Workplace consultation on health and safety

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The Institute for Employment Studies
for the Health and Safety Executive

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Workplace consultation on health and safety

J Hillage, B Kersley, P Bates and J Rick
The Institute for Employment Studies
Mantell Building
Brighton
BN1 9RF

This report evaluates health and safety consultation and representation arrangements, and the impact of the Safety Representatives and Safety Committees Regulations (1997) and the Health and Safety (Consultation with Employees) Regulations (1996).

The research examines a range of issues, including:

- employers' awareness of their obligations;
- the process of consultation;
- the role of trade union appointed safety representatives and non-union representatives; and
- the impact of consultation on employers' approaches to health and safety management.

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The Institute for Employment Studies

The Institute for Employment Studies is an independent, apolitical, international centre of research and consultancy in human resource issues. It works closely with employers in the manufacturing, service and public sectors, government departments, agencies, professional and employee bodies, and foundations. For 30 years the Institute has been a focus of knowledge and practical experience in employment and training policy, the operation of labour markets and human resource planning and development. IES is a not-for-profit organisation which has a multidisciplinary staff of over 50. IES expertise is available to all organisations through research, consultancy and publications.

IES aims to help bring about sustainable improvements in employment policy and human resource management. IES achieves this by increasing the understanding and improving the practice of key decision makers in policy bodies and employing organisations.
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Executive Summary

The Health and Safety Executive (HSE) commissioned the Institute for Employment Studies (IES) to conduct an evaluation of health and safety consultation and representation arrangements. The purpose of the study was to examine:

- awareness about the requirements for consultation on health and safety among employers, safety representatives and employees
- the process of consultation, including the role of elected representatives and the incidence and nature of non-statutory forms of consultation
- the forms of consultation about health and safety in the absence of trade union appointed or elected employee representatives
- the impact of consultation and representation on employers' approaches to the management of health and safety, and any variation by forms of representation
- the extent to which employers do not consult employees and why.

The study

To meet these objectives a multi-stranded study was designed incorporating:

- a preliminary round of informant interviews and a literature review
- a large scale postal survey of employers — to which we received over 1,000 usable responses (a response rate of 28 per cent), which were then weighted to represent the make-up of employers as a whole
- a follow-up survey of over 200 employees
- a telephone survey of 200 trade union and non-union health and safety representatives
- follow-up in-depth interviews with employers and safety representatives.

The fieldwork took place between February and June 1999.
The findings

Starting with the issue of representation, we found that almost half (48 per cent) of British workplaces have a health and safety representative — 56 per cent of workplaces that consult employees on health and safety. Larger workplaces are much more likely than smaller ones to have representatives. Because of this skewed distribution, we estimate that safety representatives cover around three-quarters of the British workforce.

In the vast majority of workplaces, the safety representative is not a trade unionist. In nine out of ten workplaces where there are safety representatives they are appointed from outside the trade union movement. In a few cases, around four per cent of workplaces, there are both trade union and non-union representatives. In around six per cent of cases the representatives are exclusively trade unionists. Where they are appointed most trade union representatives cover the health and safety interests of non-union members as well.

These findings are broadly comparable with those from the Workplace Employee Relations Survey 1998 and reflect the pattern of collective bargaining in Britain. As our sample is representative of British workplaces it is dominated by small establishments — relatively few of which have recognised trade unions.

Most non-union representatives volunteer or are appointed by management; relatively few are elected. This may reflect difficulty in finding enough employees willing to carry out the role.

Representatives’ main functions include reporting potential hazards, inspecting the workplace for hazards, and representing employees on health and safety issues. In the follow-up interviews we detected a difference between the majority of representatives, who played a reporting/reactive role in response to a hazard, and the minority, who had the capability to take preventative action themselves. Non-union representatives were reported in the employer survey to be less likely than those from trade unions to ‘represent’ employees on health and safety, suggesting that a proportion (perhaps as much as a quarter) would not meet conventional definitions of the role of a representative.

Most representatives said that they spend at least an hour, but less than four hours, each week on their health and safety responsibilities.

In most workplaces, representatives had received at least some training (mainly in-house) — although in a quarter of cases they had not. Good quality training was generally thought to be important to enable representatives to carry out their responsibilities effectively. Nearly all employers gave paid time
off for training to their representatives, though only two-thirds paid the full cost of training.

Representatives generally had access to a range of facilities to help them perform their duties, typically telephone, stationery, photocopying, and (slightly less often) health and safety information.

Most representatives thought that management co-operated in enabling them to carry out their functions.

Employers felt that their representatives were generally effective in carrying out their role, although smaller workplaces were more likely to think their representatives effective than were larger ones. Representatives and employees alike were confident in their representatives’ knowledge of health and safety issues and felt that they were able to influence workplace practice.

Turning to consultation more generally, we found that one in ten employers do not consult their employees about health and safety issues at all. These tend to be small workplaces in the retail and hospitality sectors. They also tend to be relatively new and not unionised. The main reason that they do not consult is because they are small and feel that they either have few health and safety issues and/or are well aware of employees’ concerns.

As for the rest, the extent to which they consult rises with size of workplace. Across the sample as a whole there appears to be a fair (but not extensive) degree of consultation taking place. Consultation appeared to be most extensive in more established workplaces, in the voluntary sector and, to a lesser extent, the public sector and in workplaces with trade union members. It is not clear that all those employers who say they consult, are engaged in some form of two-way/interactive exchange of views. In some the process is more a one-way provision of information.

Most consultation takes place informally. The main method of consulting with safety representatives was informal discussions. Only a quarter of workplaces (over two-thirds of those with at least 50 employees) had a safety committee. Most safety committees met between every one to three months and were considered fairly effective by our employer respondents and employee representatives alike. Employers with larger workplaces were not as positive about their committees as those from smaller workplaces.

The vast majority of employers who consult their employees at all, say that they consult directly, mainly through informal discussions, but also staff meetings and team briefings. Larger workplaces tended to use a wider range of consultation mechanisms, particularly written forms such as noticeboards, memos and newsletters.
The main issues employers talk to employees about are safety policy, changes to workplace layout, and health and safety training.

By and large most employers had a fairly positive view about consultation and consulted their employees regularly, a view endorsed by (albeit unrepresentative) samples of employees and employee representatives. Most thought it worthwhile and they got useful ideas from employees, which led to improvement in health and safety in the workplace.

However, some employers were far more sceptical about the value of consultation. They tended to be small construction companies without trade unions and were less likely to consult employees directly or have employee representatives. Where they did have representatives, these sceptics tended to consider them less effective than average, but were less likely to provide them with training or pay for training.

By contrast, the enthusiasts at the other end of the scale tended to be more service sector oriented and/or in the public sector. They were often relatively new workplaces and, like the sceptics, less likely than average to have trade unions. This group was more likely to consult, and consulted through a wider range of means than average workplaces.

We also examined the role of the legislation in this area and found that only a minority of employers in the survey was aware of either the HSCE or the SRSC Regulations. The former seemed better known than the latter. Awareness rose by size of workplace and more people had heard of the HSCE than the SRSC Regulations.

Fewer than half of the respondents from workplaces with recognised trade unions said that they knew of the SRSC Regulations. Fewer respondents from workplaces without safety representatives were aware of either set of Regulations, compared with those with some form of representation. Two-thirds of the safety representatives in their survey had heard of at least one set of regulations and half the employees in their survey said that they were aware of the HSCE Regulations.

Employers who were aware of the Regulations felt they had a reasonable understanding of them, although there were some suggestions in the follow-up interviews that their knowledge may be limited. Most of those who were aware of the Regulations also said that they knew of the relevant HSE guidance. Those who had seen the guidance thought it fairly useful.

There was little evidence to suggest that the Regulations, particularly the HSCE Regulations, had a major impact on workplace practice. Although we found a few examples where new procedures had been developed as a result of the
Regulations, most employers and employee representatives felt that the Regulations had made little difference.

However, employers generally agreed that this was a legitimate area for legislation, to try to ensure consistent application of good practice.

Although employers did not see any need to change the Regulations, almost half felt that they should cover all workers, including non-employees, and most would prefer to have one coherent set of Regulations rather than two. There was also an expressed desire among employers for more guidance as to appropriate action to take on consultation.
1. Introduction

At the end of 1998, the Health and Safety Executive (HSE) commissioned the Institute for Employment Studies to conduct an evaluation of health and safety consultation and representation arrangements. The overall purpose of the study was to obtain the views of employers, employees and safety representatives about current consultation arrangements and the impact of the Safety Representatives and Safety Committees Regulations (1977) and the Health and Safety (Consultation with Employees) Regulations (1996). The Institute has therefore carried out a wide-ranging study, the results of which are reported in this document.

In the rest of this chapter we detail the objectives of the study, summarise the methodology adopted, and outline the structure of the rest of this report.

1.1 Research objectives

The HSE's research specification stated that the study should obtain views of employers, representatives and employees on what matters are covered by the consultation and representation requirements specified by the relevant health and safety regulations. It should also obtain views of representatives on their role.

In particular, the research should examine a range of issues including:

- awareness about the requirements for consultation on health and safety among employers, safety representatives and employees
- the process of consultation, including the role of elected representatives
- the incidence and nature of non-statutory forms of consultation
- the forms of consultation about health and safety in the absence of trade union appointed or elected employee representatives
the impact of consultation and representation on employers’ approaches to the management of health and safety, and any variation by forms of representation

the extent to which employers do not consult employees and why.

A methodology was therefore devised that would meet these objectives.

1.2 Research methodology

The study incorporated a number of strands:

a preliminary round of informant interviews with relevant experts to determine the range of issues to be covered by the research. These scene-setting interviews were supplemented by a review of existing literature on consultation about health and safety issues, including an analysis of relevant Workplace Employee Relations Survey data

a large-scale postal survey of employers

a follow-up survey of employees

a telephone survey of trade union and non-union health and safety representatives.

follow-up in-depth interviews with employers and safety representatives.

1.2.1 Preliminary interviews and other groundwork

At the outset we arranged interviews with a number of organisations who, we felt, would be able to comment in an informed way on the Regulations and how they operated in practice. Thus, we interviewed representatives from organisations such as the CBI, TUC, Industrial Society, Institute of Personnel and Development, Unison, UCATT and MSF. We also spoke to a number of HSE officials and academics and other commentators with relevant expertise.

We also examined the latest Workplace Employee Relations Survey (WERS 98) for relevant data. Some of the research in the past has used previous waves of the Workplace Industrial Relations Survey to examine issues relating to health and safety consultation. An attempt to replicate the analysis of Reilly et al. with the 1998 dataset is presented in Appendix C. The data used is from a preliminary release of the WERS 98 datasets. We do not find the same results as Reilly et al. This may be because the relationship they found between union involvement in

workplace consultation no longer holds, or it may reflect differences in the old and new datasets, for instance to do with the definition of injury rates. We thank the WERS 98 sponsors (the Department of Trade and Industry, the Economic and Social Research Council, the Advisory, Conciliation and Arbitration Service and the Policy Studies Institute) for allowing early access to the data. They are not responsible for any of the findings or claims made in the report.

1.2.2 Employer survey

A key part of the study was a postal survey of employers. Details of our approach are set out in Appendix A. To summarise, a postal survey was sent out to around 3,800 workplaces in the spring of 1999. By the time we closed the survey, 1,010 valid returns had been received, with a net response rate (taking account of inappropriate responses etc.) of almost 28 per cent.

The initial sample was deliberately skewed towards larger establishments and across all sectors to ensure that we obtained a sufficient range of responses to analyse with confidence. We have re-weighted the results to ensure that they are broadly representative of the size and sector characteristics of the population of workplaces. This means that the weighted sample is dominated by small establishments as a whole. We therefore only report weighted results (and the numbers of cases on which those results are based, both weighted and non-weighted, are presented in the data tables).

