

Introduction to workforce involvement for representatives of employee safety

Trainer's brief: Days 1 and 2

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About this course pack

This course pack has been developed by the Health and Safety Executive to standardise the content of this course.

While we hope you will deliver the material in this pack in your own style, you must ensure that the event aims and objectives are achieved.

A guide to symbols used in this pack

The course notes may contain the following symbols to help you deliver the course. Their meanings are explained below.

The icons



Trainer note or instruction.

Where it is necessary for the trainer to create their own session the instruction is in a box.



Key points

The key points icon calls attention to key points within the module.



Question

Expected responses will be indicated by a bullet point



Discussion

The discussion icon indicates that the trainer should initiate an open discussion. Instructions on running the discussion appear next to the icon.



Handout



Flipchart



Coffee



Lunch



Workbook



Video



Exercise/activity

Training rationale

This course/workshop has been designed to offer a general overview of the health and safety legislation in relation to consultation and worker involvement. In particular the role and functions of an elected representative of employee safety (RoES). This is for delegates working in non-unionised organisations.

Most delegates will be new to this role and/or will have received little or no technical training.

There are modules to cover practicalities such as awareness of how to complete risk assessments and recognised best practice.

The main focus of the course though is to provide training on the 'soft' people skills. These are required to liaise and engage freely with the workforce and management becoming an effective representative of employee safety.

Aims and objectives of the event

Workshop aim:

To provide people with the basic knowledge and 'people skills' required for establishing and developing consultation and workforce involvement to help improve health and safety practice in the workplace.

By the end of training delegates will:

- recognise the importance of consultation and worker involvement in workplace health and safety
- understand the role of the safety representative and the significant contribution they can make to improving workplace health and safety
- understand the rights, roles and responsibilities of both employers and employees and the function of the representative of employee safety in relation to health and safety
- learn how to access and source relevant health and safety information (use of HSE website)
- understand the priority of health and safety issues in the workplace
- be able to recognise the range of personal or 'people skills' needed to influence health and safety practice amongst colleagues and managers
- help to identify potential areas for improving arrangements in their workplace, in collaboration with their employer

Format:

The training will be delivered in modules, with sessions lasting between 30 minutes and 3 hours 30 minutes, allowing for flexible delivery of between one and 4 modules on any given day.

This modularised approach will allow for evening and weekend delivery where this would suit the target audience better.

The course will use a wide range of delivery methods to make sure learners engage with a range of learning styles and will include:

- presentation
- group discussion
- self assessment
- syndicate group work
- mini-projects
- video case studies

Delivery:

For delivery of the modules trainers **must** have a good understanding of:

- the two principal sets of Regulations/Acop relating to consultation on health and safety: www.hse.gov.uk/pubns/books/l146.htm¹

Information and tools to help organisations to consult workers. Resources can be found on the HSE webpages, in particular:

- **the webtool:** for small and medium sized organisations. It provides a quick and simple way of identifying steps to improve levels of worker involvement in a stable and dynamic working environment.
www.hse.gov.uk/involvement/doyourbit/taking-action.htm
- **Shared experiences:** video (and text) case studies.
www.hse.gov.uk/involvement/doyourbit/shared-experiences.htm
- **guidance materials:** www.hse.gov.uk/pubns/indg232.pdf²
- The worker involvement good practice guide can be accessed here:
www.hse.gov.uk/pubns/books/hsg263.htm³

References:

1. *Consulting workers on health and safety. Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended). Approved Codes of Practice and guidance L146* HSE Books 2012 ISBN 978 0 7176 6461 0
www.hse.gov.uk/pubns/books/l146.htm
2. *Consulting employees on health and safety: A brief guide to the law* INDG232 HSE Books ISBN 978 0 7176 6312 5 www.hse.gov.uk/pubns/indg232.pdf
3. *Involving your workforce in health and safety: Good practice for all workplaces HSG 263* HSE Books ISBN9780717662272
www.hse.gov.uk/pubns/books/hsg263.htm

Event timetable

Day 1

Time	Description
09.00 - 09.30	Module 1: Introduction
09.30 - 10.20	Module 2: Worker involvement
10.20 - 11.00	Module 3: The law
11.00 - 11.15	Tea break
11.15 - 12.30	Module 4: Health and safety principles
12.30 - 13.00	Lunch
13.00 - 14.15	Module 4 (continued): Health and safety principles
14.15 - 14.30	Tea break
14.30 - 16.00	Module 5: Effective communication/action planning

Day 2

Time	Description
09.00 - 09.45	Module 6: Introduction (Day 2)
09.45 - 11.00	Module 7: Influencing skills
11.00 - 11.15	Tea break
11.15 - 12.30	Module 8: How to negotiate
12.30 - 13.00	Lunch
13.00 - 14.15	Module 8 (continued): How to negotiate
14.15 - 14.30	Tea
14.30 - 15.00	Module 8 (continued): Skills practice

Resources required

All the resources required to run the event by your organisation can be listed here.

✓ If you've done it	Resource/equipment needed for the event
The Essentials	
	Laptop to show slides and play HSE case studies
	Resources: Trainer brief for day 1 and day 2 Slides for day 1 and day 2
	Manor Fresh Manufacturing (video case study from HSE website) www.hse.gov.uk/involvement/doyourbit/shared-experiences.htm Tamdown Demolition (video case study from HSE website) www.hse.gov.uk/involvement/doyourbit/shared-experiences.htm
	Flip chart/paper/pens
	Paper/pens for delegates
	Blank copies of action plans for delegates to complete
	Optional: HSE leaflet <i>Consulting employees on health and safety – a brief guide to the law</i> INDG232 HSE Books ISBN 978 0 7176 6312 5 www.hse.gov.uk/pubns/indg232.pdf HSE Leaflet <i>Five steps to risk assessment</i> INDG163 HSE Books ISBN 978 0 7176 6440 5 www.hse.gov.uk/pubns/indg163.pdf

Module 1: Introduction

Module title: Introduction

Duration: 30 minutes

Module aim: To introduce the delegates to each other and set the scene for the two day workshops

Module objectives:

By the end of the module, delegates will have:

- introduced themselves to the rest of the group and have an understanding of the different roles and sectors the other delegates come from

Resources required:

- laptop
- slides presentation
- flipchart and pens
- pre-prepared flipchart stating the ground rules for the two training days
- paper and pens

Introduce yourself to the group before continuing with the domestics and their introductions.

Course domestics:

Ensure you are familiar with the local instructions for the venue. As a minimum, you should advise the delegates on the points listed below:

- fire exits
- evacuation procedures
- refreshment information – break times, lunch etc.
- mobile phone use
- smoking
- location of toilets
- location of telephones
- location of message boards

Slide 1: Worker involvement (title slide)

Slide 2: Introductions

- name
- company
- type of business
- number of workers
- your role (if you have one) in health and safety and when this started
- what you want to get out of today



Capture expectations on flip



For the workshop to run effectively it is important to agree the acceptable behaviours you expect from the delegates. Ask the delegates to review the pre-prepared flip chart. Ask for any comments/additions they may have and then agree the ground rules. Ensure the ground rules are followed and be aware of the need to deal with behaviours that indicate challenge or lack of interest.



It is important to agree how we are going to work together today. Please review the following 'ground rules' listed on the flipchart. Would you like to add any more ideas? Would you like to change any?

Ground rules:

- encourage and value contributions made by others
- be open and honest
- listen to others and take account of what they say
- share ideas and proposals for improvement
- try new ways of doing things
- be supportive
- celebrate success and congratulate people
- use humour appropriately
- confidentiality
- respect for others

Thank you for agreeing our ground rules. They will be displayed throughout the workshop.



Create and take an icebreaker opening session.



Exercise – icebreaker. Suggest you start with an exercise to get the delegates working in small groups, perhaps use a perception type of icebreaker.

After 10 minutes, discuss what answers the groups have come up with and inform them of any answers they have not worked out.

Display the following slides which list what will be covered over the next two days.

