

The Quarries Regulations 1999

Where a committee is appointed for the quarry the operator of the quarry shall permit two committee members to:	
<ul style="list-style-type: none"> inspect following a notifiable accident or dangerous occurrence to ascertain the cause and to take samples of the atmosphere, dust or water 	Reg 40(3)
<ul style="list-style-type: none"> inspect monthly every part of the quarry and any plant/equipment make and sign a report following the inspection 	Reg 40(4) Reg 40(8)
<ul style="list-style-type: none"> during the inspection, scrutinise documents that are required to be held under the law 	Reg 40(5)(a)
<ul style="list-style-type: none"> during the inspection review the risk assessment and suggest improvements which the operator must consider and reply with written reasons if they do not accept the improvements 	Reg 40(5)(b)
<ul style="list-style-type: none"> be accompanied by their advisers when inspecting 	Reg 40(c)
<ul style="list-style-type: none"> post their written report in a conspicuous place for 28 days 	Reg 40(9)

Finding out what workers think

Introduction

Despite your legal rights your effectiveness is directly linked to your relationship with the people you represent. You need to obtain their views on health, safety and welfare problems as perceived by them.

Many hazards will be common to all workers and it is important that we identify and start to address them. But it is also important to be aware that some hazards may affect particular groups of workers more than others.

For example:

- shift workers may experience different conditions on different shifts
- part time workers may face working conditions that are different than full time workers
- women workers may be concentrated in particular jobs with particular hazards
- inexperienced younger workers may not have received adequate training.

You need to think carefully about how you ensure that you communicate with all workers and involve them in tackling the hazards that they face.

Workplace activity

Finding out what workers think

Aims

This activity will help you:

- find out workers' views on health, safety and welfare issues
- develop links with the people that you represent.

Task

1. Talk to a cross section of people that you represent. Try to make sure you involve:
 - as wide a range of them as possible
 - people that you may not see very often
2. Use the worksheet on the next page to get their views. You may want to get the sheet photocopied so that they can fill in their own views
3. Make brief notes to summarise the main views, so that you can use these to report to the course.

Worksheet**Finding out what workers think**

Workplace	Workers' jobs
How did you consult the workers that you represent?	What do they think you should be doing on the course?
List the safety hazards that workers are facing - for example: transport, lifting and handling, machinery, trips and falls, etc. Problems	Who is affected?
List the health hazards that workers are facing - for example : stress, chemicals, noise, dust, temperature etc Problems	Who is affected?

<p>List any welfare problems that workers are facing - for example: storing and drying clothes, rest rooms, toilets, etc. Problems</p>	<p>Who is affected?</p>
<p>List any problems with working methods / management systems - for example: supervision, training, the way the work is organised, the pace of work and work rates, working time, information. Problems</p> <p>List any other issues that they would like to raise for you to discuss on the course</p>	<p>Who is affected?</p>

Workplace activity

Finding information

Aims

This activity will help you:

- find information relevant to the course
- organise information in an accessible way.

Task

Try to obtain a copy of the contents of your quarry operator's health and safety document and where the key items of the health and safety document are stored. You will need to refer to this later in the course.

Look at the worksheet on the next page. Each week you will be asked to find different documents and publications that you will find useful in your job as a representative:

- add new documents that you are asked for to the list
- tick the documents off as you find them
- if you have any problems obtaining the information, raise it during the course.

Worksheet

Information you need for the course

Document/publication (List below)	Copy obtained		Where to find it
	Y	N	
TUC/your union/other			
• TUC Hazards at Work			Supplied on the course
• Inspection checklists			
•			
•			
•			
Legal and other standards			
• Safety Representatives and Safety Committees Regulations booklet/Consultation with Employees Regulations			TUC document supplied on course
• HSE Publications List (priced and free)			
• Quarries Regulations 1999			
• www.hse.gov.uk			
•			
Hazard information			
• precautions, instructions and working procedures			
• risk assessments			
•			
•			
•			
•			
Accidents and ill health information			
• injury & sickness statistics			
• injury reports, near miss and incident reports			
• survey and test results			
• inspectors letters and reports			
•			
•			
Information from your employer			
• Operator's Health and Safety Document			
• Written management structure			
• Quarry instructions and rules			
• Relevant risk assessments			
• Inspection systems and records			
•			
•			
•			
Other information			
•			
•			
•			
•			

Day 2

Activity

Workers' views on hazards at work

Aims

This activity will help you:

- discuss members'/workers' views on health and safety
- share experiences on the way that members/workers responded.

Task

In your small group:

1. Discuss the workplace activity that you did last week and how you consulted members/workers.
2. How did members/workers respond to your approach?
3. What do they think you should be doing on the course?
4. List the main safety, health and welfare problems that members/workers raised.

Report back

Elect a spokesperson(s) to report back with a brief summary of your group's response to Tasks 1 – 3 above

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

Activity

Tackling priority hazards at work

Aims

This activity will help you:

- act upon workers' views on health and safety
- share ideas about the way hazards should be tackled.

Task

In your small group:

1. Select and discuss a priority health, safety or welfare problem that has been identified by members/workers .
2. Use the worksheet on the next page to decide what should be done about the problem.

Report back

Photocopy your worksheet for the rest of the larger group and elect a spokesperson to report back.

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

Worksheet

The Systematic Approach

Problem

- what are the facts?
- what do workers say?
- what are the causes?
- is it a one-off or a broader problem?

Investigation

- what does my union or safety committee members say?
- what do the workers want?
- what does the law or other standards say?
- what does the employer/operator think?
- can the HSE give advice?

Plan

- what are your aims?
- how should workers be involved?
- how should the problem be taken up with the employer?
- what are the key points that you need to make?

Outcome (write in the outcome here when you have implemented your plan)

Activity

Inspections by worker safety reps

Aims

This activity will help you:

- share experiences about inspections
- prepare to inspect as part of the course.

Task

In your small group:

1. Discuss and compare the way that health and safety inspections are done at your workplaces. For example:
 - who carries them out?
 - the different types of inspection
 - how often are inspections done?
 - how workers are involved
 - what happens as a result of inspections?
2. Compare the rights to inspect under the Quarries Regulations 1999 and the Safety Representatives and Safety Committees Regulations 1977 (There are no rights to inspect under the Health and Safety Consultation with Employees Regulations 1996).
3. Identify best practice for inspections.

Report back

Elect a spokesperson to report back using a chart.

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

Inspections – the law

Introduction

There is a duty placed upon operators to inspect under Regulation 12 of the Quarries Regulations 1999. We will specifically consider these duties later in the course. But as we saw earlier on in the course, there are certain rights for workers to inspect that are described in the Quarries Regulations 1999 and the Safety Representative and Safety Committees Regulations 1977 (There are no rights to inspect under the Health and Safety Consultation with Employees Regulations 1996).

The Quarries Regulations 1999

Where a committee is appointed for the quarry the operator of the quarry shall permit two members of the committee to:	
<ul style="list-style-type: none"> inspect following a notifiable accident or dangerous occurrence to ascertain the cause and to take samples of the atmosphere, dust or water 	Reg 40(3)
<ul style="list-style-type: none"> inspect monthly every part of the quarry and any plant/equipment 	Reg 40(4)
<ul style="list-style-type: none"> make and sign a report following the inspection 	Reg 40(8)
<ul style="list-style-type: none"> inspections are best carried out jointly by a team representing the management and those working in the quarry 	Guidance note 336
<ul style="list-style-type: none"> findings to be discussed at safety committee meetings 	Guidance note 336
<ul style="list-style-type: none"> during the inspection, scrutinise documents that are required to be held under law 	Reg 40(5)(a)
<ul style="list-style-type: none"> during the inspection, review the risk assessment and suggest improvements which the operator must consider and reply with written responses if they do not accept the improvements 	Reg 40(5)(b) Reg 40(6)
<ul style="list-style-type: none"> be accompanied by their advisers when inspecting 	Reg 40(5)(c)
<ul style="list-style-type: none"> post their written report in a conspicuous place for 28 days 	Reg 40(9)

Safety Representatives and Safety Committees Regulations 1977

We have seen that there are rights for trade union safety reps to inspect:	
<ul style="list-style-type: none"> formally every 3 months (or more frequently if agreed with management) 	SRSC Reg 5(1) Guidance Note 50
<ul style="list-style-type: none"> after a Notifiable Accident/Disease or dangerous occurrence 	SRSC Reg 6(1) Guidance Notes 59-60
<ul style="list-style-type: none"> after a change in working conditions 	SRSC Reg 5(2)
<ul style="list-style-type: none"> after new information has become available from the HSC or HSE 	SRSC Reg 5(2)
<ul style="list-style-type: none"> relevant documents 	SRSC Reg 7 Code of Practice 65 Guidance 66-68

Inspections and risk assessments

Workplace inspections should not be confused with risk assessments. Inspections will help worker reps to identify hazards and problems, and monitor the operator's/employer's management of health and safety. In addition, under Regulation 12 of the Quarries Regulations 1999, the operator must arrange for systematic inspections of the quarry as part of their own management duties. The operator/employer is also legally responsible for risk assessments which are more wide ranging than inspections. The employer must identify the hazards, evaluate the risks, apply the principles of prevention, record the findings, and review progress. There are specific rights under the Quarries Regulations 1999 for two committee members to review risk assessments and suggest improvements.

Why do inspections?

Here are some reasons for doing inspections. Add any others that you think are relevant, or which come to light during discussions.

Finding hazards

A systematic check on an aspect of work or part of the workplace may reveal problems which the operator/employer needs to put right. For example:

- hidden hazards
- problems with the way a particular job has to be done
- failure to clean, maintain or test systems
- aspects of a job that only the worker who is doing it will be aware of.

Talking to workers, management, and other representatives

Inspections give you a chance to talk to workers about health and safety aspects of their work. If managers are present during inspections, you get a chance to discuss specific problems in a concrete way, in the presence of workers, rather than trying to explain the problem in the abstract.

Checking on compliance

During an inspection you can check if:

- legal standards or manufacturer's recommendations are being applied
- the operator's health and safety document is being complied with
- the operator has carried out agreed or planned changes or improvements
- risk assessments are up to date and valid
- standards required by the HSE have been implemented.