Confidence in the data

We have compared some of our findings with those from the 1998 Workplace Employee Relations Survey (WERS) to confirm the validity of our sample. WERS contains a higher proportion of employees in trade unions — due primarily to sampling differences. This factor has to be taken into account when comparing the two datasets. Even allowing for the differences, our survey appears to have slightly fewer respondents from unionised workplaces than WERS and to the extent that WERS itself is accurate, unionised workplaces may be slightly under-represented in our sample. Any such effect, though, is likely to be small and we are otherwise reasonably confident that our results are broadly representative of British workplaces. It is important to recognise what this means. Workplaces (or sites or establishments) are not the same as companies (or firms or organisations). Thus workplaces include one- or two-people businesses as well as branches or outlets of large employers (eg banks or retail chains), most of which are small and (for example) tend not to recognise trade unions. When in the report we refer to employers we are talking about workplaces not whole organisations or companies.
1.2.3 Employee representatives survey

To gain an alternative perspective we conducted a telephone survey of around 200 safety representatives during May 1999. The sample was drawn from two sources, a sample of safety representatives collated by the TUC and a sample compiled from names of representatives given by respondents to the employer survey in their establishment. It was hoped that by utilising these two different sample sources we would be able to capture both trade union and non-trade union appointed safety representatives. Unfortunately the number of contacts from the employer survey was fewer than we would have hoped and most came from the TUC sample. Therefore the sample is biased towards trade union safety representatives. Some 88 per cent of respondents were trade union safety representatives and only 12 per cent were non-trade union.

1.2.4 Employee survey

To gain an employee view, we asked our employer survey respondents whether they would be willing to circulate an additional questionnaire among their workforce. Some 48 (five per cent) said that they might be willing to take part. Nearly all of these were contacted by IES researchers and 15 agreed to distribute questionnaires; we sent out over 1,000. In some cases the timing was not convenient and others, on reflection, declined to be involved. By the time we closed this element of the study we had received 218 returns from employees, from ten different workplaces. It is difficult to calculate a response rate as we are not sure how many questionnaires were distributed in the workplaces, but on the basis of the number despatched this represents a 35 per cent response rate.

Nearly all of the sample were permanent employees from a range of occupational groups. Over one-third (38 per cent) were trade union members. It is important to remember that unlike the employer sample, the sample of employees is not representative but could be seen as a cross-section.

1.2.5 Follow-up interviews

The final element of the study involved contacting a selection of employer survey respondents to conduct interviews exploring some of the issues in more depth and to gain a better understanding of why their particular consultation arrangements had come about and what they thought about them.

Over 100 employers agreed to take part in follow-up interviews. Here we attempted to interview both the respondent and, if relevant, a safety representative — although this actually happened in only a minority of cases. Twenty-nine interviews were conducted in June and early July in a cross-section of workplaces, including some where little consultation took place.
1.3 Report structure

The rest of the report is divided into four further chapters followed by a series of appendices.

In Chapter 2 we examine employee representation arrangements and look at whether workplaces have employee health and safety representatives, how are they appointed, what they do, the training, facilities and other support available to them, and what they and their employers feel about their role and how they perform it.

In Chapter 3 we consider consultative arrangements, considering the extent to which employers consult employees about issues relating to health and safety, the channels of consultation, the types of issues consulted about, and the impact of consultation procedures on workplace health and safety.

In Chapter 4 we examine employers’ and employee representatives’ awareness and understanding of the Regulations, their awareness and the usefulness of the HSE guidance in this area, and their general views regarding the impact of the Regulations and possible changes to them.

In Chapter 5 we draw our overall conclusions from the study and refer back to the original objectives to see what we have found.

The three appendices consist of more detail on the methodology (Appendix A), copies of the questionnaires used (Appendix B) and our analysis of the WERS data relating to the relationship between the existence of consultation procedures and injury rates (Appendix C).
2. Representation

In this chapter we consider representation arrangements within workplaces with respect to health and safety matters. We look at whether workplaces have employee health and safety representatives and if so:

- how are they appointed
- what they do
- the training, facilities and other support available to them
- what they and their employers feel about their role and how they perform it.

Our findings are drawn from a number of sources: the postal survey of employers; the follow-up postal survey of employees; and in particular in this section, the telephone survey conducted with trade union and non-union health and safety representatives. Survey data are supplemented by information from the follow-up in-depth interviews conducted with employers and safety representatives.

2.1 Employee health and safety representatives

Nearly half of all the workplaces in the employers’ survey (48 per cent) had at least one health and safety representative. However (as we discuss in Chapter 3) some ten per cent of employers said that they did not consult their workforce at all. Excluding these, most of the workplaces in the survey (56 per cent) had safety representatives (Table 2.1). Consultation with representatives is less common in:

- smaller workplaces — as shown in Table 2.1, 50 per cent of workplaces with ten or fewer employees do not consult with representatives, compared with only six per cent of sites with 200 or more employees
- newer workplaces, ie those established for less than five years
- the service sector, compared with the production sector, particularly distribution, hotels and restaurants, and
- privately owned, rather than publicly owned or voluntary-type organisations.
Table 2.1: Consultation with workforce through safety representatives (per cent)

<table>
<thead>
<tr>
<th></th>
<th>1-10</th>
<th>11-49</th>
<th>50-199</th>
<th>200+</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>Through trade union rep. only</td>
<td>1</td>
<td>5</td>
<td>7</td>
<td>20</td>
<td>3</td>
</tr>
<tr>
<td>Through non-trade union rep. only</td>
<td>48</td>
<td>51</td>
<td>59</td>
<td>35</td>
<td>49</td>
</tr>
<tr>
<td>Through both trade union and non-trade union reps</td>
<td>1</td>
<td>3</td>
<td>18</td>
<td>39</td>
<td>2</td>
</tr>
<tr>
<td>Neither</td>
<td>50</td>
<td>42</td>
<td>16</td>
<td>6</td>
<td>47</td>
</tr>
</tbody>
</table>

Total (N =) weighted data: 605 161 35 8 809
Total (N =) unweighted data: 288 224 202 221 935

Note: Excludes don't knows
Base: All establishments consulting with the workforce

Source: IES Employers’ Survey, 1999

We draw a distinction in the study between trade union appointed safety representatives and those appointed from outside the trade union movement (ie non-union representatives) where the workforce (or sections of the workforce) are not members of trade unions and/or not covered by collective bargaining. The data in Table 2.1 show that workplaces with non-union representatives form the vast majority of our sample. In nine out of ten workplaces where the employer consults with a safety representative1, that person is not appointed through trade union procedures. In only a small proportion (three per cent) of all workplaces do employers consult only with trade union representatives, and in a further two per cent they consult with both trade union and non-trade union representatives.

It is important to appreciate the basis of this finding. The data are weighted to reflect the national characteristics of workplaces — the vast majority of which are small. Most small workplaces do not have recognised trade unions2. As Table 2.1 indicates, according to our data the pattern of trade union representation alters significantly by size of employer. Only two per cent of workplaces with ten or fewer employees have trade union representatives. At the other end of the scale, some 60 per cent of larger workplaces (over 200 employees) have trade union representatives — generally working in tandem with non-trade union representatives.

This finding does not therefore mean that trade unions are not an important form of representation on health and safety matters. If

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1 *ie* excluding the ‘neither’ category in the Table.

2 See the forthcoming Workplace Employee Relations Survey (WERS) which found that only 35 per cent of workplaces with fewer than 50 employees had a recognised trade union, compared with nearly 70 per cent of workplaces with over 200 employees. WERS also shows that trade union recognition is declining, reflecting fewer trade union members in the workplace.
we look at the proportion of employees covered in our weighted sample by the various forms of representation arrangements, we find that three-quarters (77 per cent) work in establishments with a health and safety representative, of whom:

- one-seventh (14 per cent) are in workplaces where there are only trade union representatives — on average one for every 30 employees
- one-third (34 per cent) are in workplaces where there are both trade union and non-trade union representatives
- one-half (52 per cent) work on sites where no health and safety representative is appointed from the trade union movement.

The coverage of trade union representatives is not just a reflection of the incidence of collective bargaining. It is also interesting to note that only around three in five workplaces (in our weighted employer sample excluding, ‘don’t know’) with collective bargaining had appointed trade union safety representatives. In Table 2.2 we look only at those sites with recognised trade unions. Some 47 per cent said that they had trade union appointed representatives, 29 per cent did not and 23 per cent (mainly smaller workplaces) did not know. Even in larger workplaces (with 200 or more employees), a reasonable minority (12 per cent) did not have any trade union representatives.

We have compared our findings (as far as we can) with the WERS 1998 Survey. Comparisons are difficult (see Appendix A), not least in this respect because WERS asks different questions. However, the nearest equivalent data in WERS indicates that only just over 50 per cent of workplaces have a health and safety representative and the vast majority of representatives are non-union. These results are very compatible with our own findings.

### 2.1.1 Coverage

Trade union representatives do not just look after the interests of union members, according to both the employer and employee representative surveys.

<table>
<thead>
<tr>
<th>Size (employees)</th>
<th>Had appointed safety reps</th>
<th>Had not appointed safety reps</th>
<th>Did not know</th>
<th>Total (N =) weighted data</th>
<th>Total (N =) unweighted data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-49</td>
<td>37</td>
<td>31</td>
<td>30</td>
<td>54</td>
<td>52</td>
</tr>
<tr>
<td>50-199</td>
<td>75</td>
<td>25</td>
<td>0</td>
<td>11</td>
<td>54</td>
</tr>
<tr>
<td>200+</td>
<td>87</td>
<td>12</td>
<td>1</td>
<td>6</td>
<td>136</td>
</tr>
<tr>
<td>All establishments</td>
<td>47</td>
<td>29</td>
<td>23</td>
<td>70</td>
<td>256</td>
</tr>
</tbody>
</table>

*Base: Establishments with recognised trade unions*

*Source: IES Employers’ Survey, 1999*
In nine out of ten cases in the employer survey (where the respondent knew) they said that trade union representatives covered the interests of employees not covered by collective bargaining. However, around one-third of the sample were not sure of the situation and responded that they did not know.

Three-fifths of the trade union respondents in the representatives' survey said that they also represented the interests of employees not covered by collective bargaining.

Trade union safety representatives were also asked whether there were any groups of employees (other than management) not represented by trade union safety representatives at this workplace. Here we found that about one-third (34 per cent) of respondents stated that these groups of workers were not represented by union safety representatives. While in one-third of cases safety representatives covered all employees, in around 40 per cent of cases they represented less than half.

2.1.2 Conclusion

Taken as a whole, these findings suggest that while trade union representatives are an important channel for workplace communication and consultation on health and safety, representation outwith the trade union movements is the most common form.

2.2 Appointment of representatives

In the employer survey we asked respondents with non-trade union representatives how they became appointed. The results are presented in Table 2.3 and show that in only around 14 per cent of workplaces is the representative elected by the workforce — despite this being a requirement of the HSCE Regulations. The most common way they assumed the role is through volunteering. Representatives in smaller workplaces are more likely to be appointed by management, while elections are more likely in larger workplaces. Management appointment is also

<table>
<thead>
<tr>
<th>Size (employees)</th>
<th>Election</th>
<th>Management Appointment</th>
<th>Volunteer</th>
<th>Other</th>
<th>Total (N =) weighted data</th>
<th>Total (N =) unweighted data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-49</td>
<td>11</td>
<td>47</td>
<td>55</td>
<td>18</td>
<td>38</td>
<td>39</td>
</tr>
<tr>
<td>50-199</td>
<td>18</td>
<td>36</td>
<td>71</td>
<td>6</td>
<td>12</td>
<td>60</td>
</tr>
<tr>
<td>200 +</td>
<td>35</td>
<td>19</td>
<td>68</td>
<td>3</td>
<td>4</td>
<td>109</td>
</tr>
<tr>
<td>All</td>
<td>14</td>
<td>43</td>
<td>59</td>
<td>15</td>
<td>65</td>
<td>21</td>
</tr>
</tbody>
</table>

*Base: Establishments with non-union safety representatives
Multiple responses allowed*

*Source: IES Employers' Survey, 1999*
more likely in independent sites (as opposed to those that are part of a multi-site organisation) and newer sites (ie those established for less than five years).