Slide 3: Overview of the 2 day workshop

Day 1

- introduction
- worker involvement
- the law
- health and safety principles
- effective communication
- action planning

Slide 4: Overview of the 2 day workshop (continued)

Day 2

- influencing skills
- how to negotiate
- skills practice



Relate the Modules to the expectations flip from the introductions and answer any questions that arise.



Explain that the workshop is designed to offer a brief overview of the health and safety legislation relating to people who work as a representative of the workforce and concentrates on the personal or 'people skills' required to engage workers.

As your workplaces are non-unionised and some / many of you are new to your role and responsibilities, we have modules to cover the basics of health and safety and recognised best practice for communicating with your manager and work colleagues. We also cover the skills required to engage with your work colleagues and management so you can be an effective representative of employee safety.



Advise delegates that they have paper and pens as they may wish to make notes over the next two days. Distribute copies of the action plan (blank copy at the end of this brief) and explain there will be an opportunity after each module to capture any actions they want to take back to their workplace and follow through.

Module 2: Worker involvement

Module title: Worker involvement

Duration: 50 minutes

Module aim: Defines and emphasises the importance of 'worker involvement' and key benefits to themselves, their work colleagues and their organisation.

Module objectives:

By the end of the module, delegates will be able to:

- define what 'worker involvement' means
- understand the benefits of 'worker involvement'

Resources required:

- flipchart and pens
- paper and pens
- HSE video case studies

We know from experience that workplaces where employees play an active part in health and safety often have lower accident rates. These workplaces have arrangements in place for consultation and worker involvement.



Exercise: Define involvement

5 - 10 minutes in small groups 'What does **involvement** mean?'

Encourage the groups to capture their ideas on flipchart, as words, pictures and sounds and tell them to be ready to feedback to the rest of the group.

Feedback in plenary to highlight the points they have come up with and why. You will need to be prepared to talk through what your group has come up with.

Ensure that **consultation** is discussed and that the following are captured (information from the HSE website)

What worker involvement means you:

- **talk** to one another
- **listen** to one another's concerns
- **raise** concerns and solve problems together
- **seek** and **share** views and information
- **discuss** issues in good time
- **consider** what everyone has to say
- **make decisions** together

There are two HSE video case studies where we can see worker involvement in action.



Show Tamdown Demolition and Manor Fresh Manufacturing videos.
(Approximately 3 minutes each).

Advise them that after the videos they will have 5 minutes to identify areas of worker involvement examples within each business.



What did you think of the videos? What were the examples of Worker Involvement you identified from the videos?



Ensure the following is captured

Tamdown Demolition

- pre work WISE meeting (talk, listen, raise concerns, seek/share, discuss, consider, make decisions)
- days work reviewed and risk assessments prepared (discuss, consider, decisions)
- record kept to inform others (seek/share)
- team working (talk, listen, seek/share)
- gap between manager and workers bridged (talk, listen, discuss, make decisions)
- accident level down (raise concerns)
- insurance premiums down (raise concerns, discuss, make decisions)
- confident workers who knew they were going home at night.(raise concerns)

Manor Fresh Manufacturing

- busy outside environment, vehicle movement and fork lift trucks (raise concerns, discuss, make decisions)
- Health and Safety taken seriously, everyone involved (manager down and worker up) (talk, listen)
- 'let's sit down and talk things through' (talk, listen, discuss, make decisions)
- everyone involved and happy to report concerns to Health and Safety Reps (seek and share)
- records kept and people updated, such as sub-contractors arrival on site (seek and share)
- mention of Health and Safety Committee (talk, listen, discuss, make decisions)
- accidents down 17% Raise concerns)



Are there any similarities with your workplace?
Are they better at Tamdown Demolition or Manor Fresh Manufacturing?



Keep this discussion lively; do not go into too much detail as we refer to the videos when reviewing communication later today.

Refer back to the modules and topics to be covered over the two day event and how these will cover the skills and behaviours necessary to encourage Worker Involvement.



So now we have a better idea of what worker involvement means, in relation to health and safety, what are the benefits of it?



Exercise: Worker involvement

Divide the delegates into 3 groups, giving each group one area to discuss.
The areas are:

- what are the benefits of Worker Involvement to you
- what are the benefits of Worker Involvement to your colleagues
- what are the benefits of Worker Involvement to your organisation

Discuss the groups' findings in plenary.



Ensure the following points are covered:

- make your workplace healthier and safer
- improve performance
- raise standards
- share responsibility



Ask the delegates if they have any questions on Worker Involvement before we move on?



Ensure the delegates capture any points they need to on their action plans. They may wish to capture the level of worker involvement in their organisation with key points for where changes should be beneficial.

Worker involvement helps organisations to influence and manage the workforce's attitude towards health and safety.



Facilitate a discussion around the drivers for health and safety.

Ensure the following are drivers are referred to:

- moral
- legal
- financial

An understanding of these aspects can help demonstrate why health and safety must be taken seriously by the whole workforce.



What do we mean by moral needs?

Moral needs are:

- to avoid unnecessary death, hurt and injury with the associated trauma for the people involved
- to improve confidence and sense of well being in the workforce



To emphasise the moral message ask the delegates the following question:



How would you feel if there was the need to announce a serious accident, or even a death of a colleague at work?

We'll now look at the financial aspect.



What are the financial aspects relating to health and safety?

Financial aspects are:

- The HSE can stop work if they see unsafe working practices and prosecute organisations and individuals. Whilst you can get insurance to cover most aspects of health and safety these do not cover fines, which can be costly.
- Prosecution could also result in the workplace being shut down and in individuals being pursued through the courts and even imprisoned.



To help illustrate this point relate a story, which is based on a real situation. Source the HSE website for prosecutions that fit your audience.



Inform the delegates that we'll be covering more about the HSE and HSE Inspectors in the next module.

We'll now move on to consider the legal aspects of health and safety.

Module 3: The law

Module title: The law

Duration: 40 minutes

Module aim: This Module covers key health and safety legislation. It also deals with the 'got to because it's the law' attitude towards health and safety. The roles and responsibilities of your employer (the boss) and the employee (you and your workmates) are explained. It also highlights the functions and roles of representatives of employee safety and the powers of the Health and Safety Executive (HSE) in supporting the workforce and enforcing the law.

Module objectives:

By the end of the module, delegates will be aware of:

- relevant health and safety legislation
- the duties of the boss, themselves and their workmates as required by law
- the role of the Health and Safety Executive (HSE) in supporting the workforce and enforcing the law.

Resources required:

- laptop
- flipchart and pens
- paper and pens
- handout 1 (at the back of this brief)
- HSE Leaflet *Consulting employees on health and safety – a brief guide to the law* INDG232 HSE Books ISBN 978 0 7176 6312 5
www.hse.gov.uk/pubns/indg232.pdf



Having seen why it is important to be aware of health and safety, and for the workforce to be involved we're moving now to the **Legal** aspect, That is - You have to. It's the law!

In this module we are going to have a **brief** look at a huge topic. Every person in this room is governed by the health and safety law and could fall foul of it, and suffer the consequences. Let's now focus on health and safety legislation.



What do you know about health and safety laws?



Facilitate discussion to focus on the following four pieces of legislation. Give out copies of Handout 1.

1. Health and Safety at Work Act 1974. (1974)

Along with other things this law places a duty on the employer to look after their workforce and everything they do. It covers employees' responsibilities and defines the powers of the health and safety inspectors. It also states the legal requirements for employees to be consulted by their employer on matters concerning their health and safety.

2. Management of Health and Safety at Work Regulations 1992/1999 (1999)

These regulations set out risk assessments as a corner stone of health and safety. We'll be finding out more about risk assessments later today.



Handout HSE Leaflet *Consulting employees on health and safety – a brief guide to the law* INDG232 HSE Books ISBN 978 0 7176 6312 5
www.hse.gov.uk/pubns/indg232.pdf

This leaflet identifies the other two pieces of legislation that will be of interest to you. These pieces of legislation cover the regulations for the roles and responsibilities of the representative of employee safety (RoES) elected (non-unionised) and health and safety representatives appointed (unionised).