Types of inspection

There are several types of inspection that can help to improve health and safety standards. They include:

- general inspections of a work area
- special inspections of a particular aspect of work
- reportable injury/dangerous occurrence inspections
- inspections of documents or information

General inspections

A general inspection is a routine and scheduled one to check working conditions and to compare them with the standards you think should apply. These can be carried out at least once every month under the Quarries Regulations 1999, and at least once every three months under the SRSC Regulations 1977. We will prepare for one of these inspections shortly.

Try not to allow general inspections to become a routine chore where you look at the same things each time. You can guard against this by:

- carefully planning different types of inspections
- changing the emphasis of the inspection
- always talking to workers.

Special inspections

You can use a special inspection to concentrate in more detail on a particular aspect of the workplace or process. The special inspection could be in addition to regular general inspections. Or you may decide to change one of your regular inspections into a special one. For example, you may decide to do a special inspection because of:

- workers' complaints
- a change in working conditions
- new information you have received
- the need to investigate a particular issue in more depth, for example, transport in the quarry, or back injuries.

Accident inspections

Accident inspections are covered in the next part of the course. They should take place as soon as possible after an injury or dangerous occurrence.

Inspection of documents

As well as getting information from the workplace, you may want to inspect certain documents belonging to the operator, for example:

- the health and safety document
- inspection records under Regulation 12
- records of the management structure under Regulation 8
- risk assessments
- permits to work
- correspondence with the Health and Safety Inspector.

Preparing for inspections

Information and documents

You may need to look at:

- the health and safety document for the quarry
- previous inspection reports by worker reps
- risk assessments

- legal standards and other standards
management inspection records under Regulation 12 of the Quarries Regulations
- records of the management structure under Regulation 8 of the Quarries Regulations
- risk assessments
- permits to work
- relevant and up to date information from the HSE including any correspondence
union policies and guidelines (where applicable)
- agreed standards and safe working procedures
- the operator's/employer's safety policy.

Workers

Consulting workers before an inspection ensures that an inspection addresses the hazards that they are concerned about. It also helps you to find out how the work is being carried out in practice.

Checklists

Checklists can be a really useful way of reminding you of the key items that you need to inspect. You will find examples on the following pages from HSE publications, and your tutor will give you examples of checklists that you can use.

Activity

Planning to do an inspection

Aims

This activity will help you:

- plan inspections
- develop an inspection checklist
- improve the way you tackle inspections.

Task

During the forthcoming week you will be inspecting your own workplace in between day 2 and day 3 of the course. In your small group:

1. Discuss and then plan your inspection using the following headings:
 - Where/what will you inspect?
 - How will you consult members/workers?
 - When will you do your inspection?
 - Do you need to notify anybody that you plan to do an inspection as a part of the course?
 - Will you ask a manager to accompany you?
 - Are there any problems that you envisage?
 - How will you involve members in the inspection?
2. Prepare for your inspection, and develop your own checklist that will act as a prompt to help you to inspect. Don't forget to include the health and safety problems that members/workers raised with you last week.

Report back

Each person in your group should report to the rest of the larger group describing what they plan to do for their inspection.

Note down key points in your Activity Summary Sheet, highlighting anything you need to take up on your Action Planning Worksheet.

Resources

'Do you work in a quarry?'

A simple Guide to the Quarries Regulations 1999

HSE publications free booklet INDG303

Extracts from HSE checklists are reproduced over the page.

Do you work in a Quarry? (Extracts from HSE Publication - INDG303)

Find the full document at <http://www.hse.gov.uk/pubns/indg303.pdf>

Controlling risks - excavations and tips

All excavations and tips, including stockpiles and lagoons, are covered by these Regulations. It does not matter how big or small they are, what material a tip is made from, where that material comes from, or what will happen to it later. Tips to be used for refilling the excavation or landscaping the site after extraction, stockpiles of materials for later processing or sale, amenity and soil bunds are all covered.

Risk control safety checklist

- Was there a thorough site investigation before work began?
- Has the excavation or tip been properly designed?
- Do the working methods tally with the design?
- Is the quarry and its equipment well maintained?
- Do cracks, collapses or other discoveries raise doubts about the design?
- Are there significant overhangs in excavations or vertical faces in tips?
- Is there loose material on a face which could injure someone?
- Have barriers been placed around areas where material is extracted from a water filled excavation and the edge may collapse without warning?
- Are there proper records of materials tipped?
- Has an appraisal been done?
- Is a geotechnical assessment by an expert required? If so has the HSE been notified and is the assessment repeated at least every two years or if things change significantly?
- Do the excavations and tips rules deal with all these points and do they work in practice?

Vehicles

Every year about three quarry workers are killed and 12 seriously injured by reversing or moving vehicles, accounting for over 60% of fatal accidents in quarries.

Vehicle safety checklist

- Are the vehicles suitable for the work and conditions?
- Are benches and haul roads suitable for the type and size of vehicles used (e.g. layout, strength, surface, width, slope, signs)?
- Is there adequate edge protection where there are drops or lagoons?
- Are all drivers assessed and authorised?
- Are keys always removed and vehicles left secure?
- Are any restrictions on where vehicles may be used, e.g. due to height, width, gradient, or overhead power lines, clearly marked?
- Is reversing minimised and properly controlled where it cannot be avoided?
- Are speed limits/one-way systems clearly marked and enforced?
- Are pedestrians kept away from vehicle routes, particularly reversing areas?
- Are safety devices, e.g. seat belts/visibility aids fitted and used?
- Are vehicles used when the weather, e.g. fog, rain, mud, ice or snow makes it unsafe?
- Is tipping and sheeting carried out safely?
- Are vehicles well maintained and do drivers report defects?
- Can vehicles cross public footpaths or roads without endangering the public?
- Are haulage contractors' vehicles subject to the same rules?
- Are light and heavy vehicles kept apart?

- Do the vehicles rules deal with all these points and do they work in practice?

Explosives

A competent explosives supervisor must be appointed to organise and supervise the safe and secure storage, handling and use of explosives.

Explosives safety checklist

- Have shotfirers, trainee shotfirers, storekeepers and others working with explosives been properly trained, appointed and authorised?
- Are explosives and ammonium nitrate stored and transported safely?
- Are explosives secure from theft?
- Is the explosive mixed/stored in accordance with the licences?
- Is shotfiring equipment suitable and properly maintained?
- Are times when shotfiring may take place made clear?
- Is there a blasting specification, tailored for each blast, to minimise the risk of flyrock or misfires and ensure that faces are left in a safe condition?
- How is the danger zone determined and kept clear during blasting?
- Is visibility good enough to carry out all shotfiring and post-shotfiring operations safely?
- Are there adequate shelters for the shotfirer when blasting?
- How are the state of the face and the possibility of misfires checked after a blast?
- Are misfires dealt with safely?
- Do the explosives rules deal with all these points and do they work in practice?

Inspection and maintenance

Quarries must be properly inspected and maintained to safeguard people's health and safety. Guidelines should set out what should be inspected, how often, in what detail and who should do the inspections. (In addition to the inspections carried out by the operator, representatives of the employees can also carry out inspections on behalf of the workforce.)

If there is an immediate risk of injury, equipment may need to be taken out of use or work in a particular area may need to be stopped.

There are many different regulations that also contain inspection and maintenance requirements which must be met, for example, the Provision and Use of Work Equipment Regulations 1998.

Inspection and maintenance checklist

Are the following properly inspected and maintained:

- vehicles?
- machinery guarding?
- conveyors?
- safety devices such as reversing aids, interlocks and trip wires?
- quarry electrical equipment?
- pressure systems, including air receivers on vehicles?
- pedestrian routes, roadways and any edge protection?
- excavations and tips?
- buildings and all other structures?
- any barriers provided around the quarry to prevent trespass?
- faces above working places or roads? (These must be inspected before work starts each day for loose ground or rocks.)

Hazards and emergencies checklist

- Have any particularly hazardous jobs been identified, e.g. working in confined spaces, or where guards are removed?
- Have lock-off and permit-to-work procedures been set up and does everyone know when and how to apply them?
- Is there adequate emergency lighting if work goes on after dark? (Independently powered lighting towers are sufficient, where the failure of any one would still leave enough light to enable people to leave the area safely.)
- Can security staff and others who have to move around the quarry at night do so safely? For example do they have torches for emergency use?
- Have the sort of emergencies which might happen been considered?
- Does everyone know what to do if the worst happens, and have they been properly trained?
- Is the required equipment readily available and properly maintained?
- Have the possible emergencies and action needed been discussed with the emergency services.

Danger areas

Areas of the quarry where there are particular health or safety hazards need to be marked and treated as danger areas. Unauthorised people must be excluded from such areas, for example by erecting warning signs and barriers. People should only enter a danger area if it is essential and when appropriate safeguards are in place. There should be barriers that clearly identify the boundary of the danger area and make entry impossible without a conscious effort.

Danger areas include:

- sections of the excavation which may collapse onto people, e.g. significant overhangs;
- edges of excavations which may collapse under people or equipment, e.g. water-filled excavations;
- places from which people can fall more than 2 m or where falling a lesser distance could be particularly dangerous;
- places where people may be struck by falling objects such as stone falling from faces or conveyers;
- places where there are materials which behave like quicksand which could drown people; and
- lagoons.

Barriers to discourage trespass

Suitable barriers must be provided around the quarry if members of the public are likely to trespass on to the site. Barriers should always be provided at quarry boundaries if they are near to schools, colleges, shops or a significant number of homes.

The type of barrier will depend on the risks. In a rural area where the risk of public access is low, hedges, trenches and mounds may be sufficient. At the other extreme where there is evidence of persistent trespass by children, which places them at significant risk, sophisticated metal paling fences may be required.

Activity

Reporting of injuries, diseases and dangerous occurrences

Aims

This activity will help you:

- use RIDDOR '95
- ensure that your employer complies with the law.

Task

In your small group use the summarising information you will find on the following pages of this workbook to prepare a report on the tasks below.

Alternatively there is a summary of RIDDOR '95 in the TUC Hazards manual.

1. What does an employer have to report to the HSE under RIDDOR '95?
2. Decide whether and how the following incidents should be reported to the HSE:
 1. a quarry worker is attacked by a trespasser. As a result he is off work for two weeks
 2. an employee fractured a finger when it became caught in an unfenced drive sprocket
 3. an electrician is admitted to hospital and kept there for observation for two days following an electric shock from a conveyor system
 4. the collapse of a 4 metre high scaffold being used for access to a screen discharge chute
 5. on a Thursday afternoon, two fitters were folding back a conveyor belt to joint it when one of them slipped on a muddy area and fell against the plant structure. The fitter sustains a leg injury and leaves the workplace. He does not return to work until the following Tuesday
 6. a shotfirer fractured an ankle when jumping out of a runaway truck with brakes that had failed
 7. the movement of an excavated slope
 8. a quarry worker suffering from pneumoconiosis due to exposure to silica dust.
3. What records does the employer have to keep?