Most of the respondents who identified other methods of appointment said that they either consulted the whole workforce or held informal discussions with employees concerned to find a representative.

We also asked our sample of safety representatives, comprising mainly union representatives, how they were appointed. The findings show that:

- 33 per cent of safety representatives were elected by employees
- ten per cent were appointed by management
- 32 per cent were chosen by unions or staff associations
- 35 per cent volunteered to be a safety representative.

Clearly, some representatives stated that they became a representative via more than one of these methods, as this question permitted multiple responses.

Table 2.4 reports the responses to this question and the data suggests that:

- representatives in the services sector are more likely to have become representatives by volunteering than those who are employed in the production sector

<table>
<thead>
<tr>
<th>Table 2.4: Method of appointment of representative (per cent)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>All</td>
</tr>
<tr>
<td>Sector</td>
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<tr>
<td>Production</td>
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<tr>
<td>Services</td>
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<tr>
<td>Ownership</td>
</tr>
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</tr>
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<td>&lt;100 employees</td>
</tr>
<tr>
<td>&gt;100 employees</td>
</tr>
<tr>
<td>Representative</td>
</tr>
<tr>
<td>Union</td>
</tr>
<tr>
<td>Non-union</td>
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</tbody>
</table>

Source: IES Safety Representatives Survey, 1999
• representatives who are employed in the private sector are more likely to have been appointed by management, compared with those employed in the public sector

• representatives in the public sector are more likely to have been chosen by unions or staff associations, compared with those in the private sector

• those employed in firms with fewer than 100 employees are more likely to have been appointed to their post by employees or by management, compared with those employed in larger firms. Indeed, representatives employed in large firms are most likely to have attained their post, having been chosen by their trade union.

• half of all non-union representatives have been appointed as a safety representative by management. Very few of these were elected by employees, compared with those who are union safety representatives.

Many of the interviewees in the follow-up case studies said that they had some difficulty finding enough representatives to cover the workplace — particularly larger sites and/or areas with non-union staff. Offices seemed to be a particular problem as they had low level of perceived risk and employees’ concerns over health and safety were low.

The appointment of representatives outside the union structure tended to be fairly informal. People who showed an interest tended to be ‘volunteered’, by the manager responsible for health and safety. In one office-based organisation the manager canvassed for representatives by e-mail. She said that those who tended to come forward were those with a personal interest in the area, ‘one’s a lifeguard for instance’, she explained.

In another organisation the process of finding representatives for one group of workers was explained by the health and safety manager thus:

“I just gathered the drivers together and said: “we need a volunteer, you can all decide and give me a name next week.”” — distribution company

2.3 What do safety representatives do?

We asked about the functions of safety representatives in both the employer and the safety representative survey. The results from the employers’ survey, by size of employer, are set out in Table 2.5. The most common role is reporting potential hazards (84 per cent of cases), closely followed by inspecting the workplace for hazards (78 per cent). In a number of organisations we visited for the follow-up interviews, the representatives made regular tours of the workplace looking for hazards. Most incidences that they reported were minor (eg
Table 2.5 Functions of safety representatives by size of workplace (per cent)

<table>
<thead>
<tr>
<th></th>
<th>1-10</th>
<th>11-49</th>
<th>50-199</th>
<th>200+</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting potential hazards</td>
<td>84</td>
<td>93</td>
<td>92</td>
<td>86</td>
<td>87</td>
</tr>
<tr>
<td>Inspecting workplace for hazards</td>
<td>80</td>
<td>82</td>
<td>78</td>
<td>80</td>
<td>78</td>
</tr>
<tr>
<td>Representing employees on H&amp;S issues</td>
<td>71</td>
<td>78</td>
<td>88</td>
<td>96</td>
<td>75</td>
</tr>
<tr>
<td>Investigating accidents and other H&amp;S incidents</td>
<td>56</td>
<td>61</td>
<td>53</td>
<td>58</td>
<td>57</td>
</tr>
<tr>
<td>Investigating complaints</td>
<td>55</td>
<td>58</td>
<td>53</td>
<td>70</td>
<td>56</td>
</tr>
<tr>
<td>Representing employees with outside bodies</td>
<td>33</td>
<td>28</td>
<td>37</td>
<td>48</td>
<td>32</td>
</tr>
<tr>
<td>Other</td>
<td>6</td>
<td>6</td>
<td>7</td>
<td>12</td>
<td>6</td>
</tr>
</tbody>
</table>

Total (N =) weighted data

275

Total (N =) unweighted data

129

Base: Establishments with safety representatives

Source: IES Employers’ Survey, 1999

blocked gangways, broken chairs, faulty lights etc.) and easily remedied.

In around two-thirds (62 per cent) of workplaces they represent employees’ interests on health and safety matters to management — although this is one of their responsibilities in almost all the larger workplaces in our sample. Examples given here include discussions about new health and safety policies. In one example, the organisation we visited was developing a policy on violence at work and the safety representatives (along with a range of other interested parties) were heavily involved in working out new working procedures.

In only a minority of cases do representatives get involved with outside bodies (such as HSE Inspectors) — although again incidence is higher in larger sites.

A few respondents (six per cent) suggested other functions for health and safety representatives including:

- acting as a communication channel between the employer and employees
- reviewing existing policies and procedures on health and safety, and suggesting and helping to implement improvements
- conducting or helping to conduct risk assessments.

More detailed analysis of the employer survey (Table 2.6) indicates that trade union representatives and non-trade union representatives had similar ranges of responsibilities in terms of inspecting the workplace for hazards or investigating accidents or complaints about health and safety. However, our respondents from workplaces with only trade union
Table 2.6: Functions of safety representatives, by type of representatives (per cent)

<table>
<thead>
<tr>
<th>Function</th>
<th>Trade union representatives only</th>
<th>Non-union representatives only</th>
<th>Both</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting potential hazards</td>
<td>76</td>
<td>87</td>
<td>87</td>
<td>87</td>
</tr>
<tr>
<td>Inspecting workplace for hazards</td>
<td>80</td>
<td>81</td>
<td>73</td>
<td>78</td>
</tr>
<tr>
<td>Representing employees on H&amp;S issues</td>
<td>100</td>
<td>72</td>
<td>95</td>
<td>75</td>
</tr>
<tr>
<td>Investigating accidents</td>
<td>51</td>
<td>57</td>
<td>59</td>
<td>57</td>
</tr>
<tr>
<td>Investigating complaints</td>
<td>57</td>
<td>55</td>
<td>77</td>
<td>56</td>
</tr>
<tr>
<td>Representing employees with outside bodies</td>
<td>47</td>
<td>32</td>
<td>30</td>
<td>32</td>
</tr>
</tbody>
</table>

**Total (N = ) weighted data**

<table>
<thead>
<tr>
<th></th>
<th>Trade union representatives only</th>
<th>Non-union representatives only</th>
<th>Both</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>19</td>
<td>364</td>
<td>19</td>
<td>402</td>
</tr>
</tbody>
</table>

**Total (N = ) unweighted data**

<table>
<thead>
<tr>
<th></th>
<th>Trade union representatives only</th>
<th>Non-union representatives only</th>
<th>Both</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>69</td>
<td>448</td>
<td>128</td>
<td>633</td>
</tr>
</tbody>
</table>

*Base: Establishments with safety representatives*

*Source: IES Survey of Safety Representatives*

Representatives were far more likely to say that they actually represented their employees than respondents from workplaces where the representatives were not trade unionists. On the other hand non-union representatives were more likely to be involved in reporting potential hazards. The data suggest that in at least a proportion of those workplaces reporting that they had non-union safety representatives, the actual role performed was different to that of a union representative — they may still have had a health and safety role, but not a representation role. They were particularly more likely to inspect the workplace for hazards and investigate health and safety complaints.

There was little variation in the data by industrial sector. However representatives in public sector organisations appeared to operate on a broader front that those in the private sector and generally have a wider range of functions. In around three-quarters of cases, our respondent reported that safety representatives in the public and voluntary sector 'represented employees on health and safety issues to management', compared with only 60 per cent in the public sector.

### 2.3.1 Data from the survey of representatives

Respondents to our survey of safety representatives were also asked what functions they performed and the results are similar to those from the employer survey (Table 2.7):

- The main functions (ie reported by over 90 per cent of cases) were: reporting potential hazards; representing employees on health and safety issues to management; and inspecting the workplace for hazards.
- Over three-quarters of respondents investigate complaints on health and safety (87 per cent), investigate accidents, ill health, dangerous occurrences and near-miss accidents (81
Table 2.7 Functions of safety representative representatives’ survey (per cent)

<table>
<thead>
<tr>
<th>Function</th>
<th>All</th>
<th>Size (employees)</th>
<th>Representative</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>&lt;100</td>
<td>&gt;100</td>
</tr>
<tr>
<td>Report hazards</td>
<td>99</td>
<td>99</td>
<td>99</td>
</tr>
<tr>
<td>Represent employees on H&amp;S issues</td>
<td>95</td>
<td>93</td>
<td>96</td>
</tr>
<tr>
<td>Inspect workplace for hazards</td>
<td>92</td>
<td>90</td>
<td>93</td>
</tr>
<tr>
<td>Investigate accidents etc.</td>
<td>81</td>
<td>78</td>
<td>82</td>
</tr>
<tr>
<td>Investigate complaints</td>
<td>87</td>
<td>80</td>
<td>91</td>
</tr>
<tr>
<td>Keep log of hazards</td>
<td>76</td>
<td>80</td>
<td>75</td>
</tr>
<tr>
<td>Represent employees with H&amp;S inspectors etc.</td>
<td>66</td>
<td>54</td>
<td>72</td>
</tr>
<tr>
<td><strong>Total (N =)</strong></td>
<td>200</td>
<td>68</td>
<td>130</td>
</tr>
</tbody>
</table>

Source: IES Survey of Safety Representatives

per cent) and kept a log of hazards in the workplace (76 per cent).

- Two-thirds of respondents noted that they represent employees in discussions with Health and Safety Inspectors or other outside agents.

A closer examination of the data suggests that:

- the responses are broadly similar across the production and services sector
- representatives in larger firms are more likely to represent employees in discussions with Health and Safety inspectors or other outside agents, compared with those employed in firms with less than 100 employees
- looking at the responses according to the type of representative, non-union safety representatives appear to be far less likely to keep a log of hazards in the workplace, or to represent employees in discussions with Health and Safety inspectors or other outside agents, compared with union representatives. They are also less likely to have stated that they represent employees on health and safety issues to management, compared with union representatives.

Some of the union and non-union representatives we interviewed had wider responsibilities than just health and safety and represented employees on a range of issues (eg discipline, terms and conditions etc.).