3. **Safety Representatives and Safety Committees Regulations 1977 (1977)** - for workplaces which are unionised and have appointed trade union safety representatives.
4. **Health and Safety (Consultation with Employees) Regulations 1996 (1996)** - for workplaces where a union is not recognised or with employees who are not trade union members..... (you!).
 - The employer can choose to consult employees directly as individuals, or through elected representatives of employee safety or where a union is recognised through a combination of appointed health and safety representatives and RoES.

To find out more about consultation with employees and your role and functions we have an exercise which will familiarise you with the leaflet.



Exercise: Health and safety law

Divide the delegates into three groups. Each group looking at one of the following:

- Group 1 Why consult employees on health and safety? and What must employers consult about?
- Group 2 What information should be available to employees or their representatives?
- Group 3 What are the functions of the representatives in both unionised and non-unionised workplaces?

Ensure the groups know that they need to feedback using their own words. Make sure the following points are covered:

Group 1: Why consult employees on health and safety? and What must employers consult about?

- the introduction of any measure which may substantially affect their health and safety at work, eg the introduction of new equipment or new systems of work (such as the speed of a process line and shift-work arrangements)
- arrangements for getting competent people to help them comply with health and safety laws (a competent person is someone who has sufficient training and experience or knowledge and other qualities that allow them to help an employer meet the requirements of health and safety law)
- the information they must give their employees on the risks and dangers arising from their work, measures to reduce or get rid of these risks and what employees should do if they are exposed to risk
- the planning and organisation of health and safety training

- the health and safety consequences of introducing new technology

Group 2: What information should be available to employees or their representatives?

- an employer must give employees or their representatives the information necessary to allow them to participate fully and effectively in the consultation. When consulting representatives, the employer must provide them with the information necessary to enable them to fulfil their functions
- information should include the risks arising from their work, the measures in place or proposals to control these risks, and what they should do if they are exposed to a risk, including emergency procedures
- employers should already have the relevant information needed for employers as part of their health and safety management system. There is no need for employers to present this information in a different format and provide it as a separate package, or get hold of additional information for their employees or their representatives



This will give you an opportunity to explain that the representative of employee safety does not assume the employer's responsibilities in relation to health and safety. They support the employer and have **functions** for which time and resource should be provided.

Group 3: The functions of the representative of employee safety are given in the HSE leaflet (green if workplace is non-unionised). This shows that the representative of employee safety (you) should speak with the employer (boss) about:

- potential hazards and dangerous occurrences
- general matters affecting the health and safety of employees you represent
- specific matters on which the employer must consult



Facilitate a discussion around how does / could this relationship work in your workplace.



How do employees or their safety representative find out about hazards in their workplace?

How do you in your workplace?

Answers could include:

- team briefings
- meetings
- notice boards
- accident and incident reports
- health and safety committee meetings
- inspections
- toolbox gatherings
- chats
- near-miss reports

Employee representatives liaise with their managers regarding hazards and risks and will communicate and consult on any changes with employees to ensure they fulfil their function to co-operate on all matters of health and safety.

We know that workplaces where employees play an active part in health and safety have lower accident rates. Collaboration with your employees helps manage health and safety in a practical way by:

- employees helping to spot workplace hazards
- employees making sure health and safety controls are practical
- increasing the level of commitment to working in a safe and healthy way

In many cases this also leads to increased productivity, efficiency and quality. This commitment to worker involvement helps ensure that health and safety becomes 'business as usual'.

We'll cover more of this in the communication module later today.



Refer the delegates to handout 1 to read the duties of the employer, employee and powers of the Health and Safety Executive (HSE).



What do you think are the key points around the duties of the employer?

The key points that need to be covered are:

Duties of Employers:

Health and Safety at Work Act 1974

- all employers must ensure **so far as is reasonably practicable** (sfairp) the health, safety and welfare at work of all employees
- provision of safe plant and systems of work
- safe use of handling, storage and transport of articles and substances
- provision of necessary information, instruction, training, equipment and supervision
- maintenance of a safe place of work, including access and egress
- provision of a safe working environment and adequate facilities and arrangements for welfare

Management of Health and Safety at Work Regulations 1992/1999

- a suitable and sufficient assessment of the risks to health and safety of employees whilst at work for the purposes of identifying control measures necessary to comply with health and safety law (ie ensure the health, safety and welfare sfairp)
- a suitable and sufficient assessment of the risks to health and safety of those not employed as a result of that work being undertaken work for the purposes of identifying control measures necessary to comply with health and safety law (ie ensure the health, safety and welfare sfairp)

As far as reasonably practicable means that employers would not be expected to implement measures which are very expensive, time consuming and difficult to implement if the risks are low and the benefits would be minimal. We'll cover this more fully when we look at risk assessments this afternoon.



What do you think are the key points around the duties of the employee?

The key points that need to be covered are:

Duties of Employees

Employees, whilst at work, must:

- take reasonable care of themselves and anyone else affected by their acts and omissions
- co-operate with their employer on all matters of health and safety
- not interfere or misuse anything provided for the purpose of health and safety at work

As an employee the representative of employee safety are also bound by these duties.



What do you think are the key points around the powers of the Health and Safety Executive?

The key points that need to be covered are:

Powers of the Health and Safety (HSE) Inspectors

Both HSE Inspectors and Local Authority Officers can:

- enter premises
- conduct investigations
- take samples and photographs
- ask questions
- give advice
- issue instructions – improvement/prohibition
- initiate prosecution
- consult with representatives during visits



Remind delegates that we stated in the last module that the HSE can stop work if they see unsafe working practices.

We've completed a very brief overview of the legislation and regulations around health and safety, and the functions of representative of employee safety.

To put Worker Involvement into perspective:



The Law

Stage 1

inform
instruct
train

Stage 2

consult
discuss

The law covers the need for the employer to inform and consult with the employees about health and safety. Worker involvement takes it further to stage 3. More eyes and ears, a safer environment and fewer accidents because the workers are actively involved.



The Law

Beyond compliance

Stage 1

inform
instruct
train

Stage 2

consult
discuss

Stage 3

involve
participate
joint problem solving

The greatest benefits are achieved during stage 3, worker involvement



Ask the delegates if they are aware of the HSE website and the different leaflets and guidance available?



If the delegates are not familiar with the HSE website inform them that is a very comprehensive website and very user-friendly. It is an excellent resource with a lot of helpful practical information (including leaflets, videos and books) about all aspects of health and safety, relevant to all organisations.



If the delegates have any concerns about health and safety they can refer to the HSE website for information and guidance.



Are there any questions?



Do not get drawn into lengthy discussions or pass opinions on specific concerns, refer delegates to HSE website.



Ask the delegates to complete the action plan to prompt further investigation where necessary.



Break

Module 4: Health and safety principles

Module title: Health and safety principles

Duration: 1 hour 15 minutes pre lunch 1 hour 15 minutes after lunch

Module aim: The aim of this module is to provide participants with an understanding of health and safety principles in the context of encouraging worker involvement, interest and engagement with these principles.

Module objectives:

By the end of the module, delegates will be able to/have:

- explain the meaning of relevant Health and Safety terms
- understand the risk assessment process
- identified ways of involving staff in risk assessments of their work area
- understand the risk control hierarchy and considered how worker involvement influences the effectiveness of each level
- understand the importance of reporting accidents, incidents and diseases
- considered ways they can encourage reporting in their workplace

Resources required:

- laptop
- slides presentation
- flipchart and pens
- paper and pens
- HSE Leaflet 'Five steps to risk assessment' INDG163 HSE Books ISBN 978 0 7176 6440 5 www.hse.gov.uk/pubns/indg163.pdf

Explain that we'll be discussing health and safety principles and exploring the importance of making health and safety 'part of everyday business'.

Remind delegates that they may wish to make notes.



Tailor this session to the experience of the delegates. If they are unaware of risk assessments refer them to their action plan and the HSE Leaflet 'Five steps to risk assessment' INDG163 HSE Books ISBN 978 0 7176 6440 5 www.hse.gov.uk/pubns/indg163.pdf (which we will go through later in this module) to find out more.

We need a common understanding of one of the basic tools for providing a safe working environment, the Risk Assessment. This module will look at worker involvement in risk assessments.

Hazards

Slide 5 Hazard – 'Anything with the potential to cause harm'



Inform delegates that we'll be discussing their own workplace hazards later.