Report back

Elect a spokesperson to report back with your key points on a chart.

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

RIDDOR '95: Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

RIDDOR '95 requires the reporting of work-related accidents, diseases and dangerous occurrences by employers. It applies to all work activities, but not to all incidents. **A summary of the definitions of major injuries, over three-day injuries, reportable diseases and dangerous occurrences is in the HSE guide which will be given to you by your tutor.**

Death or major injury

If there is an accident connected with work and an employee, or a self-employed person working on the premises is killed or suffers a major injury (including as a result of physical violence); or a member of the public is killed or taken to hospital:

- the employer must notify the enforcing authority without delay (e.g. telephone). They will ask for brief details about the business, the injured person and the accident; and
- the employer must follow this up within ten days with a completed accident report form (F2508).

Over-three-day injury

If there is an accident connected with work (including an act of physical violence) and an employee, or a self-employed person working on the premises, suffers an over-three-day injury, the employer must send a completed accident report form (F2508) to the enforcing authority within ten days.

An over-three-day injury is one which is not major but results in the injured person being away from work or unable to do their normal work for more than three days (including non work days).

Disease

If a doctor notifies the employer that an employee suffers from a reportable work-related disease then the employer must send a completed disease report form (F2508A) to the enforcing authority.

Dangerous occurrence

If something happens which does not result in a reportable injury, but which clearly could have done, then it may be a dangerous occurrence (defined in the HSE Guidance) which must be reported immediately (e.g. by telephone), and followed up within ten days with a completed accident report form (F2508). There are specific dangerous occurrences listed for quarries in Schedule 2 Part 3 of RIDDOR '95.

Who to report to?

In general it will be the area office of the Health and Safety Executive. **(But see new reporting arrangements over the page)**

Keeping records

Employers must keep a record of any reportable injury, disease or dangerous occurrence. This must include the date and method of reporting; the date, time and place of the event; personal details of those involved and a brief description of the nature of the event or disease.

Reporting routes

The reporting procedure includes a facility to report all cases to a single point, the Incident Contact Centre (ICC) based at Caerphilly. This means that employers do not need to be concerned about which office and which enforcing authority they should report to.

Employers can report incidents in a variety of ways, by telephone, via the internet, by email or by post. Reports can still be sent to the local HSE office (by phone and then on form 2508 or 2508A, as described above), and these reports will be forwarded to the ICC for processing. Check this for changes.

If your employer uses the Internet or telephone service he/she may not have their own copy of the official reporting forms (2508 and 2508A) - the requirement to keep a record of reported incidents for inspection by visiting officers still remains. To help with this the employer will be sent a copy of their report and given the chance to correct any errors in it.

Procedures are designed to make reporting easier, including 'out-of hours'. It should also improve the quality of the information obtained, allowing for more detailed risk assessments to help HSE and local authorities get a better understanding of trends.

Contacts but check for changes

- Employers should send postal reports to the following address:
Incident Contact Centre
Caerphilly Business Park
Caerphilly CF83 3GG

Check the HSE website <http://www.hse.gov.uk/riddor/> for further information and ways to make RIDDOR reports or follow the link from the HSE website: www.hse.gov.uk

- By telephone (charged at local call rate): **0845 300 9923**
- By email: download the appropriate form and email it to www.riddor@connaught.plc.uk

Inspections following notifiable injuries and occurrences

There are various requirements in relation to worker involvement following injuries and dangerous occurrences.

Quarries Regulations 1999

Following a notifiable injury or dangerous occurrence a quarry operator should permit two committee members to:	
<ul style="list-style-type: none"> inspect the place where the injury or dangerous occurrence occurred and where necessary any other part of the quarry/plant and 	
<ul style="list-style-type: none"> where necessary any other part of the quarry/plant and 	
<ul style="list-style-type: none"> take samples of the atmosphere, dust or water at that place 	Reg 40(3)
<ul style="list-style-type: none"> scrutinise documents that are required to be kept 	Reg 40(5)(a)

Safety Representatives and Safety Committees Regulations 1977

Safety reps approved under these regulations have the following rights in relation to accidents, diseases and dangerous occurrences:	
Day to day functions	
Investigating dangerous occurrences and causes of accidents	Reg 4(l)(a)
Representing members with health and safety inspectors	Reg 4(l)(f) and (g)
Receiving information from inspectors	
After notifiable accidents, diseases, dangerous occurrences	
Inspecting the workplace	Reg 6
Examining relevant machinery, plant, equipment or substances	Guidance Note 61
Being notified in writing by the employer of steps taken to safeguard the workplace	Guidance Note 60
Access to information from management	
Inspecting and taking copies of documents the employer is required to keep under safety legislation – accident records, records of certain inspections and so on	Reg 7(1)
Receiving information relating to accidents including statistical records	Code of Practice 65(c)
Safety Committees	
Accident and disease statistics to be studied on the safety committee	Guidance Note 76

Health and Safety (Consultation with Employees) Regulations 1996

An employer must make available information contained in any record required under RIDDOR'95 and which relates to the workplace or group of employees represented. The representative of employee safety can make representations to the employer on potential hazards and dangerous occurrences.

Activity

Investigating injuries and dangerous occurrences

Aims

This activity will help you:

- find out key points about injuries that have occurred at work
- practise using interviewing and investigation skills.

Task

In small groups, select an example of an injury that has occurred in one of your workplaces.

- The course member who knows the details of the injury will take the role of the worker who sustained the injury.
- One person should take the role of the representative who will be responsible for interviewing the worker to find out what happened, and decide what to do next.
- Using the appropriate questions from the observer's checklist on the next page, one person should take the role of an observer to watch and listen to the interview.

Report back

The observer should report back on:

- good points for interviewing workers
- the main facts about the injury and the causes
- the next steps proposed by the rep.

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

Observer's report form

Interviewing

Did the rep:	Yes	No
Make the worker feel at ease?		
Interview the worker in a friendly manner?		
Make notes?		
Explain the purpose of the discussion/interview?		
Ask open-ended questions?		
Listen to and respond to questions and comments?		
Find out the full details of the causes of the injury?		
Find out where more information could be gathered from?		
Check the main points at the end of the discussion/ interview?		
Make arrangements to meet again if necessary?		
Tell the worker what they planned to do next?		

Checklist: Action after an injury

Immediately after

- get to the scene of the injury
- see that the injured are being properly looked after
- make sure that nothing is moved

Investigation

- take photos, sketches and measurements
- take samples of the atmosphere, dust, water etc.
- talk to witnesses and management
- do a detailed inspection

Follow up

- liaise with Health and Safety Inspector
- check the operator's/employer's accident records
- suggest improvements or immediate precautions
- advise injured workers

Immediately after

Get to the scene

The sooner you can get to the scene of the injury the better. If an injury occurs in your own work area you will know about it. If members/workers are dispersed over a wide area you may need to be told, so:

- make sure members/workers know how to contact you
- reach agreement with the operator/employer to inform you without delay of any injury.

Restrictions

The Quarries Regulations and the SRSC Regulations strictly apply only to reportable injuries, diseases and dangerous occurrences. However, you should not be restricted by this as:

- it may only emerge that an event is reportable as a result of making an inspection
- you cannot always tell in advance whether the injuries caused by an accident will keep someone off work for long enough to make the accident reportable.

Check first aid

You need to make sure that injured members/workers are getting the appropriate first aid treatment or medical attention and are not being rushed back to work or into making a statement. Any inadequacies in the speed with which treatment is provided should be taken up with the operator/employer.

Make sure nothing is moved

You need to be vigilant and prevent the scene of an accident being disturbed before an investigation has been done. The only acceptable reasons for moving anything are rescue and safeguarding against further hazards. This is emphasised in Guidance Note 27 of the SRSC Regulations, and the safety rep should be notified in writing of the action taken.

Investigation

Under the SRSC Regulations and the H&S Consultation with Employees Regulations, employers should provide necessary facilities and assistance to representatives.

Photos, sketches and measurements

The details provided by photos, sketches and measurements can be of crucial importance in establishing the facts.

Witnesses and statements

Talk to witnesses and take statements as soon as possible after the accident.

Doing a detailed inspection

The checklist over the page will help you to complete a detailed inspection. The results will help you identify the underlying causes of the injury.

Taking samples

As we have seen, two members of the committee appointed under the Quarries Regulations 1999 have rights to take samples of the atmosphere, dust or water, where this will help to ascertain the cause of an injury.

Follow up

Liaise with the Inspector

Check that the Health and Safety Inspector has been notified - if necessary by contacting the Inspector yourself. Make sure the Inspector knows if you have done an investigation.

Check the operator/employer records

There are several places to check:

- the Accident Book
- the register, in which reportable injuries and dangerous occurrences must be recorded
- your employer's copy of Form F2508 on which a report of any dangerous occurrence and accident causing death or major injury should have been made
- your employer's own record keeping system.

Make sure that the details have been properly recorded and make a note of any discrepancies.

Suggest improvements

Your investigation may have revealed specific problems in the workplace. You may wish to put specific proposals to the operator/employer on dealing with these problems. This should be done in writing and you should tell workers about the action you have taken.

Checklist: Injury inspections

Check the working environment

- lighting
- temperature/humidity
- noise
- dust and fumes
- workplace layout
- access and egress
- housekeeping

Training, job experience and supervision

- how long had the worker been doing the job?
- what safety training had the worker received? Was it effective?
- what supervision was there?
- what safety training had the supervisor received?

What information was available to the member/worker

- safe use of plant and equipment?
- safe handling of materials?
- procedures for permits to work?
- the contents of the health and safety document?
- the findings and action from risk assessments?

Maintenance

- was all plant and equipment maintained to standard?
- what do maintenance reports reveal about the state of any equipment?

Protective clothing

- did protective clothing or equipment hamper communications in any way?
- if protective clothing and equipment was issued, was it suitable for the individual and the job? Was it properly maintained?

Legal standards

- at the time of the injury were there any clear or possible breaches of legal standards?

Other incidents

- are there records of other injuries or dangerous occurrences in the same work area or job?
- are there any common factors?
- is there any evidence of previous unsafe practices?