**Number of inspections**

Safety representatives were also asked how many times they had inspected the workplace, in the last 12 months. Our results show that an average of 5.3 full inspections and 20.1 part inspections
### Table 2.8: Mean number of full and part inspections

<table>
<thead>
<tr>
<th>Classificatory variables</th>
<th>Mean number of full inspections</th>
<th>Mean number of part inspections</th>
<th>Total (N =)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>5.3</td>
<td>20.1</td>
<td>176</td>
</tr>
<tr>
<td>Sector</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production</td>
<td>5.3</td>
<td>21.2</td>
<td>47</td>
</tr>
<tr>
<td>Services</td>
<td>5.3</td>
<td>19.8</td>
<td>128</td>
</tr>
<tr>
<td>Ownership</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public</td>
<td>4.8</td>
<td>21.4</td>
<td>92</td>
</tr>
<tr>
<td>Private</td>
<td>5.9</td>
<td>18.8</td>
<td>83</td>
</tr>
<tr>
<td>Size</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;100 employees</td>
<td>6.6</td>
<td>27.6</td>
<td>60</td>
</tr>
<tr>
<td>&gt;100 employees</td>
<td>4.7</td>
<td>16.4</td>
<td>114</td>
</tr>
<tr>
<td>Representative</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Union</td>
<td>3.6</td>
<td>22.5</td>
<td>154</td>
</tr>
<tr>
<td>Non-union</td>
<td>17.7</td>
<td>3.1</td>
<td>21</td>
</tr>
</tbody>
</table>

*Source: IES Survey of Safety Representatives*

were conducted by safety representatives in the last year. We report the mean number of full and part inspections according to a number of classificatory variables in Table 2.8. Here we see that:

- the mean number of full inspections is significantly higher among non-union representatives (17.7) compared with union representatives (3.6). Conversely the mean number of part inspections is highest among union representatives (22.5), compared to their non-union counterparts (3.0)

- the mean numbers of inspections (both full and part) are higher in firms with fewer than 100 employees, compared with firms with more than 100 employees

**Hours spent in representative activities**

Safety representatives were also asked how many hours per week they spent on representative activities while at work. Our results indicate that:

- 15 per cent of safety representatives spend less than one hour per week on representative business

- nearly two-thirds (63 per cent) work between one and four hours per week

- only eight per cent spend between five and nine hours per week on representative work. A further eight per cent spend more than ten hours a week on these activities.
Table 2.9 Mean number of hours spent on representative activities

<table>
<thead>
<tr>
<th>Classificatory variables</th>
<th>Mean number of hours spent in representative activities</th>
<th>Total (N = )</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>4.1</td>
<td>190</td>
</tr>
<tr>
<td>Sector</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production</td>
<td>4.6</td>
<td>47</td>
</tr>
<tr>
<td>Services</td>
<td>4.0</td>
<td>139</td>
</tr>
<tr>
<td>Ownership</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public</td>
<td>3.4</td>
<td>103</td>
</tr>
<tr>
<td>Private</td>
<td>5.1</td>
<td>87</td>
</tr>
<tr>
<td>Size</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;100 employees</td>
<td>3.4</td>
<td>64</td>
</tr>
<tr>
<td>&gt;100 employees</td>
<td>4.6</td>
<td>125</td>
</tr>
<tr>
<td>Representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Union</td>
<td>3.7</td>
<td>167</td>
</tr>
<tr>
<td>Non-union</td>
<td>7.6</td>
<td>23</td>
</tr>
</tbody>
</table>

Source: IES Survey of Safety Representatives

Table 2.9 shows that respondents spend an average of just over four hours per week in their role of safety representative. It is also clear that there is some variation in the mean according to the sector in which the representative is operating, with the mean higher in the production sector, compared with the service sector. A possible explanation is that the production sector is more prone to health and safety risks, thus requiring greater attention from representatives. The mean is also higher in private sector establishments.

Safety representatives employed in larger firms also spend a longer time in these activities compared with those employed in smaller firms. Non-union representatives are also spending significantly longer in representative activities than union representatives.

Authority to act

A key difference emerged in the interviews, between the majority of representatives whose main function appeared to be to report on and react to health and safety issues, and the minority who had the authority and/or the inclination to take preventative action themselves. In some cases representatives said that they would fix minor problems if they could, and only pass on more major issues to management. The latter generally included issues where the solution involved spending money. In one case the representatives were in effect part of the organisation’s health and safety team and had the authority and respect to be able to influence others (including production managers for instance) to take action.
Such a high profile role could pose problems for representatives; according to one (trade union) representative we spoke to:

'I sometimes find myself in a position where I should report people
who are breaching the Regs, which is really management's job not
mine!'

2.4 Employee access to representatives

Figure 2.1 shows the methods used by respondents to the representatives' survey to keep the employees that they represent informed of health and safety matters. Clearly representatives use more than one method of informing employees about health and safety issues. (Again multiple responses were permitted). Examining this figure we also note that:

- the most common method used to inform staff is noticeboards (80 per cent)
- the second most common method is by holding meetings (56 per cent), followed by newsletters and mailings (49 per cent)
- around one-fifth (21 per cent) use electronic mail to inform employees about health and safety matters.

We also examined (analysis is not shown here) the proportion of respondents using the various methods according to a number of variables including the sector of the firm, ownership, the firm size as well as type of representative. Noticeboards were the most common method used to inform staff about health and safety matters irrespective of industrial sector or size. However, the main method used by non-union representatives was through holding meetings.

Figure 2.1: Methods used to inform employees about health and safety matters

Source: IES Survey of Safety Representatives
Other variations in responses noted were

- Representatives employed in the service sector (53 per cent) are far more likely to use newsletters/mailings compared with representatives employed in the production sector (38 per cent). Representatives in the public sector (58 per cent) and large firms (54 per cent) are also more likely to use this method.

- Union representatives are far more likely (52 per cent) than non-union representatives (25 per cent) to use newsletters/mailings. Cost may be an explanation for this result.

A broadly similar pattern of contact emerged from our survey of employees. They said that the most common form for their safety representative to keep them informed was noticeboards (46 per cent of cases). Newsletters were cited by 28 per cent of the respondents (52 per cent of those with trade union representatives). The other main methods were:

- internal discussions (29 per cent of cases) and
- meetings (18 per cent).

Some of the representatives and managers in the follow-up interviews stressed the importance of their representatives acting as a filter for employee concerns. In some cases representatives were able to allay employees' fears, or fix the problem themselves without it ever going to management.

2.4.1 Frequency of contact

In the employee survey, two-thirds of respondents agreed or strongly thought that their safety representative was easy to get hold of and only ten per cent thought the opposite.

Around one-third said that they were in frequent contact with their representative (Table 2.10). A further quarter reported that they were in occasional contact. There were some suggestions

<table>
<thead>
<tr>
<th>Table 2.10: Employee contact with safety representatives (per cent)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Frequent contact</strong></td>
</tr>
<tr>
<td>----------------------</td>
</tr>
<tr>
<td>Frequent contact</td>
</tr>
<tr>
<td>Occasional contact</td>
</tr>
<tr>
<td>Rare contact</td>
</tr>
<tr>
<td>No contact</td>
</tr>
<tr>
<td>Do not know safety rep.</td>
</tr>
</tbody>
</table>

Total (N =) 32 92 133

Base: Employees with safety representatives

Source: IES Employees' Survey, 1999
from the data in Table 2.10 and some of the interviews that trade
union representatives may be less accessible than non-trade
union representatives. Fewer than half of the employees with the
former were in frequent or occasional contact, compared with
over two-thirds of employees with non-trade union
representatives. However, given the nature of the sample, it
would be wrong to place too much emphasis on this finding.

2.4.2 Contract and agency workers

Around 30 per cent of respondents stated that they represented
the interests of agency workers and/or contract workers and
they were further asked whether they faced any difficulties with
these types of workers. Around one-fifth (22 per cent) of these
respondents stated that they did face such problems (55 per cent
of cases in terms of making contact). Similar questions were
asked about homeworkers, but as only four per cent of
respondents represented such people we have not been able to
analyse the data further in any meaningful way.

2.5 Training and facilities

We asked a range of questions on the training of safety
representatives and the facilities with which they were provided
to carry out their role.

2.5.1 Training needs assessment

Around half of employers who consulted through safety
representatives said that they had assessed the health and safety
training needs of their safety representatives (Table 2.11). Larger
establishments, with over 200 employees, were more likely to
have conducted a training needs assessment (eg in 71 per cent of
workplaces), compared with 48 per cent of those with ten or
fewer). There was little variation in the pattern of responses by
factors such as sector or length of operation, other than those
which reflected the size distribution.

<table>
<thead>
<tr>
<th>Size (employees)</th>
<th>Training needs assessed</th>
<th>Training needs not assessed</th>
<th>Don't know</th>
<th>Total (N=) weighted data</th>
<th>Total (N=) unweighted data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>48</td>
<td>36</td>
<td>16</td>
<td>281</td>
<td>130</td>
</tr>
<tr>
<td>11-49</td>
<td>56</td>
<td>31</td>
<td>13</td>
<td>88</td>
<td>129</td>
</tr>
<tr>
<td>50-199</td>
<td>66</td>
<td>26</td>
<td>8</td>
<td>29</td>
<td>166</td>
</tr>
<tr>
<td>200+</td>
<td>71</td>
<td>21</td>
<td>9</td>
<td>8</td>
<td>203</td>
</tr>
<tr>
<td>All establishments</td>
<td>51</td>
<td>34</td>
<td>15</td>
<td>406</td>
<td>628</td>
</tr>
</tbody>
</table>

*Base: Establishments with safety representatives*

*Source: IES Employers' Survey, 1999*
According to the employers' survey, needs assessments were most often carried out by:

- general managers, owners or managing directors — in 48 per cent of cases overall and particularly in smaller workplaces
- health and safety managers or training managers — in 24 per cent of cases overall and particularly in larger workplaces
- team, department or line managers — in around 12 per cent
- general personnel or HR managers/directors — nine per cent, again mostly in larger workplaces.

Turning to the representatives' survey, only a minority of respondents, just over one-third, had had their health and safety training needs assessed. Non-union representatives (50 per cent) were more likely than union representatives (33 per cent) to have had their needs assessed, as were those in the private, as opposed to the public sector.

2.5.2 Training provision

Seven in ten employers said that their representatives had received training associated with their health and safety responsibilities — in nearly half of these instances (31 per cent of all cases) they had received the training within the last year. A quarter said that their representatives had not received any training and seven per cent of respondents did not know (Table 2.12).

Respondents from larger workplaces were more likely to report that their representatives had been both trained at all and, furthermore, trained within the last year. Only four per cent of respondents from sites employing over 200 people said that their representatives had not had any training, compared with 26 per cent of those from workplaces with ten or fewer employees. Respondents with trade union appointed representatives were marginally more likely than those with non-trade union representatives to report that they had provided training; 24 per cent of the latter said their representatives had not received any health and safety training, compared with 21 per cent of the former.

Table 2.12: Training received by safety representatives (per cent)

<table>
<thead>
<tr>
<th>Size (employees)</th>
<th>Trained in last year</th>
<th>Trained over a year ago</th>
<th>No training</th>
<th>Don't know</th>
<th>Total (N=) weighted data</th>
<th>Total (N=) unweighted data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>26</td>
<td>41</td>
<td>26</td>
<td>7</td>
<td>280</td>
<td>129</td>
</tr>
<tr>
<td>11-49</td>
<td>37</td>
<td>35</td>
<td>20</td>
<td>9</td>
<td>89</td>
<td>130</td>
</tr>
<tr>
<td>50-199</td>
<td>58</td>
<td>27</td>
<td>12</td>
<td>3</td>
<td>29</td>
<td>165</td>
</tr>
<tr>
<td>200 +</td>
<td>61</td>
<td>29</td>
<td>4</td>
<td>6</td>
<td>8</td>
<td>202</td>
</tr>
<tr>
<td>All establishments</td>
<td>31</td>
<td>39</td>
<td>23</td>
<td>7</td>
<td>406</td>
<td>626</td>
</tr>
</tbody>
</table>

Base: Establishments with safety representatives

Source: IES Employers' Survey, 1999

Workplace Consultation on Health and Safety
The vast majority (82 per cent) of safety representatives in the telephone survey said that they had received training to assist them in carrying out their role. Trade union representatives were more likely than non-trade unionists to say that they had been trained.