What sort of harm could be caused by an accident or exposure of hazardous substances?



Capture their responses on flipchart.

Look for the following classifications in their feedback:

- death
- major injury – fractures other than fingers, amputation
- minor injury – sprains, strains and minor cuts
- equipment damage – including serious loss e.g. fires
- diseases/ill health – hand-arm vibration syndrome, occupational dermatitis

Explain that '**risk**' is 'a combination of the likelihood of a hazardous event occurring and the consequence of the event'.



"Risk = likelihood x consequence"

Explain '**likelihood**' is a measure of the chance that a hazardous event will occur. This will vary depending on such factors as where the hazard is and how often people are likely to come into contact with it.

'**Consequence**' is the outcome of the hazardous event and can be considered in terms of how severe the consequence may be. When considering this you would take into account how many people are likely to be affected.



Exercise 6 – Hazards

Divide the delegates into small groups. Advise that they have 10 minutes. Ask them to discuss and agree and make a list of the hazards that may cause harm in their workplace on flip paper. Highlight any that are causing real concern. Discuss how could worker involvement help identify and remove these hazards? Tell them to be prepared to present their findings to the rest of the group.



Ask delegates to highlight ones that are causing most concern.



Facilitate a discussion around the individual hazards focusing on how greater worker involvement, more eyes gives broader perspective on hazard, more ideas to overcome it etc. Could help to identify and remove these types of hazard.



The desired outcome will be a greater awareness of the delegate's role in promoting health and safety in their workplace through worker involvement.

We're now going to look at hazards and how we can assess the risk they represent.



What is your experience of risk assessments?
Have you been involved in them?



Tailor the next module to suit the experience levels. It is an overview of the risk assessment process, with a focus on how to include and involve the workforce. You may wish to use an example provided by the delegates to consider the responses to the 5 steps.

Slide 6 – Risk assessment process

The five steps of the risk assessment process are:

1. identify the hazards
2. decide who might be harmed and how
3. evaluate the risks and decide on precautions
4. record your findings and implement them
5. review your assessment and update if necessary

Briefly explain the process as follows:

a risk assessment is a careful examination of anything in your workplace that could cause people to suffer injury or ill health while at work.



Hand out HSE's 'Five steps to risk assessment' leaflet. Go on to explain each step in the process at each bullet ie referring to the leaflet.

Make clear that managers can delegate responsibility for risk assessment but that they are still accountable.

Risk assessment process

1. Identify the hazard

Start by identifying and recording:

- all the tasks that are your responsibility
- a description of the locations
- all the people that could enter the locations
- permanent and temporary equipment/substances used at the location
- activities carried out at each location

Next identify the associated hazards by:

- observation
- speak with people involved with the job as they may be aware of hazards
- inspect company records eg accident records and manufacturers instructions

Consider these points in relation to your example and capture any necessary action points on your action plan.

2. Who – how many may be affected?

Identify the types of people that may be at risk, how many people and how they might be harmed ie the thought process would be 'the hazard is..... 'you would then identify what harm would be likely to follow and who may be affected.

Consider these points in relation to your example and capture any necessary action points on your action plan.

3. Evaluate the level of risk

This is done by considering:

- how likely it is that harm will occur and
- how severe would be the consequences if it did.

It is important that these two variables are considered separately

There are various methods of describing or quantifying likelihood and consequence and delegates can either check their own organisations procedures or obtain further guidance from the HSE website.

Some people use a mathematical calculation of likelihood x consequence = level of risk. For most businesses this type of calculation is unlikely to be necessary. It is more useful to compare what you do with HSE guidance and industry practice.

Evaluating the risk will help decide whether the risk is:

- unacceptable – take immediate action
- tolerable - look to reduce the risk
- acceptable – no action required but maintain existing controls

Consider these points in relation to your example and capture any necessary action points on your action plan.

4. Record your findings

The law requires significant findings to be recorded if five or more people are employed. If there are less than five employed, there is no need to make a record.

- HSE produces a template which can be used, (www.hse.gov.uk/risk/risk-assessment-and-policy-template.doc), interactive risk assessment tools (www.hse.gov.uk/risk/assessment.htm) and example risk assessments (www.hse.gov.uk/risk/casestudies/index.htm).

Consider these example risk assessments in relation to your example and capture any necessary action points on your action plan.

5. Review your findings

Irrespective of the outcome of the assessment you need to review the assessment whenever there is any significant change that could affect the level of risk e.g. changes in personnel, working patterns, processes, an accident or near miss etc.

Refer delegates to the HSE's 'Five Steps to Risk Assessment' leaflet.

Consider these points in relation to your example and capture any necessary action points on your action plan.



Ask the delegates if this is the case in their workplace?



Hold a discussion around the following question - are they/their colleagues aware of the risk assessments that affect their jobs? Would it help if they were?



Exercise – Hazard / risk assessment continued

Advise that they have 10 minutes. Ask them, in your group discuss and agree and make a list of the hazards that may cause harm in your workplaces on flip paper. Highlight any that are causing real concern. How could Worker Involvement help identify and remove these hazards? Advise them to be prepared to present their findings to the rest of the group.

If time allows, conduct an exercise as follows:



Put up 3 flip sheets around the room with a heading for the first three stages of the risk assessment process, Divide the delegates into 3 groups. Allocate a group each to flip 1,2 and 3 and ask them to consider the following question's and add their thoughts to the flip:

Q1) How would you:-

1. identify the hazard's
2. identify who – how many may be affected?
3. evaluate the level of risk

Q2)

How could Worker Involvement enhance this stage of the risk assessment?



Allow around 5 minutes (or until they run out of ideas) for the first round. Trainer to assist the groups as appropriate. Move groups on for a further two rounds, so each group can add to the flips already populated.



Facilitate feedback in plenary to explore ways they and their colleagues may enhance risk assessment.

Explain that we should not be complacent with the fact that we carry out standard risk assessments in the workplace, circumstances can change.



Lunch



Remember to tailor this Module to suit the experience levels within the group.

Welcome back. We're going to start this afternoon by looking at risk control measures ie what we can do to remove or reduce the hazard.

Risk control measures



What do you understand by 'risk control measures'?



Capture their responses on flipchart.

Slide 7 –Risk control measures

'A control measure is a change to the way we work which reduces the risk'.

There is a risk control hierarchy of preferred moving to acceptable measures to manage a risk.

Slide 8 - Risk control hierarchy (HSE 'Reducing Risks and Protecting People: HSE's decision making process' HSE Books 2001 ISBN 0-7176-2151-0
www.hse.gov.uk/risk/theory/r2p2.pdf)

1. eliminate the hazard
2. reduce the Hazard
3. prevent people coming into contact with hazard
4. introduce a safe system of work
5. personal protective equipment

Go through each one as numbered.

1. Elimination

Avoiding the risk altogether is the best option for controlling risk. It means that everyone is protected and there is no residual risk to be managed. This may often be a difficult option to achieve but should always be considered at the planning stage of a project or job eg to eliminate the risk of falling it may be possible to design out the need to work at height.

2. Reduce

This may be achieved by substituting with a less hazardous substance or process. You may be able to reduce the concentration of a substance or reduce the frequency or duration of exposure to hazard.

3. Prevent people coming into contact with hazard

Provide some kind of barrier between people and the hazard eg barriers to segregate walkways from fork lift trucks route, machine guards.

4. Introduce a safe system of work

Defines safe systems of working to ensure hazards are illuminated or risks minimised.

5. Personal protective equipment (PPE)

May be issued to provide some additional protection for the individual.



It should be noted that you should always start at the top of the hierarchy (elimination) and work your way down to PPE. You are not limited to using only one level of the hierarchy and may be able to use all five.

As you move down through the hierarchy the reliance on people to act sensibly and to do as they are instructed increases.



Exercise 7 – Control hierarchy

Create an exercise where you divide the group into groups of 3 or 4 and ask them to consider a case study that sets out a relevant work situation for your audience eg a small construction site in the winter.

After reading the case study ask them to consider each of the 5 levels of the control hierarchy to answer the following question 'how could this situation be influenced by greater worker involvement?'