Role of other workers

- were other workers involved in the injury in any way?

Employer investigation

- what has the operator/employer done to investigate the injury?
- do the findings of this investigation square with those on the operator's/employer's accident report?

Near miss incidents

This is an incident which represents a danger although it produces no injury. Research shows that for every injury accident there are several near-miss accidents. So monitoring and taking action on near miss accidents is important.

Members/workers should be encouraged to report all dangerous incidents. The operator/employer should process near miss accidents through the normal accident reporting, recording and action system.

Ill-health

Cases of ill health caused by work can be dealt with in a similar way to accidents. However, the links between work and disease are usually less obvious than between accidents and injuries. Here are some ideas for action:

Surveys

If you suspect a link between work and ill health, try to do a short survey to find out if your suspicions are justified.

Operator/employer records

The operator/employer may keep records which could help - such as details of ailments treated in the first aid room. These could be used to pinpoint particular problems.

Prescribed Industrial Diseases (PID)

Make sure you get to know about any PID cases (for example, pneumoconiosis caused by quarrying operations with materials containing silica). Note that under RIDDOR, employers are required to keep records of PID cases.

Workplace activity

Inspecting the workplace

Aims

This activity will help you:

- practise doing an inspection at your quarry
- develop inspection skills.

Task

Using the plan and the checklist that you developed from the Planning an Inspection Activity above, inspect your workplace in between weeks 2 and 3 of the course.

Keep notes about what you find, as you will need these to prepare a report during the course next week.

Day 3

Activity

Results of inspections

Aims

This activity will help you:

- share experiences about inspections
- discuss problems and successes.

Task

You will be divided into pairs. Look at the questions below and write down your responses. Share your views with your partner. Prepare a short report for the rest of the group that outlines the main points from your discussion.

- When and how did you do your inspection?
- Did you use a checklist?
- How did you consult with workers and management?
- Did you encounter any problems?
- What were the benefits of doing this inspection?

After the report back from Task 1, in your pairs, you will be asked to prepare a report of what you found during your inspection last week. Use the example of a report form below.

Pass on your completed reports to the pair next to you for their comments and they will pass on their reports to you.

After you have finalised your report, you will need to get it signed by your employer/manager **between Weeks 3 & 4 of the course.**

Action after an inspection

Inform the operator/employer/members/workers

The result of an inspection will be a list of points on which you believe the operator/employer should act, and/or about which you need more information. You should have clear information about how well the workplace compares with the standards that you have set. But inspections are only useful if something is done about the hazards you have spotted. So:

- point out defects during the inspection
- inform management in writing about the hazards that you have found, sign an inspection report form, a letter, or a report that you construct yourself
- keep members/workers informed about what management is going to do
- consider calling for a special meeting of the safety committee.

Obtain a response from management

Ensure that management agrees that they will:

- tell you in writing what action they will, or will not be taking
- respond within a certain time.

Action where there is imminent danger

You will need to act quickly where you find immediately hazardous conditions. For example, you could:

- use procedures to bring in senior management
- try to get agreement that work should be stopped
- take it further if there is disagreement over what action should be taken about the risk.

Checklist: Action following inspections and the law:

- Where two committee members have carried out an inspection, they may make a written report and the operator (or person nominated) shall sign it: Regulation 40 (8), Quarries Regulations 1999
- A copy of the written inspection report should be posted in a conspicuous position at the quarry for 28 days: Regulation 40 (9), Quarries Regulations 1999
- Trade union safety reps to report to management in writing about any unsafe or unhealthy working conditions or about inadequate welfare provision: SRSC Regulations 1977 Code of Practice 29(c)
- Trade union safety rep's verbal report to the employer when speedy action is needed: SRSC Regulations 1977 Reg 4(1)(d), SRSC Code of Practice 30.

Where trade union safety representatives have made a written report to the employer, appropriate remedial action will normally be taken by the employer. Where remedial action is not considered appropriate, or cannot be taken within a reasonable period of time, or the form of remedial action is not acceptable to the safety representatives, then the employer should explain the reasons and give them in writing to the safety representatives: SRSC Regulations 1977, SRSC Guidance 54:

- Management's response to be publicised: SRSC Regulations 1977 SRSC Guidance 58
- Safety reps to keep members informed using appropriate channels: SRSC Regulations 1977 SRSC Guidance 45
- Safety reps should be able to take up matters without delay: SRSC Guidance 46
- Safety reps to record that an inspection has been made: SRSC Guidance 49.

Communicating the results of inspections in writing

Writing letters

Introduction

At some point, as a health and safety representative, you will probably need to write a formal letter. You may need to:

- pass on information to a member/worker
- ask for information from somebody
- confirm (and formalise) the details of verbal arrangements made with the operator/employer
- communicate with your union (where applicable)
- make a complaint
- write to management about hazards in the workplace.

Some guidelines

Letters are an important way of sending information or requests. They need to be put together carefully for you to make best use of them. A letter without your address, phone number or which is unclear may mean delays or misunderstandings. Here are a few guidelines to help you:

- write a rough draft before you do the final letter - this will allow you to make changes and additions
- if you don't have headed notepaper, write in your address and other contact details at the top right-hand corner (see the example on the next page)
- write in the name and address of the person you are writing to underneath, but at the left-hand side - sometimes envelopes are opened by office staff, and this makes it clear who the letter is intended for
- remember to write in the date - it will be important for the reader and your own future reference to know when the letter was written
- you may find it useful to put in a reference - this might include your initials and the reference of the file in which you keep correspondence
- start the letter with a heading - this immediately tells the reader what the subject of the letter is
- try to keep one topic for one letter - if you have a number of separate, unrelated issues to raise, then draft separate letters. This should help prevent confusion, and will make it easier for you to file and retrieve the letter
- write clearly using short sentences and simple words - try to avoid jargon. Simple language will help to keep your message clear
- start a new paragraph for each new point - try using headings - they will help you to structure the letter and help the reader focus.

Letter writing checklist

- Indicate why you are writing the letter (usually at the beginning)
- Indicate what action you want taken as a result of the letter (usually at the end)
- Be brief - don't use 20 words if 5 will do
- Keep a copy and file it

An example of a formal letter

Mr A Davies
Quarry Manager
Bor Quarry
Farnham Road
Dorset DE9 4HQ

Safety Committee
Bor Quarry
Farnham Road
Dorset DE9 4HQ
Tel: 01523 000 1234

21 Feb 2009

Our Ref: DH/PB/3

Dear Mr Davies

Urgent health and safety problems at Bor Quarry

As the two members of the safety committee at Bor Quarry, we recently did a monthly health and safety inspection. As you know, John James the supervisor who normally accompanies us was not available. We are writing to let you know about three urgent problems that we found during our inspection. Other items requiring attention are identified on the attached report form.

1. Edge protection

There was inadequate edge protection for the new roadway that has been in use for the last two weeks.

2. Brake testing

Brakes of vehicles were not being inspected regularly to check that they were in good condition. No records of inspection and maintenance were available.

3. Safe Access

Work was taking place on a conveyor bearing without adequate scaffolding. A maintenance supervisor stopped this work when we pointed out the problems.

We would like to discuss these matters with you and the failure of the risk assessment procedures. We have booked an appointment to see you at 9.00am tomorrow.

We look forward to seeing you then.

Yours sincerely

David Harris
Safety Committee members
Bor Quarry

Pete Bowler

QUARRY HEALTH AND SAFETY REPRESENTATIVE: INSPECTION REPORT FORM

NUMBER

Notification to the operator/employer (or their representative) of conditions and working practices considered to be unsafe or unhealthy and of arrangements for welfare at work considered to be unsatisfactory. This report does not imply that the conditions are safe and healthy or that the arrangements for welfare at work are satisfactory in all other aspects

DATE AND TIME OF INSPECTION	PARTICULARS OF MATTER(S) NOTIFIED TO EMPLOYER OR THEIR REPRESENTATIVE (INCLUDE LOCATION WHERE APPROPRIATE)	NAME(S) OF SAFETY REP	REMEDIAL ACTION TAKEN (WITH DATE) OR EXPLANATION IF NOT TAKEN. (to be completed by the operator/employer)

SIGNATURE(S) OF QUARRY HEALTH & SAFETY REPRESENTATIVE(S) DATE:

SIGNATURE OF OPERATOR/EMPLOYER DATE:

Health and Safety Standards

Introduction

All employers are bound by law to make and keep workplaces safe and healthy. Health and safety organisation is an essential part of management's job. You are already familiar with some health and safety laws. The first part of the course looked at how the law gives rights to safety representatives and safety committee members. But the main emphasis of all health and safety law is directed at employers. We will now consider three of the main standards.