Training providers

Training was commonly provided, according to the employer survey, by external training providers. This was the case in 52 per cent of cases. In 49 per cent of cases the training was provided in-house. Some employers preferred in-house provision because it could be tailored to their precise circumstances. One of the better examples we encountered was a financial services organisation which provided representatives with a two-day course covering the principles of consultation, the Regulations themselves and then the relevant hazards (e.g. in this case manual handling, use of DSE etc.). Other organisations provided joint management and representatives courses.

"Our aim is for the representatives to be the company's health and safety experts and spread the word." — engineering company

Other sources of health and safety training for representatives were:

- trade associations (14 per cent of cases)
- distance learning materials (ten per cent of cases)
- trade union (four per cent) — although about 40 per cent in workplaces where there were trade union representatives.

In the telephone survey, respondents who had received training for their role as a safety representative were asked who provided their training. Given the majority of our sample of representatives was made up of union safety representatives, it is not surprising that the vast majority of respondents, indeed four-fifths, received training from either their trade union or the TUC. The second most common form of provision, accounting for just over one-quarter of responses, was in-house. Nearly one-fifth, 18 per cent of representatives, also reported that they had received training from an external training provider.

Nine-tenths of representatives employed in the public sector received training from either a trade union or the TUC, compared with only 70 per cent employed in private sector establishments. We also found that non-union representatives were more likely to have received training from an external provider (56 per cent) rather than a union or the TUC (19 per cent).
Comparing the two surveys

On the face of it there seems to be a discrepancy between the two surveys regarding the amount of training provided and, particularly, the source of training. The differences are likely to be largely accounted for by two reasons: the different nature of the samples, and the different perspectives of the respondents. On the first point it is important to remember that the representatives’ sample is not representative. It comprise only 200 cases and is dominated by trade unionists who, according to the larger and more representative survey of employers, do not form the majority of representatives. If, as both surveys suggest, trade union representatives are more likely to be trained than non-trade unionists, then sample differences could explain at least part of the variation in the incidence of training.

Secondly, it could be supposed that employers will have knowledge of the training they provide, but may not be aware of the training provided to representatives by their trade union — neither whether it had occurred, especially if it took place in an employee’s own time (see below), nor who provided it. This may also explain why trade union provided training is a significantly more commonly cited source amongst safety representatives than employers.

2.5.3 Time off for training

In the vast majority of cases (96 per cent), training is provided in paid work time (Table 2.13). A few respondents reported that training also took place in employees’ own time (mainly in workplaces with trade unions) and/or in unpaid work time (mainly in workplaces without trade unions), but this was usually in conjunction with, rather than an alternative to, paid time off.

While employers may generally provide paid time off for training, they do not always pay the full cost. In the postal survey of employers we asked whether they paid the cost of

<table>
<thead>
<tr>
<th>Size (employees)</th>
<th>Training done in paid work time</th>
<th>Training done in own time</th>
<th>Training done in unpaid work time</th>
<th>Total (N=) weighted data</th>
<th>Total (N=) unweighted data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>96</td>
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<td>4</td>
<td>179</td>
<td>84</td>
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<tr>
<td>11-49</td>
<td>98</td>
<td>8</td>
<td>5</td>
<td>63</td>
<td>95</td>
</tr>
<tr>
<td>50-199</td>
<td>96</td>
<td>5</td>
<td>3</td>
<td>24</td>
<td>138</td>
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<tr>
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<td>100</td>
<td>6</td>
<td>4</td>
<td>7</td>
<td>188</td>
</tr>
<tr>
<td>All establishments</td>
<td>97</td>
<td>2</td>
<td>4</td>
<td>274</td>
<td>505</td>
</tr>
</tbody>
</table>

Base: Establishments with safety representatives in receipt of training

Source: IES Employers’ Survey, 1999
Table 2.14: Employer pays for cost of training (per cent)

<table>
<thead>
<tr>
<th>Size (employees)</th>
<th>All</th>
<th>Most</th>
<th>Some</th>
<th>None</th>
<th>Don’t know</th>
<th>Total (N=) weighted data</th>
<th>Total (N=) unweighted data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>61</td>
<td>5</td>
<td>10</td>
<td>19</td>
<td>4</td>
<td>167</td>
<td>79</td>
</tr>
<tr>
<td>11-49</td>
<td>64</td>
<td>6</td>
<td>10</td>
<td>17</td>
<td>3</td>
<td>61</td>
<td>94</td>
</tr>
<tr>
<td>50-199</td>
<td>78</td>
<td>8</td>
<td>5</td>
<td>8</td>
<td>1</td>
<td>24</td>
<td>137</td>
</tr>
<tr>
<td>200+</td>
<td>68</td>
<td>9</td>
<td>11</td>
<td>7</td>
<td>5</td>
<td>7</td>
<td>184</td>
</tr>
<tr>
<td>All establishments</td>
<td>65</td>
<td>6</td>
<td>10</td>
<td>16</td>
<td>3</td>
<td>259</td>
<td>494</td>
</tr>
</tbody>
</table>

Base: Establishments with safety representatives in receipt of training

Source: IES Employers’ Survey, 1999

training including travel and subsistence. Respondents could answer: all; most; some; none; or don’t know. The results are set out in Table 2.14. They show that overall:

- two-thirds (65 per cent) of our sample paid the full cost of training
- a further six per cent paid most of the cost
- around ten per cent paid none of the cost
- while one-sixth (16 per cent) said that they did not pay any of the cost.

The non-payers were most likely to be smaller establishments (though seven per cent of those with over 200 employees said that they did not pay the cost of training), in the service sector, under private ownership, and without any employees in a trade union.

2.5.4 Training effectiveness

We encountered mixed views in the follow-up interviews about the effectiveness of representatives’ training and their ability to carry out the role, and the links between the two. A number of employers were concerned about whether representatives knew enough to carry out the role effectively (ie ask appropriate questions, due concerns, due weight etc.).

‘They can’t see the wood for the trees sometimes and make a big issue out of something very little. One of our representatives recently got very irate because they were not consulted prior to a new photocopier arriving. Now I know in theory they could have been told, but it was just a replacement and made no difference in terms of risk.’ — local authority

A related issue was the turnover of employee representatives. Those in post for a while seemed, at least according to employers, to have a more pragmatic and realistic approach to health and safety. Where there was high turnover among representatives (eg where there was a lot of seasonal staff) it could be some time before they were trained in aspects of their
role (e.g. risk assessment, hazard identification) and in the meantime ‘their enthusiasm exceeds their knowledge’.

The respondent from one manufacturing company thought that training was ‘extremely effective’. Their trade union representatives went on both trade union and internally run courses and the non-union representatives went just on the internal courses. Also, one of the trade union representatives had recently been on a five-day IOSH course.

Another respondent said that:

‘Trade union training is much better than it used to be, with a strong emphasis now on preventative measures and risk assessment. In terms of knowledge of health and safety, out of the 240 employees here, the trade union representatives are in the top five.’ — manufacturing company

In the telephone survey, representatives who had received training were asked whether they felt that this training had helped them to perform their role of safety representative effectively. Our results showed that just over three-quarters of respondents found this training to be ‘very helpful’ (76 per cent). A further 20 per cent found this training to be ‘fairly helpful.’ Representatives employed in public sector establishments were less likely to state that they found the training ‘very helpful’ (69 per cent) compared to representatives employed in the private sector (84 per cent).

In addition, all respondents were asked whether they felt that they had the skills to deal effectively with management over health and safety issues. Our results show that:

- 41 per cent are very confident about their skills to deal with management effectively
- 51 per cent are fairly confident about their skills
- six per cent are neutral about their skills
- less than three per cent are fairly/very unconfident.

By assigning a ranking to these categories of confidence, running from four for ‘very confident’ to nought for ‘not at all confident’ we are able to calculate a mean score. The mean score for the total sample is 3.3. We are also able to calculate a mean score for a number of different variables. Table 2.15 reports this analysis and indicates that:

- representatives in the production sector are slightly more confident than those in the service sector
- private sector representatives are slightly more confident than those in the public sector
- non-union representatives are slightly more confident about their skills, compared with their union counterparts
Table 2.15: Representatives’ confidence in skills

<table>
<thead>
<tr>
<th>Classificatory variables</th>
<th>Mean score</th>
<th>Total (N =)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>3.3</td>
<td>201</td>
</tr>
<tr>
<td>Sector</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production</td>
<td>3.5</td>
<td>53</td>
</tr>
<tr>
<td>Services</td>
<td>3.2</td>
<td>147</td>
</tr>
<tr>
<td>Ownership</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public</td>
<td>3.1</td>
<td>91</td>
</tr>
<tr>
<td>Private</td>
<td>3.5</td>
<td>109</td>
</tr>
<tr>
<td>Size</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;100 employees</td>
<td>3.3</td>
<td>69</td>
</tr>
<tr>
<td>&gt;100 employees</td>
<td>3.3</td>
<td>130</td>
</tr>
<tr>
<td>Needs assessed and training</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Needs assessed but no training</td>
<td>3.3</td>
<td>8</td>
</tr>
<tr>
<td>Needs assessed and training received</td>
<td>3.5</td>
<td>63</td>
</tr>
<tr>
<td>Needs not assessed but training received</td>
<td>3.3</td>
<td>102</td>
</tr>
<tr>
<td>Neither needs assessed nor training received</td>
<td>2.5</td>
<td>15</td>
</tr>
<tr>
<td>Representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Union</td>
<td>3.3</td>
<td>176</td>
</tr>
<tr>
<td>Non-union</td>
<td>3.7</td>
<td>24</td>
</tr>
</tbody>
</table>

Source: IES Survey of Safety Representatives

- where respondents have both had their needs assessed and have received training for their role as a safety representative, they are more confident than those who have not received any training, as well as those who have received training but have not had their needs assessed.

2.5.5 Facilities for representatives

Employee safety representatives are generally provided with a range of facilities by their employer to help them carry out their role.

- Almost all employers (92 per cent) provided free access to telephone and communication facilities (Table 2.16)

- Around 85 per cent — over 90 per cent of all but the smallest workplaces — gave their representative free access to stationery, photocopying and other administrative facilities. Such provision was most common in the manufacturing and construction sectors, in publicly owned or voluntary organisations and in workplaces with trade union members.

- Three-quarters (73 per cent) gave their representatives at their workplace information on software/books and other
Table 2.16 Facilities for safety representatives (per cent)

<table>
<thead>
<tr>
<th>Size (employees)</th>
<th>Access to telephone etc.</th>
<th>Access to admin. support</th>
<th>Information H&amp;S materials</th>
<th>Total (N=) weighted data</th>
<th>Total (N=) unweighted data</th>
</tr>
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<tbody>
<tr>
<td>1-10</td>
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<td>83</td>
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<tr>
<td>11-49</td>
<td>96</td>
<td>91</td>
<td>87</td>
<td>76</td>
<td>114</td>
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<tr>
<td>50-199</td>
<td>86</td>
<td>91</td>
<td>80</td>
<td>28</td>
<td>159</td>
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<td>94</td>
<td>94</td>
<td>81</td>
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</tr>
<tr>
<td>All establishments</td>
<td>92</td>
<td>85</td>
<td>73</td>
<td>350</td>
<td>577</td>
</tr>
</tbody>
</table>

Base: Establishments with safety representatives

Source: IES Employers' Survey, 1999

health and safety materials. Again such provision was more common in the larger workplaces, but there was little variation by other workplace characteristics.