- ask them to consider hazards within their own workplace (past and present)
- who was or should be consulted
- how the process did or could work practically

Ask them to be ready to feedback to the group in 10 minutes.



Hold a discussion around the feedback but ensure the following is included:

**Eliminate
Reduce**



These levels are less likely to be affected by worker attitudes

Prevent people coming into contact with hazard:

- Measures may include physical barriers or machine guards. If workers are not engaged with health and safety principles they may remove or get round any measures to prevent them coming into contact with a hazard, particularly if they believe the barrier is inconvenient or unnecessary

Introduce a safe system of work (SSW):

- These are procedures which need to be followed in order to keep workers safe. Workers may not be aware of the SSW or may ignore its requirements particularly if they don't understand the link between the SSW and their safety

Personal protective equipment (PPE):

- workers may be reluctant to wear PPE if it is uncomfortable
- may fail to keep it clean/hygienic eg face masks
- may only use PPE at certain times eg when a supervisor is present



Allow the delegates time to capture the hazard used as an example in the 5 steps delivery and to include an action point on their action plan to go through the risk control hierarchy to identify ways to eliminate or reduce them.

The importance of reporting

Before we refer to the importance of reporting, we need to be clear about what needs to be reported.



What needs reporting for the HSE?

Ensure the following are mentioned:

The HSE require reports of:

- accidents – 'an event that causes harm'
- incidents – 'an event that does not cause harm but has the potential to do so'
- diseases – 'conditions due to physical agents or demands at work'



Explain those terms. This is done through RIDDOR – Reporting of injuries diseases and dangerous occurrences regulations 1995.



Talk through **the importance of reporting**.

Reporting accidents and ill health at work is a legal requirement. The information enables the Health and Safety Executive (HSE) and local authorities, to identify where and how risks arise, and to investigate serious accidents. They can then help you and provide advice on how to reduce injury, and ill health in your workplace (www.hse.gov.uk/riddor).

The **R**eporting of **I**njuries, **D**iseases and **D**angerous **O**ccurrences **R**egulations 1995 (RIDDOR), place a legal duty on:

- employers
- self-employed people
- people in control of premises

to report:

- work related deaths
- major injuries or over-seven-day injuries
- work related diseases and
- dangerous occurrences (potentially serious near miss accidents)

Incident Control Centre (ICC)

Report major injuries and fatalities at work to HSE's Incident Contact Centre: 0845 300 9923. Report other injuries, diseases and dangerous incidents online at www.hse.gov.uk.



Why is accident reporting relevant to worker involvement?

Make sure the following is covered:

- it is your duty
- you are close to what has happened
- it can impact your safety at work
- it can impact your colleagues' safety at work

Reporting Methods

Explain that the methods of internal reporting will vary from one organisation to the next.



Ask participants to enter the following objective in their action plans.

'To be able to describe the reporting arrangements of my organisation by day 2 of the workshop'.



Facilitate a discussion of the importance of encouraging staff to report both accidents and incidents and the relative importance of the both types of data.

Lead the discussion to cover why people may not report and ways the delegates could encourage colleagues to report both accidents and incidents

- they may not realise the importance
- not enough time
- can't be bothered
- previous reports may have been unwelcome
- don't know how
- concerned what others will say/think
- seen as telling tales/interfering

We'll come back to encouraging colleagues to report both accidents and incidents when we cover communication this afternoon.



Remind delegates that, as workplace representatives, they **can** make the difference as to whether health and safety principles make their work place safer or not.



Ask the delegates to complete the action plan to prompt any further investigation where necessary.



Break

Module 5: Effective communication

Module title: Effective communication

Duration: 1 hour 30 minutes

Module aim: This is the last module of day 1. In this module the delegates will consider recognised best practice for consulting and representing the workforce on health and safety. This will look at communication channels, effective communication and capture action points to take back to the workplace.

Module objectives:

By the end of the module, delegates will:

- have an awareness of the best means of communication to encourage effective workforce representation on health and safety
- know what rapport and empathy are and their part in effective communication
- demonstrate listening and effective questioning skills
- capture action points to take back to the workplace.



Why do we communicate?

Slide 9 – Why do we communicate?

To:

- solve problems
- influence people
- create change
- exchange information
- supply information

All these points are relevant to the representative of employee safety and worker involvement.



Hold a discussion around why these forms of communication are relevant to the representative of employee safety and worker involvement eg working together to solve a production-line problem. Encourage delegates to come up with examples from their own workplace.

Ensure each reason for communication is mentioned. Further examples if required could be:

- influence people – working out new work rotas that dramatically change the current system but are needed to maintain a new client's orders
- create change – implement an office move
- exchange information – regular forums focussing on health and safety
- supply information – gathering information to inform decisions by management/finance/directors etc



Who would you identify as a good communicator, someone from the media or someone they know. What makes them good?



Capture on flip



Now create and take a session on 'how would you know that face to face has been successful? In other words, what is effective communication?' There are different methodologies you can use. Look to cover: body language, tone of voice, words used, empathy, rapport, removing barriers. Finish your session by asking 'What skills do you need to be good at communicating?'

Consolidate the answers and summarise by stating that the most important skill required for effective communication is listening.



Exercise – Communication

Create an exercise where you (trainer) have a pre-drawn a simple diagram. Ask them to work in pairs, choose who would like to 'draw' and who would like to 'describe'. Explain that as a pair they will sit back to back so the person drawing can describe what is on the sheet of paper you will be handing out to them. Explain that they must not turn around to talk to each other throughout the exercise.

On completion of the exercise show **slide 10** (create a copy of your diagram on the slide) and ask the delegates to give themselves marks out of 10.



Facilitate a discussion around why some didn't draw the diagram very accurately, even though they were listening. What problems, if any did they have?

Answers could include: too quick, too slow, no sizes were applied, didn't understand what they were supposed to be doing.

Capture the fact that it was not two way, they couldn't ask questions, which meant they had to make assumptions. The result is that there was no mutual understanding.

Asking questions turns the listening from attentive to active.



As well as asking the right questions at the right time how will people know that you are actively listening to them?

- eye contact
- nodding / affirming noises
- leaning forward and showing interest
- paraphrasing



Now create and take a session on "Questioning techniques" – as questioning is another key communication skill. There are different methodologies you can use. Look to cover: questioning types 'open', 'closed' etc

You could practise this by informing the delegates that you have a nugget of information that you would like them to find out by asking you some questions. As the delegates ask questions agree what sort of question has been asked and capture this by keeping a total (a volunteer could do this). Once the nugget has been identified review the number and value of the questions and whether a different sequence of questions would have been more effective.

Ensure the use of open questions, which may take some thought before asking, is often better to help build a working relationship and gain the information you need. A series of closed questions can come across as abrupt, however sometimes in business closed questions eg 'completing a tick list' has its place.



Are there any questions on effective communications before we move on?

We are going to consider different ways of communicating. We need to be sure that you use the best way for workers to report concerns to you, for you to let the manager know and agree what needs to be done, and to communicate any changes to the workers so they can work in a safer way.



Emphasise to delegates that understanding effective communication is key to successful worker involvement.



What are some of the different ways we communicate?

Ensure the answers to include:

- speaking, face to face - to an individual or group
- speaking on the telephone
- written such as email, letter, newsletter
- signs

When you communicate on health and safety matters you have to choose the way to do it with care.

Not everyone is keen to know that they need to do things in a different way and people will have their own reasons for wanting to stay with what they are familiar with, even if it puts their safety at risk.



Worker involvement is supported by robust communication channels. Remember the videos we saw this morning for Tamdown Demolition and Manor Fresh Manufacturing - worker involvement seemed to be prominent in both examples.

Consider Tamdown Demolition, the team in the portacabin in their early morning WISE meeting.



What were they doing?

The group were:

- considering the work to be done for the day
- the potential for risks and
- how these could be managed
- speaking face to face in a meeting
- allowing each other to have their say
- showing respect
- reaching agreement.



Ask the delegates if regular meetings are something they do / could do? If not, what would work instead?



Allow some time for discussion.