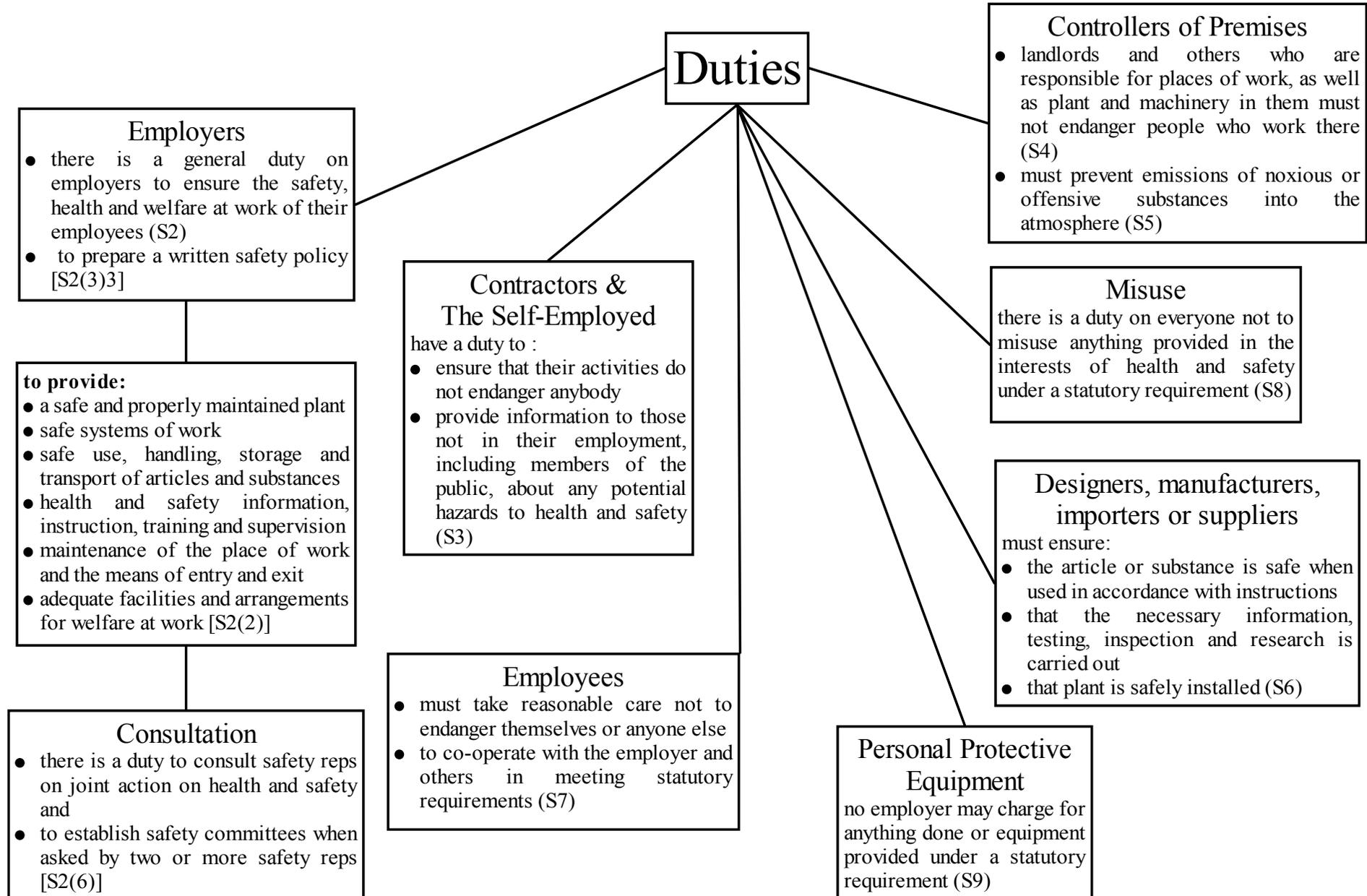
The Health and Safety at Work etc Act 1974

The main law in the UK is the Health and Safety at Work etc. Act 1974, which provides a framework of health and safety responsibilities. It covers all employers large and small, public and private and all work processes. It makes employers responsible for:

- **people:** direct employees, contractors, members of the public who might be in or near a workplace at any given time
- **premises:** plant and machinery, every part of the workplace whether fixed or moveable/moving, including vehicles or equipment which people use in the course of their work outside the workplace. Additional duties are placed on manufacturers and suppliers in respect of equipment
- **processes:** all physical and chemical processes and working systems from the provision and storage of materials to the final production and delivery of products or services, including the disposal of waste and by-products

What the law stresses is that management must organise for health and safety. That means they need to provide the people and resources that will make workplaces safe.

Section 2-9 of The Health and Safety at Work Act 1974



The Management of Health and Safety at Work Regulations 1999

In addition to the Health and Safety at Work etc Act, there are several Regulations that are derived from European Directives. The key feature of most of these Regulations is the requirement for employers to conduct risk assessments. A summary of some of the main Regulations is reproduced below.

In particular, the Management of Health and Safety at Work Regulations 1999 clarify the requirements of the Health and Safety at Work Act 1974 in areas such as:

- assessing hazards and risks
- recording the conclusions of those assessments
- applying certain principles of prevention
- making arrangements for the effective planning, organisation, control, monitoring and review of preventative and protective measures
- carrying out a specific risk assessment where women of child bearing age or new and expectant mothers may be at risk from a work process, working conditions or physical, chemical or biological agents.

The contents of the 'Management' Regulations are summarised on the following pages.

The Quarries Regulations 1999

Most health and safety law is written in a way that can be applied to a range of different types of workplaces but because the quarrying industry is so hazardous the Quarries Regulations 1999 are a specific set of Regulations that aim to tackle the hazards in the industry and improve health and safety standards.

The contents of the 'Quarries' Regulations are summarised on the following pages.

Other more general health and safety regulations that will have application to the quarrying industry are:

Manual Handling Operations Regulations 1992
Workplace (Health, Safety and Welfare Regulations) 1992
Provision and Use of Work Equipment Regulations 1998
Personal Protective Equipment Regulations 1992
Display Screen Equipment Regulations 1992
Lifting Operations and Lifting Equipment Regulations 1998
Control of Substances Hazardous to Health Regulations 2002.

Activity

The Management of Health and Safety at Work Regulations 1999

Aims

This activity will help you:

- find out about the MHSW Regulations 1999
- assess workplace practice.

Task

In your small group, use the worksheet below to assess whether the key points of the MHSW Regulations 1999 are being complied with, and what action you need to take.

Report back

Elect a spokesperson to report back about any action points.

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

Worksheet

The Management of Health and Safety at Work Regulations 1999 (key regulations)

Regulation	Duties	Is the law complied with? Yes/No	Action required
3. Risk assessment	<ul style="list-style-type: none"> • Making a suitable and sufficient assessment of risks. This will involve identifying the hazards (a hazard is something with the potential to do harm), and evaluating the extent of risks (a risk expresses the likelihood that the harm from a particular hazard is realised) • Identifying measures needed to comply with legal requirements • Reviewing the risk assessment • Recording the assessment where five or more employees 		
4. (and Schedule 1) Principles of prevention	<p>Implementing preventive and protective measures On the basis of:</p> <ul style="list-style-type: none"> • avoiding risks • evaluating the risks which cannot be avoided • combating the risks at source • adapting the work to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating monotonous work and work at a predetermined work-rate and to reducing their effect on health • adapting to technical progress • replacing the dangerous by the non-dangerous or the less dangerous • developing a coherent overall prevention policy which covers technology, organisation of work, 		

	<p>working conditions, social relationships and the influence of factors relating to the working environment</p> <ul style="list-style-type: none"> • giving collective protective measures priority over individual protective measures • giving appropriate instructions to employees. 		
Regulation	Duties	Is the law complied with? Yes/No	Action required
5. Health and safety arrangements	Making arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures.		
6. Health surveillance	Ensuring that his employees are provided with health surveillance having regard to the risks to their health and safety which are identified by the assessment.		
7. Health and safety assistance	<ul style="list-style-type: none"> • Appointing one or more competent persons to assist in undertaking the necessary measures to comply with legal requirements • Where there is a competent person in the employer's employment, that person should be appointed in preference to a competent person not in his employment. 		
8. Serious and imminent danger	<ul style="list-style-type: none"> • Establishing procedures to be followed in the event of serious and imminent danger to persons at work • Nominating competent persons to implement procedures • Informing workers about the nature of the hazard • Enabling persons to stop work where exposed to serious and imminent danger 		

10. Information for employees	Providing employees with comprehensible and relevant information on: <ul style="list-style-type: none"> • health and safety risks from the assessment • preventive and protective measures • procedures for serious and imminent danger • competent persons. 		
13. Capabilities and training	<ul style="list-style-type: none"> • Taking into account employees capabilities when giving tasks • Providing training when employees are recruited; when being exposed to new or increased risks; and repeated periodically • Training to be provided in working hours. 		

Regulation	Duties	Is the law complied with? Yes/No	Action required
14. Employees	<ul style="list-style-type: none"> Using equipment in accordance with training and instructions Informing the employer about serious danger and health and safety shortcomings. 		
15. Temporary workers	Providing information on skills required to carry out work safely.		
16-18. New or expectant mothers	<ul style="list-style-type: none"> Carrying out a specific risk assessment where women of child bearing age and new and expectant mothers may be at risk from a work process, working conditions or physical, chemical or biological agents Altering working conditions or hours of work where reasonable, and the risk cannot be avoided Medically suspending the employee where it is not reasonable to alter the conditions of work. 		
19. Young persons	<ul style="list-style-type: none"> Protecting young persons from risks to their health or safety as a consequence of lack of experience Prohibition of the employment of young persons in certain situations. 		

Activity

The Quarries Regulations 1999

Aims

This activity will help you:

- find out about the Quarries Regulations 1999
- assess workplace practice.

Task

In your small group, use the worksheet over the page to assess whether the key points of the Quarries Regulations 1999 are being complied with, and what action you need to take.

Report back

Elect a spokesperson to report back about any action points.

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

Worksheet

The Quarries Regulations 1999 (key regulations)

Part	Duties (Regulation number in brackets)	Law complied with? Yes/No	Action required
Part II Health & Safety Management Regulations 5-11	<ul style="list-style-type: none"> • Operator has to be suitable and have sufficient resources to operate the quarry safely (Reg 5) • Operator to ensure that the quarry and plant are designed, constructed, equipped, commissioned, operated and maintained, so that the health and safety of persons is not endangered (Reg 6) • Operator to co-ordinate implementation of measures (Reg 6) • No work to be carried out unless a health and safety document is prepared containing all items in Regulation 7 (see below) • Operator to establish a management structure with a competent individual taking charge, and sufficient competent persons appointed to manage the quarry safely (Reg 8) • No person to undertake work unless competent (Reg 9) • Operator should produce health and safety rules that should be given to persons, and should be comprehensible to them (Reg 10) • The measures to protect health and safety should be reviewed regularly (Reg 11) 		
Part III Risk control Regulations 12-16	<ul style="list-style-type: none"> • Operator to prepare a written scheme for systematic inspection, maintenance and testing of quarry, buildings and plant (Reg 12) • Written reports should identify defects and steps taken to remedy them (Reg 12) • Benches & haul roads should be safely designed, constructed and maintained, and provided with barriers to prevent vehicles leaving them (Reg 13) • Operator to produce vehicles rules to control vehicle risks (Reg 14) • Operator to ensure adequate means of escape and rescue are provided and maintained (Reg 15) • Operator to provide barriers to discourage trespass (Reg 16) 		