We also asked respondents to the representatives’ survey whether management provided them with access to any of the resources outlined in Table 2.16. The results largely mirror those of the employers’ survey. Nearly all had access to telephones etc. (94 per cent) and stationery etc. (95 per cent). Fewer, but still a significant proportion (70 per cent) were provided with health and safety materials. Other facilities provided included rooms for meetings, information on training and transport to off-site events.

2.6 Other forms of support to representatives

In the telephone survey, representatives were also asked whether or not they received support from any of the following sources:

- trade union
- other safety representatives
- the Health and Safety Executive (HSE)
- local Environmental Health Officer.

Our results showed that 99 per cent of respondents received support from at least one of these sources. In particular:

- trade unions are the most common source of support to representatives (91 per cent). This is admittedly no surprise given the make-up of our sample being mostly union representatives.

- more than half of all representatives received support from the Health and Safety Executive (HSE). The same proportion of respondents also receive support from other safety representatives.

- around one-third received support from their Local Environmental Health Officer.
Representatives in larger firms are more likely to seek support from the HSE, compared to those employed in smaller firms. Non-union representatives were most likely to rely on support from the HSE and as well as their local Environmental Health Officer.

In addition we also asked respondents to state their level of satisfaction with each source of named support. Figure 2.2 shows the results. Our results indicate that the vast majority of respondents were very satisfied/fairly satisfied with the level of support they receive from each of the different sources. However, the extent of satisfaction does appear to differ across the different sources. Indeed 63 per cent of respondents felt very satisfied with the support they receive from their trade union whilst only 35 per cent were very satisfied with the support they receive from the HSE, and similarly only 37 per cent were very satisfied with their local Environmental Health Officer. However, in total 76 per cent were very/fairly satisfied with the support from the HSE. Half of all respondents felt very satisfied with the support they receive from other safety representatives and a further 39 per cent are fairly satisfied.

2.7 Management co-operation and support

Respondents to the safety representatives’ survey were also asked to what extent they felt that management was co-operative in enabling them to carry out their functions as safety representatives. Figure 2.3 shows the responses to this question against a number of other variables of interest. Looking firstly at all respondents we can see that:

- 43 per cent felt that their management was very co-operative, and slightly less felt that their management was fairly co-operative (41 per cent)
eight per cent of respondents had no view on the matter

only a small proportion felt that their management was not at all co-operative (three per cent) and the same proportion considered that they were fairly unco-operative.

The chart also shows that:

- a higher proportion of respondents employed in the service sector feel that management is co-operative compared to those employed in the production sector
- a greater proportion of non-union representatives feel that management is completely co-operative compared to union representatives
- we observe no systematic significant variation by any of the other variables.

2.8 How effective are safety representatives?

2.8.1 Overall effectiveness

Employer respondents were asked how effective they thought their safety representatives were as a channel of consultation over health and safety (on a scale of 1 ‘totally ineffective’ to 5 ‘totally effective’). On balance employers thought their representatives were effective, with 22 per cent giving a score of five and 39 per cent a score of four. However, satisfaction clearly declined with size of workplace, and respondents from larger workplaces were less likely to think that their representatives were effective than those from smaller sites (Figure 2.4).
Figure 2.4: Effectiveness of safety representatives

![Bar chart showing effectiveness of safety representatives by size of workplace.](chart.png)

- **5 = totally effective**
- **4**
- **3**
- **2**
- **1 = totally ineffective**

**Total (N =) weighted data = 383**
**Total (N =) unweighted data = 620**

Source: IES Employers’ Survey, 1999

Little emerged from further examination of the data, except that when we analysed the responses by type of safety representative, workplaces with only trade union representatives gave lower scores than where the representatives were non-trade unionists. The overall average (mean) score was 3.7. Among workplaces with only trade union representatives the mean was 3.4, compared with workplaces with non-union representatives (mean score of 3.8) and where there were both types of representative (mean score of 3.6). This is not a statistically significant difference. We looked to see whether employers’ general attitudes to trade unions affected the scores they gave, but we could see no consistent pattern in the data.

The interview data provided a contradictory picture. In the workplaces where there were both trade union and non-union representatives, in most cases the former seemed to be the better trained and, according to the employer interviewee, had a better understanding of health and safety issues and how to deal with them. However, in some of the union-only workplaces, the representatives were criticised for:

- not taking ‘ownership’ of health and safety concerns and passing the onus for solutions onto management
- coming up with unrealistic and/or expensive solutions
- using health and safety procedures to disrupt production.

However, these concerns may have been a product of the general industrial relations climate in the organisations rather than necessarily a reflection of trade union representatives as a whole.

We asked safety representatives how they felt about the role they were being asked to perform, homing in on three related issues:
• how informed they felt about health and safety issues in general
• how isolated they felt in their role, and
• whether or not they had been able to make an intervention to improve the health and safety of the employees they represent.

2.8.2 Representatives’ knowledge of health and safety

Figure 2.5 presents our findings on how well informed representatives themselves felt about health and safety issues in general. Looking at the results for all respondents we see that:

• some 39 per cent of representatives felt very informed about health and safety issues and more than half (53 per cent) felt fairly informed about these issues
• only a very small proportion felt uninformed (four per cent).
• representatives in private sector firms were more likely to feel informed than those in the public sector
• a greater proportion of representatives employed in firms with more than 100 employees felt informed, compared with those in smaller firms
• there is very little significant variation overall between the responses of union and non-union representatives.

Employees were also fairly confident about their representatives’ knowledge of health and safety. Over two-thirds of the respondents to the employees’ survey (69 per cent) agreed or strongly agreed with the statement that ‘safety representatives are knowledgeable about health and safety issues at this workplace’. There

Figure 2.5: How well representatives felt they were informed

Source: IES Survey of Safety Representatives
were some suggestions that trade union representatives may be better informed than non-trade union representatives. Over three-quarters of employees in workplaces with only trade union representatives said that their representatives were knowledgeable about health and safety issues, compared with 65 per cent of employees with non-trade union representatives.

However, similar proportions (around 64 per cent) felt that their safety representative provided information on hazards in the workplace and how to avoid them.

2.8.3 Isolation

Having asked the representatives about the support they receive as a safety representative, we also asked to what extent they feel isolated in this role. Our results are presented in Figure 2.6. Examining the responses for all respondents, we see that:

- whilst seven per cent of respondents felt very isolated, a further quarter of representatives felt fairly isolated
- 27 per cent felt not particularly isolated and an additional 39 per cent do not feel isolated at all.

We can also observe that:

- representatives working in the production sector are less likely to feel isolated than those in the service sector
- a greater proportion of representatives employed in the public sector felt isolated, compared with those working in the private sector

Figure 2.6: How isolated do you feel in your role as a safety representative?

Source: IES Survey of Safety Representatives
respondents employed in smaller firms are more likely to feel isolated than those in larger firms
non-union representatives are less likely to feel isolated than union safety representatives.

2.8.4 Impact of representatives

On the final issue, about whether representatives had made a difference, we found that 85 per cent considered that they had made an intervention which had improved the health and safety of the employees they represent. Of these, 93 per cent responded by giving an example. The most frequent examples given fall under the following headings:

- Safer working systems/conditions/layout/equipment (accounting for 39 per cent of responses).
- Fume/dust extractors/better ventilation/noise reduction (13 per cent of responses).

Other examples given each accounted for less than four per cent of responses.

In addition, respondents who felt that they were consulted about proposals which could effect health and safety in their workplace were also asked to what extent they feel they were able to influence such proposals. Their responses are shown in Figure 2.7. We clearly see that:

- Most thought that they were influential, with a quarter considering that they were able to influence such proposals 'a great deal' and a further third (36 per cent) feeling that they were able to influence such proposals 'quite a lot'
- 22 per cent were neutral and four per cent did not answer
- 12 per cent said that they were able to influence proposals affecting health and safety 'a little'
- hardly any felt unable to influence such proposals (two per cent).

Representatives in the production sector, in the public sector, and employed in larger establishments were more likely to feel influential than those in other workplaces.

About four-fifths of non-union representatives felt they have an influence over proposals effecting health and safety, compared to only 58 per cent of union representatives.

1 Further analysis was conducted in order to see whether or not this proportion varied according to a number of variables of interest (sector, ownership, size and type of representative). However, we observed no systematic variation in the response to this question across these variables.
Employees also felt that their representatives made a difference. Over three-quarters agreed that representatives followed up employees' complaints on health and safety. While a slightly smaller proportion (51 per cent) felt that their representatives were taken seriously by management, a larger proportion (69 per cent) felt that their safety representatives had led to improvements to health and safety in the workforce. There was no difference in the results by type of representative.

2.9 Conclusions

Employee safety representatives are key figures. They can alert organisations to health and safety hazards as they emerge, contribute to developing appropriate solutions and/or solve the problem themselves, contribute to the development of health and safety policies and help educate and inform the workforce about health and safety issues.

However, they only exist in a minority of employing organisations, although most larger workplaces (with over 50 employees) has at least one health and safety representative.

Secondly, their effectiveness appears to be crucially related to the training they have received and their knowledge and skills in identifying hazards, assessing risks and developing appropriate preventative actions. In a quarter of workplaces, the safety representatives have not been trained and only a minority of those who had, had been trained in the last year. Furthermore, some employers expressed concern over the effectiveness of the training received.
Thurdly, our interviews appeared to support some correlation between effectiveness and length in post. Certainly high turnover among representatives seemed to limit their impact as they could not build up the knowledge or contacts to be influential. Conversely, too long in the position, especially without refresher training, could mean that representatives were not up to date in their knowledge or methods and this could limit their impact too.

2.10 Key points

- Almost half (48 per cent) of British workplaces have a health and safety representative — 56 per cent of workplaces that consult employees on health and safety. Larger workplaces are much more likely than smaller ones to have representatives. Because of this skewed distribution, we estimate that safety representatives cover around three-quarters of the British workforce.

- In the vast majority of workplaces, the safety representative is not a trade unionist. In nine out of ten workplaces where there is a safety representative they are appointed from outside the trade union movement. In a few cases, around four per cent of workplaces, there are both trade union and non-union representatives. In around six per cent of cases the representatives are exclusively trade unionists.

- These findings appear broadly comparable with those in the latest Workplace Employer Relations Survey (1998).

- Where they are appointed, most trade union representative cover the health and safety interests of non-union members as well.

- Most non-union representatives volunteer or are appointed by management; relatively few are elected. This may reflect difficulty in finding enough employees willing to carry out the role.

- Representatives’, main functions include reporting potential hazards, inspecting the workplace for hazards and representing employees on health and safety issues. In the follow-up interviews we detected a difference between the majority of representatives who played a reporting/reactive role in response to a hazard and the minority who had the capability to take preventative action themselves.

- Most representatives said that they spend at least an hour, but less than four hours, a week on their health and safety responsibilities.

- In most workplaces, representatives had received at least some training (mainly in-house) — although in a quarter of cases they had not. Good quality training was generally thought to be important to enable representatives to carry out their responsibilities effectively.
- Nearly all employers gave paid time off for training to their representatives, though only two-thirds paid the full cost of training.

- Representatives generally had access to a range of facilities to help them perform their duties, typically telephone, stationery, photocopying and (slightly less often) health and safety information.

- Most representatives thought that management co-operated in enabling them to carry out their functions.

- Employers felt that their representatives were generally effective in carrying out their role, although smaller workplaces were more likely to think their representatives effective than were larger ones.

- Representatives and employees alike were confident in their representative's knowledge of health and safety issues and felt that they were able to influence workplace practice.
3. Consultative Arrangements

In this chapter we examine the consultative arrangements, with respect to health and safety issues, within workplaces. We consider:

- the extent to which employers consult employees about issues relating to health and safety.
- the channels of consultation used, i.e. whether consultation with employees takes place either directly or through safety representatives and how (e.g. via ad hoc meetings, health and safety committees).
- the types of issues consulted about regarding health and safety are also examined.
- the impact of consultation procedures on health and safety, and
- the effectiveness of the different consultation channels operating in workplaces.