It may be that in many organisations the working practices are well established and the accidents / incidents low, so the workplace is considered to be safe.

Some of these organisations are reactive and get together to consider health and safety as and when the need arises, such as a change in process or procedure, new technology, a new member joining the team (training needs).

However, it is important that people do not get complacent about health and safety. A key to preventing complacency is through worker involvement. Regular environmental risk assessments have to be carried out, as well as after an accident or incident.

Successful worker involvement moves you to a point where workers don't need to be reminded to carry out their health and safety responsibilities such as not wearing Personal Protective Equipment (PPE), a hard hat or protective gloves.



Remind delegates that health and safety is part of their day-to-day job and this was illustrated very clearly in the videos.

Action planning

Refer the delegates back to their action plans, which should have some entries.

It has been suggested one is the communication channels used in their organisation to relay concerns from the workers and advise changes in working practices.

Each delegate should have at least three to review over the time before day 2, focussing on getting the worker involved.

Slide 11 - Overview of the two-day workshop

Day 1

- introduction
- worker involvement
- the law
- health and safety principles, heart and minds
- effective communication

Explain that we have just had a taster of what will come on day 2 where our focus will be on communication and how to get the best from others.

Slide 12 - Overview of the two-day workshop (continued)

Day 2

- introduction
- influencing skills
- how to negotiate
- skills practice

Thank the delegates for their attention and input.

Remind the delegates to bring their action plans and any notes with them for day 2 and wish them a safe journey.

Module 6: Introduction day 2



Key Point: This is the first module of day 2. It is anticipated that the delegates will have been on a day 1 training course

Module Title: Introduction day 2

Duration: 40 - 45 minutes

Module aim: as well as introducing the delegates, going through the domestics, contract of behaviours and modules to be covered today, this module aims to review the action plans prepared during day 1.

Module objectives:

By the end of the Module, delegates will:

- have introduced themselves to fellow delegates
- be aware of the purpose and content of the day 2 workshop
- provide an update on the actions captured during the day 1 workshop.

Resources required:

- laptop
- slides presentation
- flipchart and pens
- paper and pens for delegates
- spare action plans

Welcome delegates to day 2 of the Worker Involvement workshop.

Introduce yourself to the group before continuing with the domestics and their introductions.

Course Domestic

Ensure you are familiar with the local instructions regarding the venue. As a minimum, you should advise the delegates on the points listed below.

- fire exits
- evacuation procedures
- refreshment information – break times lunch etc
- mobile phone use
- smoking
- location of toilets
- location of telephones
- location of message boards

Slide 13 - Introductions

- name
- company
- type of business
- number of workers
- your role within health and safety and when this started
- what you want to get out of today



Review and agree the ground rules. If this is a returning group ensure you emphasise any ground rules which will help achieve a successful day, if necessary.

Ground rules:

- encourage and value contributions made by others
- be open and honest
- listen to others and take account of what they say
- share ideas and proposals for improvement
- try new ways of doing things
- be supportive
- celebrate success and congratulate people
- use humour appropriately
- confidentiality
- respect for others



Check the delegates have brought their Action Plans from day 1. Have some copies available in case they are needed. Advise the delegates that they can raise any concerns or points needing clarification when we go through an overview of day 1

Slide 14 - Overview of day 1

Day 1

- introduction
- worker involvement
- the law
- health and safety principles
- effective communication

Remind the delegates of the key points covered on day 1.

You took some action points away from day 1 and we will review them now.

We can start with thinking around communication channels within your organisation to report accidents, and risks and near misses and whether these could be improved.



Ask the delegates for updates on this action point and other action points:

- any key successes?
- areas still to be resolved?



Refer back to material from day 1 to reinforce learning if required.

Keep this module lively and positive.

Slide 15 - Overview of day 2

Day 2

- introduction
- influencing skills
- how to negotiate
- skills practice

Most of today will be around more of the skills that will encourage the workforce to be involved in health and safety matters, so health and safety becomes 'business as usual' or 'the way we do things round here'.

There will also be a skills practice around the negotiation module.

Module 7: Influencing skills

Module Title: Influencing skills

Duration: 1 hour 15 minutes

Module aim: This module covers the assertive, aggressive and passive behaviours, to give an understanding of the nature, purpose and appropriate response to them. It moves onto influencing; understanding yourself and others and different influencing and personality styles.

Module objectives:

By the end of the module, delegates will be able to:

- describe assertive, aggressive and passive behaviours with their appropriate responses
- recognise the importance of understanding yourself and others, and the different influencing styles and when these should be used
- understand key personality styles and how to react appropriately with them
- understand power positions and how to respond to them

Resources required:

- flip chart and pens

Effective communication is one of the key skills that will help engage with the workforce, both in finding out what's going wrong or needs improving from the health and safety viewpoint and in informing them of changes in work process or working practices, again to improve the health and safety of the workers in the workplace.

We spent some time on effective communication and communication channels on day 1 but we need good working relationships, too.

Knowing more about different types of behaviour, personality styles and influencing skills which we are looking at in this module, and negotiating skills in the next module will help us to understand ourselves and others better.

Knowing what makes us and others tick, how we can adapt our behaviour to respond to or match their behaviours and preferred influencing styles will improve understanding and communications, build good working relationships and make negotiations easier.

Influencing skills

We are now going to think around influencing skills.



Why do we influence?

- to achieve a required outcome in a co operative, collaborative way



What makes us influential?

Possible answers include:

- confidence
- upbringing
- appearance
- assertiveness



How do we influence others?

Answers should include:

- what we say, how we say it
- how we appear, in other words how others see us
- the way we act

Remind the delegates about the use of body language, tone of voice and use of words covered in day 1. These need to be in sync for our message to be received loud and clear.

We are now going to think about how you behave and the impact this has on your communications, and the way people will react with you.



Are you familiar with the terms assertive, aggressive and passive behaviours?

Respond as appropriate and explain that we need a shared understanding of these before we move on.



Now create and take a session covering in detail assertive, aggressive and passive behaviours. There are different methodologies you can use. Use practical exercises where possible.



There are occasions with Health and Safety when there is no scope for debate or consultation. If a situation or working practice is unsafe it has to be addressed urgently.



Each of us should demonstrate assertive behaviours in the workplace.



Remind the delegates that some colleagues will be reacting to change at work, and the range of natural reactions goes from welcome acceptance for some, through to anger, anxiety, disbelief for others. The result could be an instinctive aggressive response. It is important that we do not take the reactions personally.

Understanding the personality styles



Next create and take a session on 'understanding personality styles'. There are different methodologies you can use. Suggest you ask delegates to take a self assessment test on personality types and go on to explain each type.

One thing we can all agree on is that people are different. Your style is not based on how you see yourself. Your style is based on how other people perceive you – which may or may not match your own self-image.



The following discussion is optional.



Facilitate a discussion around examples of when people were displaying aggressive or passive behaviours in the workplace and the outcome was poor. What would they do differently now? Consider, too, whether there are any examples of people 'misusing' their power in the workplace. What would the delegates do differently now?



Now you are aware of personality styles / types will your communication with a manager or colleague be different in future?



Ask if there any questions on influencing before we move on?
Refer the delegates to their action plan to prompt further investigation where necessary.



BREAK

Module 8: How to negotiate

Module title: How to negotiate

Duration: 2 hour 30 minutes including lunch and 45 minutes skills practice

Module aim: to build on the skills we've covered so far and introduce negotiation skills and strategies

Module objectives:

By the end of the module, delegates will be able to:

- say what negotiating is and be able to plan for a 'win-win' outcome
- refer to learning from a skills practice of a negotiation

Resources required:

- flipchart and pens

After covering Influencing skills we're moving on now to Negotiating skills.



What is Negotiation/Negotiating?

Capture on flipchart an agreed definition around the following:



Negotiating is the technique of bargaining in which two parties attempt to reach a mutually acceptable agreement.

This is an important definition. As you can see, it makes no reference to winning or losing. That is because the concept of 'winning' in negotiations is different from any other walk of life. Winning a negotiation is only possible if both sides accept the final agreement i.e. a WIN WIN solution, as in assertive behaviour.