Part	Duties (Regulation number in brackets)	Law complied with? Yes/No	Action required
Part IV Additional requirements Regulations 17-23	<ul style="list-style-type: none"> • Operator to ensure that work involving hazardous operations are not carried out without permits to work (Reg 18) • Permits should specify the conditions to be fulfilled and precautions to be taken and be issued (accepted), signed and dated (Reg 18) • Operator to hold regular safety drills (Reg 19) • Operator to ensure no naked flames or smoking where risk of fire or explosion (Reg 20) • Operator to determine and measure potentially explosive substances in the atmosphere with provision of automatic devices (Reg 21) • Operator to ensure that danger areas are marked, and equipment and barriers provided to prevent unauthorised entry (Reg 22) • Emergency lighting to be provided where there are risks if the artificial lighting fails (Reg 23) 		
Part V Explosives Regulations 24-29	<ul style="list-style-type: none"> • Operator to ensure that all explosives are stored, transported and used safely (Reg 25) • Operator to appoint one or more competent people and provide written rules/procedures (Reg 25) • Shotfirer to check the shotfiring system; where appropriate, to check that electric detonators are correctly connected and ensure that misfire unlikely; and ensure shot is fired from safe place (Reg 27) • Operator to ensure that in the event of a misfire only specified persons can enter the danger area adhering to certain time restrictions (Reg 28) • No unauthorised persons can handle explosives (Reg 29) 		
Part VI Excavations and tips Regulations 30-38	<ul style="list-style-type: none"> • Operator to ensure that excavations and tips are designed, constructed, operated and maintained to ensure that instability or movement are avoided (Reg 30) • Operator to produce excavations and tips rules (Reg 31) • Competent person to appraise proposed or existing excavations/tips with written records to be kept (Reg 32) 		

<p>Part VI Excavations and tips Regulations 30-38 (continued)</p>	<ul style="list-style-type: none"> • Appraisals to be carried out at appropriate intervals (Reg 32) • If appraisal reveals a significant hazard, then geotechnical assessment required (Reg 32) • Geotechnical assessment requires a specialist identifying and assessing all factors liable to affect the safety/stability of the excavation/tip, with proposed remedial work (Reg 33) • If the assessment reveals a significant hazard, there should be re-assessment at least every 2 years or by the date advised by the specialist (Reg 34) • If the assessment reveals no significant hazard, the operator should ensure that the specialist reveals the frequency of future appraisals (Reg 35) • Operator to keep records of substances tipped (Reg 36) • Certain tips and excavations to be notified to the Health and Safety Executive (Reg 37) 		
<p>Part VII Duties of employers and participation Regulations 39-43</p>	<ul style="list-style-type: none"> • Every employer to co-operate with the operator (Reg 39) • Operator to have arrangements to ensure that workers at the quarry co-operate effectively (Reg 40) • Committee can be appointed by representative body (bodies) (Reg 40 (2)) <p>Where a committee is appointed for the quarry the operator of the quarry shall permit two members of the committee to:</p> <ul style="list-style-type: none"> • inspect following a notifiable accident or dangerous occurrence to ascertain the cause and to take samples of the atmosphere, dust or water Reg 40(3) • inspect monthly every part of the quarry and any plant/equipment Reg 40(4) make and sign a report following the inspection Reg 40(8) • during the inspection, scrutinise documents that are required to be held under the law Reg 40(5a) • during the inspection, review the risk assessment and suggest improvements which the operator must consider and reply with 		

<p>Part VII Duties of employers and participation</p> <p>Regulations 39-43 (continued)</p>	<p>written reasons if they do not accept the improvements Reg 40(5b&6)</p> <ul style="list-style-type: none"> • be accompanied by their advisers when inspecting Reg 40(5c) • post their written report in a conspicuous place for 28 days Reg 40(9) • No employer shall employ any person to work at a quarry unless there is an operator (Reg 41) • Every person at work shall work with reasonable care and comply with rules (Reg 42) • Where health surveillance required, employer should ensure it is carried out before person starts that work (Reg 43) 		
<p>Part VIII Miscellaneous</p> <p>Regulations 44-45</p>	<ul style="list-style-type: none"> • Reports or records to be kept in a suitable form for 3 years (Reg 44) • HSE to be notified within 14 days of the beginning of operations for quarry opening; termination of quarry operations; the appointment/change of operator. 		

The Quarries Regulations 1999

Operators

The operator is usually the company running the quarry. Most of the duties under these Regulations are placed on operators. Their responsibilities start with the design of the quarry, which can often eliminate hazards or at least significantly reduce them. They have to make sure that the quarry is designed, staffed and equipped so that it can be run safely.

Operators' duties fall into three basic areas.

Planning and preparation

They need to:

- consider the site geology
- decide what plant is required
- decide on site layout including haul roads and the siting and building of tips
- take into account the presence of roadways, streams, electricity lines etc
- appoint a suitable overall quarry manager and management team, setting out their responsibilities
- assess the risks and ensure a plan is prepared and revised as required. This includes risks to health and safety from materials and equipment
- set up lock-off and permit-to-work systems for particularly hazardous tasks
- develop a health and safety document and site rules and ensure that everyone understands them and
- notify the Health and Safety Executive (HSE) about the quarry and any hazardous excavations or tips.

Day to day work

They need to:

- ensure there are enough suitable employees and contractors to do the work
- ensure that all employees and contractors are competent, and have had adequate training for the work they have to do, including proper induction
- encourage the workforce to be actively involved in health and safety
- ensure that the work is properly co-ordinated and that there is co-operation with and between any contractors
- report accidents, dangerous occurrences and cases of ill health to HSE as required by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

Review and monitoring

They need to monitor and review:

- physical safeguards, e.g. guards, interlocks and visibility aids and
- safety procedures.

This needs to happen:

- routinely before anything goes wrong
- after accidents or near misses to see what went wrong and why and

- when working practices change significantly.

They need to:

- ensure safeguards and safety procedures are satisfactory and appropriate and work in practice
- explain the findings to everyone affected and
- put any required changes into practice.

Contractors

At many quarries, employees and self-employed people from several companies work side by side. Contractors and operators must co-operate to achieve improvements in health and safety standards.

Although most of the responsibilities in the Regulations are placed on the operator other employers and self-employed people still have duties under health and safety law. These include:

- providing the operator with information about the risks from their work and how they will deal with them
- working in line with the health and safety document and site rules
- reporting accidents, dangerous occurrences and cases of ill health to the operator who then has to report them to HSE under RIDDOR.

Workforce participation

Although operators and contractors must take the initiative to ensure health and safety, everyone working at a quarry must help, by pointing out risks and suggesting improvements, if quarries are to be made safer. Everyone working there must also comply with the site rules and do their work safely.

As we have seen, a committee can be appointed by the workforce or a body representing it, e.g. a trade union. Two members of this committee have the right to:

- inspect and take samples after an accident or dangerous occurrence
- carry out an inspection of every part of the quarry at monthly intervals, accompanied, if they wish, by their advisors
- study the health and safety document
- review any risk assessments which form part of the health and safety document and suggest improvements and
- make a written report on any health and safety problems found during their inspections.

These rights are in addition to those provided under the Safety Representatives and Safety Committees Regulations 1977 and the Health and Safety (Consultation with Employees) Regulations 1996.

The health and safety document

Every operator, no matter how small the quarry, must prepare a health and safety document. Its purpose is to demonstrate that the risks at the quarry have been identified and are properly controlled. It helps everyone to understand their health and safety responsibilities

and how they fit in with others. Everyone working at the quarry can make a useful contribution in identifying the risks and preparing the document.

It must set out in writing key information about health and safety at the quarry, in a way which can be understood by everyone who works there.

This includes:

- what the risks are
- the measures taken to control those risks
- how the quarry is managed and
- how the work of everyone, including contractors is co-ordinated.

The health and safety document must be updated as things change or as more is learned about the risks. It must be available to every employer and person at work at the quarry.

Training and competence

Everyone working at a quarry must be competent for the work they do. They must be properly trained and have the experience and knowledge to work safely. Some need formal qualifications, e.g. explosives supervisors, geotechnical specialists and shotfirers.

There must be suitable induction for everyone new to the site. This needs to include a site tour explaining relevant hazards and how they are dealt with and also the first aid and other emergency arrangements. In addition, training or coaching will often be required for people taking on new responsibilities or using new equipment or systems of work.

Other important Regulations

Other regulations that are relevant to working in quarries include:

- Workplace Health, Safety and Welfare Regulations 1992 which cover areas such as ventilation, temperature, lighting, cleanliness, condition of floors, sanitary conveniences, rest areas and others
- Health and Safety (Display Screen Equipment) Regulations 1992 cover workstation assessment, risk reduction, workstation standards, periodic breaks, free eye tests, provision of information and training
- Manual Handling Operations Regulations 1992 with revised Guidance in 1998 cover avoidance of manual handling wherever possible, risk assessment and risk reduction
- Provision and Use of Work Equipment Regulations 1998 deal with suitable and safe work equipment, maintenance, information, instruction and training
- Personal Protective Equipment at Work Regulations 1992 require the provision of personal protective equipment where risks are not adequately controlled by other means
- Control of Substances Hazardous to Health Regulations 1999 require risk assessment and the prevention or control of exposure to hazardous substances
- Electricity at Work Regulations 1989 require the construction and maintenance of electrical systems so as to prevent danger
- Noise at Work Regulations 1989 provide for the assessment, prevention or control of noise exposure
- Health and Safety (First Aid) Regulations 1981 with an updated Approved Code of Practice and Guidance in 1997 require adequate and appropriate first aid equipment and facilities
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 provide for the reporting of accidents and dangerous occurrences
- Working Time Regulations 1998, covering working hours, breaks, holidays etc.

The Work at Height Regulations 2005

These came into force on 6 April 2005. They apply to all work at height where there is a risk of a fall liable to cause personal injury.

They place duties on employers, the self-employed, and any person that controls the work of others (for example facilities managers or building owners who may contract others to work at height).

The Work at Height (Amendment) Regulations 2007 came into force on 6 April 2007 and apply to those who work at height providing instruction or leadership to those engaged in caving or climbing by way of sport, recreation, team building or similar activities in Great Britain.

As part of the Regulations, duty holders must ensure:

- all work at height is properly planned and organised
- those involved in work at height are competent
- the risks from work at height are assessed and appropriate work equipment is selected and used
- the risks from fragile surfaces are properly controlled and
- equipment for work at height is properly inspected and maintained.

There is a simple hierarchy for managing and selecting equipment for work at height. Duty holders must:

- avoid work at height where they can
- use work equipment or other measures to prevent falls where they cannot avoid working at height and
- where they cannot eliminate the risk of a fall, use work equipment or other measures to minimise the distance and consequences of a fall should one occur.

The Regulations include schedules giving requirements for existing places of work and means of access for work at height, collective fall prevention (e.g. guardrails and working platforms), collective fall arrest (e.g. nets, airbags etc), personal fall protection (e. work restraints, fall arrest and rope access) and ladders.