As before, our analysis is based on a number of sources including a postal survey of employers, a follow-up postal survey of employees, as well as a telephone survey conducted with trade union and non-union health and safety representatives. We also draw on evidence from follow-up in-depth interviews conducted with employers and safety representatives.

3.1 Extent of consultation

We asked all respondents to the employers’ survey to indicate the extent they consulted with their employees about issues relating to health and safety (either directly or through representatives) on a five point scale. A score of one meant that they did not consult at all, whereas five indicated that they consulted extensively.

Almost one in five of the sample (19 per cent) said that they consulted extensively, while one in ten (ten per cent) said that they consulted not at all.
Figure 3.1: Extent of consultation on health and safety, by size of employer

![Bar chart showing consultation levels by employer size](chart.png)

Total (N =) weighted data = 867  
Total (N =) unweighted data = 968  
Base: All establishments

Source: IES Employers' Survey, 1999

Figure 3.1 presents the proportion of the sample for each of the points on the scale by the numbers of employees at the workplace and the extent of consultation rises with size. Around two-thirds or more of respondents from larger workplaces (with over 50 employees) gave a score of four or five — indicating a high degree of consultation. However fewer than 50 per cent of smaller workplaces (with between one and 49 employees) gave such scores while over one in five signified scores of one or two suggesting that a significant minority consulted little, if at all.

We have also analysed the scores by a range of other employer characteristics (Table 3.1). Here, for ease of presentation, we give the mean scores. The mean score for all employers was 3.4 — above the mid-point of the scale of 3 — suggesting that on average employers feel that they consult a reasonable amount, but not extensively.

The data in Table 3.1 suggest that the degree of consultation varies little by broad industrial sector. Looking at the data in detail by sector (not shown) shows that consultation is least extensive in construction (with a mean of 3.0) and highest in the public services (with a mean of 3.7). Other features of the data in Table 3.1 indicate that consultation is more extensive in:

- more established workplaces — with a mean score of 3.5 in those that had been in operation for over ten years, compared with 3.2 in those established less than ten years ago. In the newest sites, in operation for less than a year, the mean score was 3.7 — although there are very few cases here so not too much should be read into this result.
Table 3.1 Extent of consultation on health and safety (mean scores)

<table>
<thead>
<tr>
<th></th>
<th>Mean Score</th>
<th>Total (N =)</th>
<th>Total (N =)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>weighted data</td>
<td>Unweighted data</td>
</tr>
<tr>
<td>All establishments</td>
<td>3.4</td>
<td>867</td>
<td>990</td>
</tr>
<tr>
<td>Sector</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>production</td>
<td>3.3</td>
<td>139</td>
<td>344</td>
</tr>
<tr>
<td>services</td>
<td>3.4</td>
<td>728</td>
<td>553</td>
</tr>
<tr>
<td>Length of operation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under 1 year</td>
<td>3.7</td>
<td>8</td>
<td>13</td>
</tr>
<tr>
<td>Between 1 and 10 years</td>
<td>3.2</td>
<td>277</td>
<td>261</td>
</tr>
<tr>
<td>10 or more years</td>
<td>3.5</td>
<td>527</td>
<td>650</td>
</tr>
<tr>
<td>Ownership</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private sector</td>
<td>3.3</td>
<td>734</td>
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<tr>
<td>Public sector</td>
<td>3.7</td>
<td>43</td>
<td>76</td>
</tr>
<tr>
<td>Voluntary/other</td>
<td>3.9</td>
<td>49</td>
<td>50</td>
</tr>
<tr>
<td>Trade unions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employees are members</td>
<td>3.6</td>
<td>99</td>
<td>333</td>
</tr>
<tr>
<td>Employees not members</td>
<td>3.3</td>
<td>706</td>
<td>571</td>
</tr>
<tr>
<td>Health and Safety rep.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade union only</td>
<td>3.6</td>
<td>20</td>
<td>70</td>
</tr>
<tr>
<td>Non-trade union only</td>
<td>3.8</td>
<td>389</td>
<td>459</td>
</tr>
<tr>
<td>Both</td>
<td>4.1</td>
<td>18</td>
<td>126</td>
</tr>
<tr>
<td>Neither</td>
<td>3.0</td>
<td>440</td>
<td>335</td>
</tr>
</tbody>
</table>

Base: All establishments

Source: IES Employers' Survey, 1999

- the voluntary sector — with a mean of 3.9 compared with 3.7 in the public sector and 3.3 in the private sector
- workplaces with trade union members — with a mean of 3.6 compared with 3.3 where there were no trade unionists
- sites with health and safety representatives. In sites where there were no safety representatives at all, the mean score was 3.0. Where there were non-trade union representatives only, the mean was 3.8 and where trade unionists were appointed as representatives, the mean score was 3.6, rising to 4.1 where they worked alongside non-union representatives.

3.1.1 The representatives' view

In their survey, we asked safety representatives the extent to which their employer consulted them about health and safety issues. Figure 3.2 displays the results. Looking at the responses from all respondents we observe that:
• 24 per cent of representatives consider that their employer consults them ‘a great deal’ about issues which may affect health and safety in their workplace

• a quarter of representatives feel that their employer consults them ‘quite a lot’

• 18 per cent of representatives feel that their employer consults them ‘a little’ whilst a further 18 per cent consider that their employer ‘does not consult them at all.’

One of the safety representatives we talked to in the follow-up interviews argued that the level of consultation changed significantly in the workplace after a new health and safety manager joined.

'It used to be a real struggle with management . . . but that's all changed now' — manufacturer

Before the new appointment we were told that health and safety was seen as additional overhead cost, to be avoided. Now safe working practices are associated with good practice and high quality and built in to management thinking. This has resulted in a more co-operative atmosphere, with representatives able to take (limited) preventative actions themselves to solve small issues.

The other data in Figure 3.2 also suggest that consultation is less likely to take place in smaller establishments, compared to larger ones. Indeed one-quarter of representatives employed in smaller establishments (with fewer than 100 employees) stated that consultation did not take place at all in their workplace, compared to 14 per cent of respondents employed in larger workplaces (with 100 plus employees).

Figure 3.2: Extent of consultation: representatives’ survey

Source: IES Survey of Safety Representatives, 1999
However, in some respects they paint a different picture to that provided by the employers survey, notably:

- Just under one-half (46 per cent) of non-union safety representatives stated that their employer consults them 'a great deal', compared with around one-fifth (22 per cent) of union representatives.

- The extent of consultation in the public sector appears to be lower, compared with the private sector. Moreover, more than one-fifth (21 per cent) of representatives employed in the public sector stated that consultation did not take place, compared with 14 per cent of those working in the private sector.

This is likely to be due to differences in the nature of the samples. By definition, the representatives' sample concerns workplaces where there is a degree of consultation, whereas the employer sample includes workplaces where we have been told no consultation takes place. Secondly the non-trade union representatives were put forward for the survey by their employer and are therefore likely to work in more open participative workplaces. Nevertheless, this may also indicate a difference of perception between those consulting and those being consulted.

3.1.2 Employees' view

Our employees broadly endorsed the employers' and representatives' opinion on the degree of consultation taking place. One-tenth (nine per cent) felt that their employer consulted the workforce extensively (on a five point scale with 1 = not at all and 5 = extensively) on issues affecting the health and safety of the workforce. Almost a quarter (23 per cent) gave a score of 4, indicating that they felt their employer consulted quite a lot. However one-fifth (18 per cent) felt totally unconsulted, offering a score of 1 and the same percentage gave a score of 2.

The mean score for employees was 2.9, compared with the employers' average score on the same scale of 3.3 and the representatives' mean (on a similar, but not identical scale) of 3.2. While this suggests that from an employees' perspective less consultation is taking place, the differences do not appear significant and may be explained by the respondents being at different ends of the process. Those answering the employer and representative surveys were far more likely to be actively involved in consultation over health and safety than the average employee. Nevertheless, the result may indicate an element of employee dissatisfaction or disenfranchisement with the process.
3.2 Workplaces where consultation does not take place

We have looked in more detail at the workplaces where our respondent in the employers' survey indicated that no consultation took place at all. Generally they tended to be:

- small workplaces — 91 per cent had between one and ten employees, whereas as 73 per cent of remaining employers were that small
- in the distribution and hospitality sector — over half (57 per cent) were shops, hotels, restaurants etc., compared with less than one-third (33 per cent) of the workplaces that do consult. They were also less likely to be in the finance sector or the public services sector than the sample as a whole
- single site — rather than a branch or unit of a multi-site organisation
- new — establishments less than a year old were over-represented in this group
- in the private sector and less likely to be in either the public or voluntary sectors
- non-union — not only were these workplaces less likely to have trade union members, they were also less likely to recognise a trade union if they did.

3.2.1 Why not consult?

We asked respondents who said that they did not consult their employees at all, whether there were any particular reasons for not doing so. Many of them (42 per cent) did not give a reason and a further six per cent stated that they had no reason. Other those that gave us a reason:

- nearly half (46 per cent) argued that they were a small company, with few hazards and any issues were 'resolved informally'
- a further group (14 per cent) said employees were encouraged to voice concerns as and when they arose
- a similar proportion (14 per cent) said that either their staff were qualified in health and safety or it was the responsibility of external advisor so there was no need
- one in ten (11 per cent) said that employees were not interested and/or had not responded to past initiatives
- seven per cent argued it was not their employees’ business to get involved

1 Though the numbers here are quite small so not too much should be read into this result.
• the remainder gave reasons to do with organisational change (e.g. ongoing redundancy programme).

Not many of our follow-up interviews were conducted in workplaces which admitted that they did not consult their employees. However, in one small taxi firm we visited, the respondent said that he did not discuss health and safety issues with his employees because:

'it would not be worthwhile and I very much doubt if they would have anything useful to say.' — taxi firm

In this example, the interviewee admitted that there were a few ‘typical office-based hazards’ (such as computers, trailing telephone and power leads), but as they were a very new firm the risks had not been fully assessed nor preventative measures taken.

3.3 Channels of consultation

In this section we turn back to the employers who consult at least to some extent and look at the forms of consultation they use, beginning with safety representatives and safety committees and then the ways in which the workforce is consulted directly.

We saw in the last chapter that 56 per cent had some form of employee representative with whom they consulted over health and safety. The predominant form of consultation appears to be informal. Employers with safety representatives were asked how they were consulted. Table 3.2 sets out the results and shows that ‘informal discussions’ are the most common form of consultation with safety representatives — around 60 per cent of cases overall with little variation by size of employer. The follow-up interviews suggest these often revolve around:

• issues as they arise, perhaps prompted by representatives’ or employees’ concerns — the discussion being a mixture of reporting and (if the issue was minor), developing and implementing solutions

• more ongoing interchanges about longer-term health and safety issues, where the solutions were more intractable.

Larger employers are more likely to use a wider range of methods of consulting with the safety representatives in their workplace. They are also more likely to use more formal means. Thus:

• While one-third of all employers (35 per cent) have ad hoc meetings with their safety representatives, this is the case in over half the establishments with 200 or more employees (55 per cent).
Table 3.2: Method of consultation: employers’ survey (per cent)

<table>
<thead>
<tr>
<th></th>
<th>Size (employees)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1-10</td>
</tr>
<tr>
<td>Informal discussions</td>
<td>62</td>
</tr>
<tr>
<td>Ad hoc meetings</td>
<td>36</td>
</tr>
<tr>
<td>Memo/letter</td>
<td>23</td>
</tr>
<tr>
<td>Safety committee</td>
<td>21</td>
</tr>
<tr>
<td>E-mail</td>
<td>4</td>
</tr>
<tr>
<td>Other</td>
<td>8</td>
</tr>
<tr>
<td>Total (N =) weighted data</td>
<td>299</td>
</tr>
<tr>
<td>Total (N =) unweighted data</td>
<td>138</td>
</tr>
</tbody>
</table>

*Base: Establishments consulting through employee representatives*

*Source: IES Employers’ Survey, 1999*

- Consulting via memo or letter occurs in 31 per cent of all workplaces and 59 per cent of the largest sites. Some of the representatives in the workplaces where we conducted follow-up interviews carried out regular ‘safety patrols’ and sent a written report of any findings to the health and safety manager. In one case, they filled out a standardised report form for every issue.