It is important to remember that there is more than one way to see things, and each will seem right to some of us. Effective communication skills and assertive behaviours will help in finding the middle ground, or to see both points of view.

However, if one side has used its current strong bargaining position to force a solution on the other party, then although it may have won a battle, there is no doubt that it has probably created future problems.

The nature of negotiation creates great potential for conflict.



Does this ring any bells? Are all your negotiations WIN: WIN or are there some WIN: LOSE examples?



Create and take a session on the factors around negotiating. There are different methodologies you can use. Suggested areas to cover: negotiation styles, negotiation tactics, collaborative working, achieving objectives, language styles and maintaining relationships. Suggest you use an example case study as a practical exercise.



Remember the objective is to provide a safe working environment. There may be concessions that cannot be made.



Confidence will grow as the communication, influencing and negotiating skills develop.



LUNCH

Handling Conflict



Ask the delegates if they have any examples of conflict in negotiations? Do they have any idea of the causes and possible solutions?



Do not allow too long for discussions 5 – 10 minutes maximum. Capture an example or two before moving on.

Causes of conflict in Negotiations and possible solutions



Create and take an exercise on conflict in negotiating. In small groups ask the delegates to consider possible solutions for the causes of conflict. Feedback in plenary.

Closing Negotiations



Create and take a session on closing negotiations. Ask 'how should negotiations be closed?' Suggestion: split the delegates into smaller groups and ask them to discuss and agree 'how should negotiations be closed?' Allow 5 – 10 minutes and feedback in plenary.

Ensure the following is captured:

- ask confirmation questions – present tense
- address uncertainty
- ask commitment questions – future tense
- summarise everything agreed
- always end the meeting on a high
- review your performance

Taking Notes

Explain that taking notes helps you remember key things that were discussed and solutions that have been agreed.

There is little point in trying to record everything that is said. You would spend all of your time writing and none of your time actually listening. So:

- record the main ideas / arguments / direction of the discussion
- the easiest way to do this is to **verbally summarise** what people say and, once they have confirmed that you have summarised correctly, record your summary. This increases the accuracy of your notes - and makes them easier to take
- record specific examples, precedents, statistics, definitions and special terms.

Concessions

Concessions are those things you are prepared to bargain with in order to get what you want. Handy hints:

- write a list of concessions you are prepared to give and categorise them as small, medium and large
- don't give your concessions too early
- ask for something in return and if they refuse, withdraw your concession.
- think about how you can make your small concessions seem like big concessions

Tactics

Be aware of the tactics that can be used against you.



Encourage a discussion around ploys and tactics that may catch you off guard when you are negotiating, something that was unexpected, not really considered during your preparations - and what you can do about it. Prompt discussion if necessary.



It is **not** the case that any deal is better than no deal at all. A deal that does not meet your needs is not much good to you!



BREAK

Skills Practice



We are going to finish the learning today by conducting a negotiation around one of three scenarios.

Explain there will be 15 minutes for preparation, 15 minutes for the negotiation and 10 minutes for feedback.

Split delegates into group, minimum of three per group:

- one is the representative of employee safety
- one or more as worker(s)
- one or more as observer(s)



Distribute scenarios (handout 2 at the back of this brief), delegates to choose 'best fit'. Basic information has been provided; this can be added to by the delegates as they develop the scenario during the 15 minutes preparation.



An outline of the scenarios follows. Allow the groups to develop their scenarios, the considerations identified can be offered to help with this if the group are struggling to get started, or if their developments will lead to the scenario being unrealistic or unproductive.

Create an observation sheet covering the questioning types and negotiation styles that you delivered earlier. Hand these out to the groups along with Handout 2.

Exercise – Skills practice scenario one

Fork lift truck

In a warehouse/ factory environment the workers are used to lifting and moving materials manually.

This is time consuming, especially when the packages require two or more people to manually lift and move.

There has been an increase in accidents and near misses, (two last month) and one member of staff is currently off with bad back.

It's holding things up.

The manager wants to expand this part of the business. He is looking at different fork lift trucks with a view to buying one.



Considerations during preparation are:

- can we improve manual handling safety record with more training/supervision?
- what sort of fork lift truck?
- how much will it be used?
- how is it powered?
- what does it cost?
- is it suitable for the terrain and proposed use?
- who will drive it? (Agency)?
- 'x' people currently employed to manually lift and move
- does this mean jobs will go?
- can current workers be up skilled as drivers and banks men?
- who will do the training?
- how much expansion is planned?
- how much safer will working conditions be?

Exercise Day 2 - Skills practice scenario two

Personal protective equipment

There 45 refuse collectors using nine vehicles in Sometown

The conditions of service mean that each team / vehicle is allocated a round that should last for the day's shift. Once finished the team can return to the depot. The scheme is known as 'job and off' or 'task and finish'.

The refuse collection company struck a good deal with a manufacturer of gloves, which are allocated to the collectors each day. The manufacturer confirms they meet current British Standards.

The refuse collection company struck a good deal with a manufacturer of steel capped, waterproof boots, which are replaced when worn out. The manufacturer confirms they meet current British Standards.

The collectors are complaining that the gloves do not last the day. They wear holes and slip off before the day shift is finished.

The boots would be okay if the collectors didn't have to walk so far, over different terrain and up and down kerbs. They crack across the toe join.

The representative of employee safety has asked the refuse collectors team leaders to a meeting to discuss the situation.



Considerations during preparation are:

- manufacturers confirm British Standards have been met
- big contracts saved money, sufficient stocks of gloves to last next four months
- refuse collectors do not want to change their working practices to accommodate the quality of the gloves or boots because this would take more time and they are used to the 'job and fit' arrangements
- workforce were not consulted about the purchase of the gloves and boots

Exercise Day 2 - Skills practice scenario three

Introducing new technology

An engineering company has decided to invest in new technology. Computerised equipment will be introduced.

The initial outlay is high, however, the benefits of increased productivity, lower costs and improved working environment will offset this and profit will improve in the medium term.

Workers in the lathe section will be affected.

Instead of setting up, putting in the material and overseeing the operation and checking the quality of the product, they will be required to input information to the computer, put the material in and check the quality of the completed product.

The representative of employee safety has convened a meeting to let the lathe operators know.



Considerations during preparation are:

- workers are put off by new technology.
- are their jobs safe or will there be cuts
- will current lathe operatives be upskilled
- who will do the training
- how much support will there be whilst on the learning curve
- how much quicker, quieter, cleaner
- less need for PPE, goggles, ear protectors
- dangerous operations eliminated



After 15 minutes draw the preparations to a close, before setting the scene for the Skills Practice.

Before we start the skills practice we need to have a shared understanding of what we want to achieve.

This is an opportunity to try out some of the new skills and learning from the two days. There are no expectations that everything will be perfect! But you will surprise yourselves at how well you can do.

You will start to enact the scenario as though it were real.

The representative of employee safety will act as a representative of employee safety, the worker(s) will respond as near as possible to how you would expect. As the

effective communication, influencing and negotiating skills of the representative of employee safety are demonstrated the worker(s) should react appropriately.

There is the chance for the representative of employee safety or the worker(s) to call 'time out' at any time. So, if you've gone down the wrong path or need time to collect your thoughts you can do, and like in resetting the video just say where you want to go back to and start again.

During the scenario the observer(s) will note what has gone well and what may be done differently. It maybe you can divide the headings on the observation sheet and concentrate on particular things (give an example).

Emphasise this is a safe environment and that we have agreed the ground rule of confidentiality!

At the end of the scenario we need to know how it went. We do this through giving feedback.



Ask the delegates if anyone knows about giving feedback?

Answers to include:

- some organisations are keen to have feedback as part of the normal day to day interaction with colleagues
- some are more used to it being a fairly formal and not very regular occurrence, such as when we have performance review with our team leader or manager.
- it is normal in the training environment to give feedback to confirm what a delegate is doing well and to identify areas where there could be an improvement.
- It is important to remember that feedback is what someone has observed and it is down to you whether you take it on board and do this differently or whether you don't.



What is the purpose of feedback?

- feedback re-enforces what is going well and what may need to be done differently.