The HSE key 2009 messages to duty holders are:

- Those following good practice for work at height now should already be doing enough to comply with the Work at Height Regulations
- Follow the risk assessments you have carried out for work at height activities and make sure all work at height is planned, organised and carried out by competent persons
- Follow the hierarchy for managing risks from work at height - take steps to avoid, prevent or reduce risks and
- Choose the right work equipment and select collective measures to prevent falls (such as guardrails and working platforms) before other measures which may only mitigate the distance and consequences of a fall (such as nets or airbags) or which may only provide personal protection from a fall.

Using health and safety standards – in an every-day practical way

Introduction

We have seen that employers have certain basic duties under the:

Health and Safety at Work Act 1974

Management of Health and Safety at Work Regulations 1999

Quarries Regulations 1999

The Work at Height Regulations 2005.

The aim for safety reps is to get used to using these and other standards in an everyday practical way.

Activity

Applying the law

Aims

This activity will help you:

- use HASAWA; the MHSW Regulations, the Quarries Regulations and the Working from Height Regulations 2005
- apply the law to problems.

Task

In your small group, select one health and safety problem that has previously been raised on the course.

Use the worksheet on the following page to:

Identify relevant parts of the Health and Safety at Work Act, The Management of Health and Safety at Work regulations, The Quarries regulations or the Work at Height Regulations.

Plan what to do next.

Report back

Photocopy your worksheets for the larger group, and elect a spokesperson to report back.

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

Worksheet**Applying the law**

Name	Union and workplace
Problem: brief description	Which parts of the law can help?
What does the law say?	Who is responsible?
How can you use the law to get things done?	What do you plan to do next?

Workplace Activity

Procedures to tackle health and safety problems

Aims

This activity will help you:

- find out how the health and safety document and risk assessments can help
- obtain details about any workplace health and safety committees.

Task

Try to obtain the information listed below:

1. A **summary** of the quarry operator's health and safety document, **checking that the document refers to:**
 - risk assessments
 - measures to safeguard the health and safety of persons at the quarry, and in the area immediately surrounding the quarry
 - a statement of how the measures will be co-ordinated
 - details of the management structure and sets out the authority and duties of each person in the management structure; and records the following information
 - the manager's rules
 - arrangements for the regular review of safety measures
 - details of inspection, maintenance and testing schemes
 - the rules controlling risks from vehicles
 - details of the permit to work system
 - the shotfiring rules
 - the excavations and tips rules
 - the conclusions of any appraisal or assessment of an excavation or tip and
 - the arrangements for health surveillance.
2. A risk assessment for each of the priority health and safety problems that you have identified.
3. If you have a health and safety committee at your workplace, find out the way it works, in particular:
 - who sits on it
 - does it meet regularly?
 - whether it is a place where health and safety problems are sorted out
 - if members of the committee consult with and put forward the views of members/workers

- if decisions of the committee implemented or are they ignored.

Please bring this information with you to Day 4 of the course

Day 4

Activity

Health and safety documents

Aims

This activity will help you:

- compare operators' health and safety documents
- propose improvements.

Task

In your small group:

1. Compare the summaries of operators' health and safety documents from each other's workplaces
2. Identify any missing items and discuss how you think that the health and safety document from your quarry could be improved
3. Discuss how the document is kept up to date and made available to all persons at work at the quarry.

Report back

Elect a spokesperson(s) to report back using a chart.

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

Risk assessment and employer's duties

Introduction

It is important that reps understand the process of risk assessments, so that they can make a valuable contribution to protecting workers' health and safety. The HSE leaflet *Five steps to risk assessment* gives practical guidance to employers and self-employed people on how to assess risks and record the findings of the assessment. There are many regulations that require risks to be assessed and certain risks are covered by more than one of these regulations.

Regulations covered

The main regulations requiring risk assessment are:

- Management of Health and Safety at Work Regulations 1999
- Manual Handling Operations Regulations 1992
- Personal Protective Equipment at Work Regulations 1992
- Health and Safety (Display Screen Equipment) Regulations 1992
- Noise at Work Regulations 1989
- Control of Substances Hazardous to Health Regulations 1999
- Control of Asbestos at Work Regulations 1987
- Control of Lead at Work Regulations 1980.

Purpose of the assessment

The regulations require certain things to be done to help an employer take decisions about what to do to prevent people being harmed. However, the risk assessment provisions of the Management Regulations are rather special. They require employers and self-employed people to assess the risks created by their undertaking so as to identify the measures they need to have in place to comply with their duties under health and safety law. As such, the assessment provisions of the Management Regulations are superimposed over all other workplace health and safety legislation including the general duties in the Health and Safety at Work Act.

The risk assessment provisions in the other regulations are much more specific and generally require employers to do particular things for certain groups of people and/or if certain conditions are met.

Who has to assess the risks?

In all cases employers and self-employed people are responsible for assessing the risks and seeing that it is adequately done, except for the Display Screen Regulations where a self-employed person doesn't have to undertake an analysis of workstations.

Whose risks should be assessed?

The Management Regulations require an assessment of risks to the health and safety of anyone that may be affected by the employer's activities: workers and members of the public. However, employers will have to check whether the other regulations require certain things to be done for all or some of these people. For example, the Display Screen Regulations require employers to assess workstations for health and safety risks to their workers and self-employed people working for them, but not members of the public. Similarly, the Manual

Handling Regulations require an assessment of risks to employees (if any) but not to members of the public.

But, under the Management Regulations employers have to make sure that members of the public are not harmed by her/his activities.

What risks should be assessed?

The Management Regulations require employers to examine what could cause harm to people so that they can weigh up whether enough precautions have been taken or whether more has to be done to meet legal requirements. However, the risk assessment provisions in the other regulations covering specific hazards often say in more detail what needs to be examined.

How thorough should the assessment be?

The risk assessment provisions in all these regulations say that the assessment of risks must be either 'adequate' or 'suitable and sufficient'. A judgement has to be made whether the hazards are significant and whether precautions have been taken so that the risks are small.

When to assess?

Though the Management Regulations do not say so, in practice the risks have to be assessed before new work is begun. Many of the other specific regulations (e.g. COSHH) say that work cannot start before the risks covered by the regulations have been assessed.

Recording the assessment

The Management Regulations require those with five or more employees to record the significant findings of the assessment.

Reviewing the assessment

All the regulations require that employers review assessments and revise them as necessary.

Activity

Risk assessments

Aims

This activity will help you:

- find out how management conduct risk assessments in your workplace
- propose improvements.

Task

In your small groups, look at and consider the risk assessments that you brought in from your workplaces:

1. Use the checklist on the following pages to review the risk assessments in your workplaces for priority health and safety problems
2. Compile a short report based upon your responses identifying any improvements that need to be made.

Report back

Elect a spokesperson(s) to report back using a chart.

When the report back has been completed, note down key points in your Activity Summary Sheet, and note any points that you need to take up on your Action Planning Worksheet.

Checklist – risk assessment and worker involvement

Safety rep/worker involvement

- how are you involved in the risk assessment process?
- are you satisfied with the extent of your involvement?
- do you feel that the risk assessments are satisfactory?
- are inspections used to monitor and review the employer's risk assessment procedures?
- have workers and their representatives been given copies of the written risk assessments (or been given access to copies)?
- are there any procedures or agreements regarding risk assessment?

Checklist – risk assessment and operator/employer action

Is your employer carrying out risk assessments?

- have assessments been carried out for all tasks/jobs?
- if not are arrangements in hand for them to be done?

Are resources available to carry out risk assessments properly?

- do risk assessors have the necessary time, authority and training to do proper risk assessments?

Who carries out risk assessments?

- are they competent (do they have knowledge and understanding of the work involved, and the principles of risk assessment and prevention and current health and safety applications)?
- what qualifications/experience do they have?
- what information, instruction and training have they been provided with?
- are outside consultants being used?
- have workers and their representatives been consulted over the appointment or nomination of competent persons to deal with risk assessment and control?

Do assessments cover all the hazards and risks at work?

- have all areas, activities, processes, substances, etc. been covered?
- do assessments cover systems of work, supervision, training and the working environment?
- what hazards and risks have been identified?
- have all risks that workers believe to be important been assessed?

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

- are those working outside normal hours, visitors, temporary workers and sub contractors covered?
- have those particularly at risk (e.g. young and inexperienced workers; those who work alone; workers with a disability) been identified?
- where there are women workers of childbearing age, are there risk assessments to cover the health and safety of new or expectant mothers?
- do assessments look at what actually happens in practice and include non-routine operations such as maintenance?

- do individual assessments need to be carried out for some workers (e.g. those working outside the main place of work)?

Are preventative measures already being used working properly?

- are the control measures followed?
- do they appear to work?
- are information, instruction and training provision adequate?

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

- can risks be avoided?
- have risks which cannot be avoided been evaluated?
- are risks controlled at source?
- is the work adapted to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production measures? This is with a view to alleviate monotonous work and work at a predetermined work-rate and to reduce their effect on health.
- are prevention measures adapted to technical progress?
- is the dangerous replaced by the none or less dangerous?
- has the employer developed a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment?
- are collective protective measures given priority over individual protective measures?
- are appropriate instructions given to employees?

Have protective and preventive measures been introduced?

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

Are risk assessments kept up-to-date?

- do planned reviews of risk assessments take place at regular intervals?
- are new risk assessments completed before changes are made to tasks, workplaces, equipment etc.
- are risk assessments reviewed if evidence suggests that control measures are not adequate? (e.g. following accidents, near misses, reports of ill health, findings of inspections).

Activity

Health and safety committees

Aims

This activity will help you:

- agree what a safety committee should do
- find out what the law says about safety committees.

Task

1. In your small group look at the summary of Regulation 9 and Guidance Notes of the Safety Representative and Safety Committee Regulations below, and then discuss the following
2. What do you think a safety committee should do?
3. If any members of your group sit on, or have received minutes from a safety committee, what does the committee actually do?
4. Is it a place where health and safety problems are sorted out?
5. Do members of the committee consult with and put forward the views of workers?
6. Whether the decisions of the committee are implemented or ignored.
7. From your discussions, draw up a list of best practice for a safety committee covering the membership, functions and the way that the committee works.
8. Elect a spokesperson to report back using a chart.