Draw on flipchart:



- the representative of employee safety
- the worker(s)
- the observers

Ask the representative of employee safety to say what went well and what may have been done differently from his / her perspective.

The worker(s) say what worked well and what didn't.

The observer(s) add any points that may have been missed.

Once completed the groups reconvene together and share any particular / interesting feedback, as long as the original receiver agrees.

Ask the delegates for agreement on the following rules:

- remember someone has taken the time to notice something and draw it to your attention in a careful, objective way with a view to helping you
- It is up to you whether you take it on board or not

Once the scenarios have been enacted and feedback given in small groups and in plenary thank the delegates for their input.

Refer the delegates to their action plan to prompt further work where necessary.

Action planning

Ask the delegates to go to their action plans and consider what they have included so far. They can compare with their immediate neighbours to ensure they have not missed anything relevant to them or their organisation.

Confirm the delegates will use the action plan as a diary to make sure the action points are completed.



If providing evaluation sheets give them out now and ask delegates to complete them.

Remind the delegates of the value of following through the action points they have recorded. Thank the delegates for their contributions etc. and wish them a safe journey.

Handout 1

Health and safety legislation

1. Health and safety at work act 1974

- this law brought common law and statute law built up since the early 19th century and the Industrial Revolution together to provide a framework for all Health and Safety law. This Act established the Health and Safety Council (HSC) and the Health and Safety Executive (HSE)
- it can be added to as necessary when new Regulations are agreed.
- it places general duties on:
 - employers
 - employees
 - designers, manufacturers and suppliers of industrial products
 - the self employed
 - occupiers of buildings in which people, other than their own employees work, such as contractors
- aims to encourage employers to improve organisation for health and safety
- seeks to involve employees
- defines the powers of the health and safety inspectors

Duties of employers

- all employers must ensure **so far as is reasonably practicable** the health, safety and welfare at work of all employees:
 - provision of safe plant and systems of work
 - safe use of handling, storage and transport of articles and substances
 - provision of necessary information, instruction, training and supervision
 - maintenance of a safe place of work, including access and egress
 - provision of a safe working environment and adequate facilities and arrangements for welfare

As far as reasonably practicable means that employers would not be expected to implement measures which are very expensive, time consuming and difficult to implement if the risks are low and the benefits would be minimal.

Duties of employees

Employees, whilst at work, must:

- take reasonable care of themselves and anyone else affected by their acts and omissions
- co-operate with their employer on all matters of health and safety

- not interfere or misuse anything provided for the purpose of health and safety at work

2. Management of Health and Safety at Work Regulations 1992/1999

Under these regulations employers must:

- carry out suitable and sufficient Risk Assessments, both for employees and others, such as contractors or visitors, on the premises
- have Health and Safety arrangements in place
- provide health surveillance where necessary
- appoint competent persons to assist
- have procedures for serious and imminent danger
- provide information to employees
- provide training for employees
- protect temporary workers, new/expectant mothers and young persons

3. **Safety Representatives and Safety Committees Regulations 1977** - for workplaces which are unionised.

4. **Health and Safety (Consultation with Employees) Regulations 1996** - for workplaces with employees who are not trade union members.

The employer can choose to consult employees directly as individuals, or through elected representatives of employee safety, or a combination of the two about:

- the introduction of any measure which may substantially affect their health and safety at work eg the introduction of new equipment or new systems of work (such as the speed of a process line and shift-work arrangements)
- arrangements for getting competent people to help them comply with health and safety laws (a competent person is someone who has sufficient training and experience or knowledge and other qualities that allow them to help an employer meet the requirements of health and safety law)
- the information they must give their employees on the risks and dangers arising from their work, measures to reduce or get rid of these risks and what employees should do if they are exposed to risk
- the planning and organisation of health and safety training
- the health and safety consequences of introducing new technology

Powers of the Health and Safety Executive (HSE) inspectors

Both HSE inspectors and local authority officers can:

- enter premises
- conduct investigations
- take samples and photographs
- ask questions
- give advice
- issue instructions – improvement / prohibition
- initiate prosecution

Whilst it is necessary for the proper insurance to be in place to protect against claims for injury and compensation the organisation or individual have to fund their own fines and penalties imposed by the Health and Safety Executive.

Function of the representatives of employee safety (RoES)

Representation to the employer on:

- potential hazards and dangerous occurrences
- general matters affecting the health and safety of employees they represent
- specific matters on which the employer must consult
- represent the employees in dealings with health and safety inspectors

Access HSE

Health and Safety Executive (HSE) guidance, law and advice is available on www.hse.gov.uk

Handout 2

Day 2: Skills practice

Scenario One: Fork lift truck

In a warehouse/ factory environment the workers are used to lifting and moving materials manually.

This is time consuming, especially when the packages require two or more people to manually lift.

It's holding things up.

The manager wants to expand this part of the business. He is looking at different fork lift trucks with a view to buying one.

The health and safety representative has asked the manual lifting operatives to a meeting to discuss the situation

You have 15 minutes to prepare for the negotiations.

One member of your group will be the health and safety representative, aware of the needs of the manager.

One (at least) will be a manual lifting worker

One (at least) will be an observer.

As part of your preparation create and agree information to suit your interpretation of the scenario and make the scenario as real as possible.

The trainer may be able to offer some additional points that should be considered as you develop the scenario during the preparation.

You are aiming for a collaborative or at least a compromise agreement after your negotiations.

Your trainer will give you observation sheets for the observers to note any particularly good points and behaviours, or areas for development.

The observation sheet may be useful as you prepare for the negotiations.

Day 2: Skills practice

Scenario two: Personal protective equipment

There are 45 refuse collectors using nine vehicles in Sometown

The conditions of service mean that each team/vehicle is allocated a round that should last for the day's shift. Once finished the team can return to the depot. The scheme is known as 'job and off' or 'task and finish'.

The refuse collection company struck a good deal with a manufacturer of gloves, which are allocated to the collectors each day. The manufacturer confirms they meet current British Standards.

The refuse collection company struck a good deal with a manufacturer of steel capped, waterproof boots, which are replaced when worn out. The manufacturer confirms they meet current British Standards.

The collectors are complaining that the gloves do not last the day. They wear holes and slip off before the day shift is finished. The boots would be okay if the collectors didn't have to walk so far, over different terrain and up and down kerbs. They crack across the toe join.

The representative of employee safety has asked the refuse collectors team leaders to a meeting to discuss the situation.

You have 15 minutes to prepare for the negotiations.

One member of your group will be the representative of employee safety, aware of the needs of the manager.

One (at least) will be a refuse collection team leader.

One (at least) will be an observer.

As part of your preparation create and agree information to suit your interpretation of the scenario and make the scenario as real as possible.

The trainer may be able to offer some additional points that should be considered during the preparation.

You are aiming for a collaborative or at least a compromise agreement after your negotiations.

Your trainer will give you observation sheets for the observers to note any particularly good points and behaviours, or areas for development.

The observation sheet may be useful as you prepare for the negotiations.

Day 2 – Skills Practice

Scenario three: Introducing new technology

An engineering company has decided to invest in new technology. Computerised equipment will be introduced.

The initial outlay is high, however, the benefits of increased productivity, lower costs and improved working environment will offset this and profit will improve in the medium term.

Workers in the lathe section will be affected.

Instead of setting up, putting in the material and overseeing the operation, checking the quality of the product, they will be required to input information to the computer, put the material in and check the quality of the completed product.

The representative of employee safety has convened a meeting to let the lathe operators know.

You have 15 minutes to prepare for the negotiations.

One member of your group will be the health and safety representative, aware of the needs of the manager.

One (at least) will be a lathe operative worker.

One (at least) will be an observer.

As part of your preparation create and agree information to suit your interpretation of the scenario and make the scenario as real as possible.

The trainer may be able to offer some additional points that should be considered as you develop the scenario during the preparation.

You are aiming for a collaborative or at least a compromise agreement after your negotiations.

Your trainer will give you observation sheets for the observers to note any particularly good points and behaviours, or areas for development.

The observation sheet may be useful as you prepare for the negotiations.

Action Plan

ACTION POINT	ACTION REQUIRED	WHO WILL HELP	TARGET DATE