Best practice for safety committees

-
-
-
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-

Worksheet

Safety Committees

The Safety Representatives and Safety Committees Regulations 1977

Part	Duties (Regulation number in brackets)	Current situation in your workplace
Regulation 9	<ul style="list-style-type: none"> • Employer to establish a safety committee if requested in writing by at least two safety representatives • Employer to consult with the reps that made the request and other recognised trade union reps • Employer to post a notice stating the composition of the committee and the workplace (s) covered, in a place where it can be easily read • The committee to be established not later than three months after the request 	
Guidance Notes 69-82 Objectives and functions	<ul style="list-style-type: none"> • Reviewing the measures taken to ensure the health and safety at work of employees • Committees ought to consider the drawing up of agreed objectives or terms of reference • Promoting co-operation between employers and employees <p>Specific functions could include:</p> <ul style="list-style-type: none"> • Study of accident and notifiable disease statistics and trends, so that reports can be made on unsafe or unhealthy conditions and practices, together with recommendations for corrective action • Examination of safety audit reports on a similar basis • Consideration of reports from health and safety inspectors • Consideration of safety reps' reports • Assistance in the development of safety rules and safe systems of work • Monitoring the effectiveness of the safety content of employee training • Monitoring the effectiveness of safety publicity and communication • Links with the enforcing authorities <p>The committee may wish to carry out inspections</p>	

Part	Duties (Regulation number in brackets)	Current situation in your workplace
<p>Guidance Notes 83-88</p> <p>Membership of safety committees</p>	<ul style="list-style-type: none"> • Should be settled in consultation between management and trade union reps • Size to be kept as compact as possible • Management reps should not exceed the number of employees' reps • Line management, works engineers, supervisors to be included as management reps. Specialists to be co-opted e.g. health and safety adviser; occupational health nurse • Safety rep not appointed by the committee and should not lose pay when attending <p>Management representation should ensure:</p> <ul style="list-style-type: none"> • adequate authority to give proper consideration to views and recommendations • necessary knowledge and expertise • a genuine desire on the part of management to tap the knowledge and experience of its employees. <p>The effectiveness of a joint safety committee will depend on its pressure and influence which can be improved by:</p> <ul style="list-style-type: none"> • regular meetings and publicising decisions • speedy decisions and action by management based upon the safety committee's recommendations • developing ways of involving more employees • periodical joint inspections 	
<p>Guidance Notes 89-95</p> <p>Conduct of safety committees</p>	<ul style="list-style-type: none"> • Should meet as often as necessary • Meetings only cancelled or postponed in exceptional circumstances • Dates of meetings to be agreed well in advance and members/employees notified • Sub committees could be appointed for particular health & safety problems • Minutes of meetings to be displayed and to be sent to committee members, director responsible for health and safety, board of directors 	

Setting up of safety committees

There is nothing in the Health and Safety (Consultation with Employees) Regulations 1996, about safety committees. Under Regulation 40(2) of the Quarries Regulations 1999, a committee of persons with suitable experience of quarrying operations may be appointed by:

- a body representative of the majority of the total number of persons working at the quarry, for example, a trade union; or
- jointly by bodies or associations that are representative.

The guidance to the Regulations goes on to say that the establishment of an active safety committee is a highly effective way of encouraging co-operation and participation. But to be successful, the committee must be seen by all parties to be effective.

There is much more detail about safety committees in the SRSC Regulations. When at least two union safety reps have put their request for one in writing, an employer must set a safety committee up within three months. During this process, the employer must consult the safety reps that made the request and the representatives of recognised trade unions whose members work in any workplace to be covered by the committee. A notice must be prominently displayed, stating the composition of the committee and the work areas that it will cover.

The Guidance to the SRSCR states that the size, shape and terms of reference of a safety committee must depend on discussion and agreement between employers and unions.

It recommends:

- committees should be compact
- there should be 50/50 management and union representation
- safety advisers, doctors and other health and safety professionals should be ex-officio members.
- safety committees could also provide a link with the enforcing authorities.

Agendas

Agendas for safety committee meetings could usefully include:

- studying accident and ill health trends
- setting targets under the HSC Revitalising Health and Safety initiative
- examining safety inspection reports
- considering information from inspectors, unions, employer and industry bodies
- discussing reports from safety reps
- developing safe systems of work
- examining the health and safety implications of new plant, equipment and processes
- reviewing the health and safety content of employee training
- monitoring the effectiveness of the employer's health and safety services

- reviewing risk assessments
- reviewing the operation of the employer's health and safety policy and making an annual assessment of health and safety performance, problems and future priorities
- reviewing the effectiveness of health and safety information and publicity materials.

Checklist: improving safety committees

The measure of a good health and safety committee is whether or not it can secure change. If it is only a 'talking shop', or never takes any decisions, or the same items appear again and again on the agenda, action should be taken to put this right by, for example:

- ensuring that meeting dates are agreed in advance and only postponed by joint agreement
- making sure that a senior person with managerial health and safety responsibility is committed to being present. (This person should be named in the Quarry health and safety document)
- ensuring that all parties can influence the agenda
- making sure that named people are given the responsibility for actions and are committed to a completion date
- making sure the minutes are issued promptly, well displayed and reflect fairly discussions, decisions and agreed timetables for action.

Activity

Setting up a safety committee

Aims

This activity will help you:

- prepare a case to put to management
- practise representing workers
- feel more confident about talking to management.

Task

1. In your small group, you should agree who will take the role of:
 - a quarry health and safety rep
 - the quarry operator
 - an observer.
2. The safety rep has previously asked the quarry operator to form a safety committee. The quarry operator has agreed and they are now meeting so that the safety rep can recommend:
 - who will sit on the committee
 - how often it will meet
 - what the functions of the committee will be
 - how the workforce will be informed about the decisions of the committee.

The safety rep, the observer and the quarry operator will be given time separately to prepare for a meeting. After they have had time to prepare, the safety rep and the quarry operator will meet to try to reach agreement on how a safety committee will work. The observer should take notes using the checklist below, and be prepared to report back after the meeting concludes.

Observers' checklist

Following the role-play you will be asked to report back on the following.

- Did the safety rep achieve her/his aims?
- Did the safety rep put forward their case and handle the discussion well?
- Did the safety rep react well to management?
- What was agreed on how the committee should function etc?
- Did the safety rep take notes of the discussion?

Activity

Action plan

Aims

This activity will help you:

- make decisions about future priorities
- report back to members/workers, unions, and the quarry operator.

Task

Look back at your activity summary sheets, action planning worksheet and other notes you have made.

Use the worksheet on the next page to set out your next steps. To help you do this you may want to discuss particular points with other members of your small group.

Your worksheet can be used to help you prepare a final workplace activity on your future plans - a report back to members/workers, your union (where applicable) and the quarry operator.

Give a short report back to the rest of the course with the main points of your action plan.

Worksheet

Action Plan

POINT	PLAN	TIMESCALE

Quarry Induction

Course Evaluation

This form is designed to help us improve the quality of this course. It is an opportunity for you to assist TUC Education and future participants by providing feedback. This will contribute to the success of future courses.

Please complete this form on the last day of your course and hand it to your course tutor.

Your name: _____

Course Venue: _____

Dates of course: _____

1. USEFULNESS

Which parts of the course were most and least useful to you?

2. CONTENT

Would you suggest any topics that should be added to, or left out of the course?

3. METHODS AND MATERIALS

Do you have any views about which methods and materials used on the course were most/least effective?

4. FOLLOW UP

How will you apply the lessons of this course to your workplace?

5. ASSESSMENT

What is your overall assessment of the value of this course? (Tick box)

- Excellent
- Very good
- Good
- Average
- Poor

6. OTHER COMMENTS

Appendix

Working documents

This section contains:

- Activity summary sheet (for duplication)
- Action planning worksheet
- Jargon sheet
- Records of achievement

ACTIVITY SUMMARY SHEET

Day:

Date:

Activity title:

Page no:

Assessment criteria:

Main points:

Action Planning Worksheet

What needs doing?	Your aims	What will your do?	Why?	What was the outcome?
Your job representing members/workers on health and safety matters				
Inspections				
Priority hazards				
With the health and safety document, risk assessments etc.				
With the quarry operator/your employer				
Safety committee				
Future training				

Jargon sheet

Shorthand / Jargon	Meaning
SRSC Regs	Safety Representatives and Safety Committee Regulations
HSE	Health and Safety Executive

Name	Unit Title: Health and safety representatives – Induction 3 credits
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<i>Assessment criteria</i> Level 1	<i>Assessment criteria</i> Level 2	Evidence	File location
The learner has achieved this outcome because she/he can:	The learner has achieved this outcome because she/he can:		
1.1 Contribute to informal group discussions 1.2 Listen and respond in discussions	1.1 Contribute actively in group and class discussions 1.2 Listen and respond in discussions 1.3 Summarise and present a report from group discussions		
2.1 List safety representatives' main legal rights and functions 2.2 Give examples of issues, union health and safety representatives work on	2.1 Explain safety representatives' main legal rights and functions 2.2 Explain how union health and safety representatives can contribute to securing a safe working environment		
3.1 Record health and safety and other information from a range of sources e.g. discussion, union documents, HSE, so that it can be used on the course and for future reference	3.1 Record, organise and reference health and safety and other information from a range of sources		

Key WS worksheet TO/PO tutor/peer observation SS Summary Sheet P Plan O Other	NB You do not need to write in more than two occasions in the evidence column e.g. first piece of evidence, best piece of evidence	Level achieved	Date
		Signed	Learner

Name	Unit Title: Applying Health and Safety legislation 3 credits
------	--------------------------------------------------------------

<i>Learning Outcome</i> Level 2	<i>Assessment criteria</i> Level 2	Evidence	File location
The learner has achieved this outcome because she/he can:	The learner has achieved this outcome because she/he can:		
1. Demonstrate an understanding of the background and origins of specific health and safety legislation	1.1 Describe factors that influenced the introduction of specific regulations		
2. Identify the main legal requirements of specific health and safety regulations	2.1 Identify the main legal requirements of specific health and safety legislation		
	2.2 Give at least two examples of how the regulations affect own workplace		
3. Demonstrate understanding of how specific health and safety regulations can be used to improve health and safety standards at work	3.1 Explain How key sections of specific regulations can be used to improve health and safety standards at work		

Key WS worksheet TO/PO tutor/peer observation SS Summary Sheet P Plan O Other	NB You do not need to write in more than two occasions in the evidence column e.g. first piece of evidence, best piece of evidence	Level achieved	Date
		Signed	Learner