- Safety committees only exist in around one-quarter of establishments (26 per cent), but two-thirds of workplaces with between 50 and 199 employees have them and they are to be found in over 90 per cent of the largest category of workplace.

- E-mail as a means of consultation is rare outside the largest workplaces and even there it happens in only one-third (33 per cent) of cases.

Looking at the results of the employer survey in more detail (not shown) indicates that:

- informal discussions are more common in the production sector (68 per cent) (particularly construction, 78 per cent) compared with the services sector (58 per cent) and in newer workplaces (eg in 85 per cent of those established for less than a year)

- written communications in the form of letters and memos are more common in multi-site establishments (46 per cent) and in the public sector (50 per cent)

- *ad hoc* meetings are most likely to take place in newer establishments (eg in 54 per cent of cases where the workplace has been in operation for under ten years), construction (53 per cent), the public sector (58 per cent) and workplaces with only trade union representatives (64 per cent)
• set piece safety committees were particularly common in workplaces which were part of multi-site organisations (45 per cent) and workplaces with trade union members (51 per cent) — both presumably reflecting the size factor. They were most common in workplaces with both trade union and non-trade union representatives. In these cases 97 per cent had a safety committee, compared with 57 per cent of sites with only trade union representatives and 45 per cent of places with non-union representatives only.

The results from the employer survey are largely reflected in those from the employee representatives’ survey, taking into account the different nature of the sample, particularly in terms of the size of establishment. Thus employees’ representatives reported that safety committees are the main form of consultation (Table 3.3), with over four-fifths of representatives citing this method. The next most common method of consultation is via informal discussions between managers and representatives (65 per cent), with a similar proportion (62 per cent) of representatives also citing ad hoc meetings between themselves and their employer. Nearly half said that they were consulted by memo or letter and one-quarter stated that e-mail was used as a method of consultation. Informal discussions were cited as being just as common as safety committees amongst non-union representatives (70 per cent) as methods of consultation.

The data also indicate (not shown in the table) that:

• regular safety committee meetings are more common in the production sector (95 per cent) compared with the services sector (76 per cent) according to safety representatives employed in these sectors

• more than nine out of ten representatives in larger workplaces stated that regular safety committee meetings are used as a method of consultation, compared with only 57 per

### Table 3.3: Method of consultation II: representatives’ survey

<table>
<thead>
<tr>
<th>Method of Consultation</th>
<th>All</th>
<th>Representative type</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Union</td>
</tr>
<tr>
<td>Regular safety committee meetings</td>
<td>81</td>
<td>84</td>
</tr>
<tr>
<td>Informal discussions between managers and representatives</td>
<td>65</td>
<td>64</td>
</tr>
<tr>
<td>Ad hoc meetings between managers and representatives</td>
<td>62</td>
<td>64</td>
</tr>
<tr>
<td>Memo/letter</td>
<td>49</td>
<td>50</td>
</tr>
<tr>
<td>E-mail</td>
<td>23</td>
<td>24</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Total (N =)</td>
<td>152</td>
<td>132</td>
</tr>
</tbody>
</table>

Source: IES Survey of Safety Representatives, 1999
cent of respondents employed in smaller workplaces. Also, half the representatives in larger workplaces stated that memos/letters were used as methods of consultation, compared with only 37 per cent of representatives working in smaller establishments.

- about three-tenths of representatives in the private sector stated that e-mail is used in consultation, compared to only 16 per cent of representatives working in the public sector.

3.3.1 Safety committee meetings

Looking in more detail at safety committees, in the follow-up interviews it was clear that these took a variety of forms. In some workplaces it was in fact a more general consultative committee that the respondent was referring to, which had health and safety as a regular item on the agenda. Safety representatives did not necessarily attend these meetings, but could provide reports.

More commonly the committee exclusively dealt with health and safety matters and generally consisted of safety representatives — covering most if not all areas of the workplace. In the cases we visited where there was collective bargaining this could involve both union and non-union representatives. Management representatives would typically include those with responsibility for health and safety, production, facilities and personnel.

One example of the active role of a committee in developing health and safety practice is the following:

'A recent example of where the committee has introduced new health and safety rules is the filling of gas tanks on customer premises. About eight months ago, the committee noted increased reporting of tank overfilling, from site managers. Consequently, the committee issued new guidelines on filling.' — distribution company

Regularity of meetings

Table 3.4 reports the findings of the employers' survey on when such meetings took place. In most cases (86 per cent) they met at least quarterly (generally either once a month or once a quarter). They appear to meet slightly less frequently in larger workplaces (eg ten per cent of small workplaces — with fewer than 50 employees, said that their safety committee met weekly).

Employees representatives, in their survey, painted a similar picture. Most (51 per cent) said that their committee met at least every two months, while 45 per cent responded that the committee was held between two and five times a year. In the experience of our sample of representatives:

- committee meetings were more frequently held in the production sector, compared with the services sector
Table 3.4: Regularity of safety committee meetings (per cent)

<table>
<thead>
<tr>
<th></th>
<th>Size (employees)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1-10</td>
</tr>
<tr>
<td>At least monthly</td>
<td>43</td>
</tr>
<tr>
<td>Bi-monthly or quarterly</td>
<td>44</td>
</tr>
<tr>
<td>Six monthly of yearly</td>
<td>13</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
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<tr>
<td>Total (N =) weighted data</td>
<td>67</td>
</tr>
<tr>
<td>Total (N =) unweighted data</td>
<td>34</td>
</tr>
</tbody>
</table>

Base: Establishments with safety committees

Source: IES Employers’ Survey, 1999

- Committee meetings took place more often in the private sector, compared to the public sector.
- Safety committee meetings were more frequently held in larger establishments, compared with smaller establishments.

From the follow-up interviews, the frequency of meetings seem to be determined by a number of considerations including:

- The ease of getting everyone together, especially if the meeting was quite large. This was linked to:
- The cost of getting everyone together
- The range and extent of issues arising — in one case the committee used to meet monthly, but this had been moved to every two months as there was felt to be not enough to talk about on a more regular basis. However, in another company, the meetings were about to move from quarterly to monthly because it was felt that every three months was too long a period to go without meeting and a more regular schedule would conform to processes set out in quality standards.
- Other forms of consultation — both informal, eg between representatives and/or employees and management, and formal, eg where the health and safety committee sat within a more wide-ranging consultation structure and fed into a predetermined schedule.

3.3.2 Effectiveness of safety committees

Respondents with safety committees generally thought them to be effective as a means of consultation over health and safety (ie they allowed issues to be aired, and resulted in effective improvements to health and safety). Asked to rate the effectiveness of their committee (on a five point scale with one being equivalent to totally ineffective and five being totally effective), respondents gave a mean score of 3.9. Over two-thirds gave scores of four or five (Figure 3.3) — suggesting that they were largely positive about the value of their committee.
Figure 3.3: Effectiveness of safety committee, by size of employee

![Bar chart showing effectiveness of safety committee by size of employee](image)

Total (N =) weighted data = 121
Total (N =) unweighted data = 376
Base: Establishments with regular safety committees

Source: IES Employers’ Survey, 1999

Interestingly, smaller employers appeared to think more highly of their safety committee than did larger employers. For instance one-third of workplaces with ten or fewer employers said that their committee was ‘totally effective’, compared with only six per cent of sites with 200 or more employees. Otherwise, there appeared to very little significant variation across the range of other employer characteristics we examined, although, on average, respondents from construction sector workplaces gave the lowest score.

Two reasons emerged during the follow-up interviews which may help to explain why meetings were felt to be more effective in smaller rather than larger workplaces.

In some of the larger sites we visited, the committee was in effect a formal overseeing process ‘reviewing what has been done rather than what needs to be done’; the main action on health and safety took place outside the committee.

Secondly, in smaller organisations it seemed more likely that there would be someone on the management side attending who could take decisions and commit expenditure. In fact the best example we came across of this point was a large (200 employee) manufacturing site:

‘Until recently, the committee lacked any teeth. It didn’t hold any purse strings and was very much a talking shop, or a way of getting a message across. Management very much looked down on health and safety and the union uses the issue as a way to disrupt production. It was also quite common to see committee meetings dominated by the events of the previous two or three days. I found it hard to believe that there were so few grievances in the rest of the month. However, a new
site manager joined and wanted to be on the committee. Previously, the committee didn’t have anyone that could actually carry out any proposal for change. The old site manager wanted nothing to do with it, and other senior managers believed they were too senior to take part.’ — manufacturer

The views of representatives

We also asked representatives how effective they thought their committees were as a means of consultation over health and safety (eg allows issues to be aired, leads to effective improvements in health and safety). Our results are presented in Figure 3.4. Looking at all responses we can see that representatives also have a fairly positive view about the effectiveness of their safety committee:

- just over three-tenths (31 per cent) consider that their safety committee is an effective means of health and safety consultation
- more than half (51 per cent) consider that the committee is fairly effective
- nine per cent of representatives have no opinion on the subject
- only one in ten consider their safety committee to be ineffective (with seven per cent believing it fairly ineffective and three per cent thinking it completely ineffective).

Representatives from larger organisations generally had a more positive view about their committee than those from smaller ones. Non-union representatives were more likely to consider that their safety committee was effective, compared with their union counterparts.

Figure 3.4: Representatives’ view of the effectiveness of their safety committee

Source: IES Survey of Safety Representatives, 1999
Table 3.5: Direct consultation with the workforce (per cent)

<table>
<thead>
<tr>
<th></th>
<th>Size (employees)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1-10</td>
</tr>
<tr>
<td>Consult directly</td>
<td>94</td>
</tr>
<tr>
<td>Do not consult directly</td>
<td>6</td>
</tr>
<tr>
<td>Do not know</td>
<td>0</td>
</tr>
<tr>
<td>Total (N =) weighted data</td>
<td>535</td>
</tr>
<tr>
<td>Total (N =) unweighted data</td>
<td>257</td>
</tr>
</tbody>
</table>

Base: Establishment consulting their workforce at least to some extent.

Source: IES Employers’ Survey, 1999

Around two-thirds of the employees in our survey said that there was a safety committee in their workplace (though 24 per cent also said that they did not know whether there was one or not). Those that said there was a committee were asked to what extent their representatives kept them informed of the outcomes of the meetings. The sample was fairly equally divided. Just over one-third (36 per cent) felt informed (answering four or five on a five-point scale with one = 'not at all informed' and five = 'completely informed'). A similar proportion (37 per cent) felt the opposite (ie answering one or two) and the rest gave a neutral score of three.

3.4 Direct consultation

The vast majority of employers in our survey consulted with their workforce directly over issues to do with health and safety. Table 3.5, above, shows that in 93 per cent of workplaces where there was some form of consultation with employees about health and safety, it took place directly, albeit alongside other forms of more indirect or formal consultation (ie with employees representatives). The table also shows that direct consultation is prevalent in all sizes of workplace.

By contrast, employees were not so positive about the degree to which their employer consulted them directly. Only 53 per cent said that their employer consulted with them directly (other than through safety representatives) about health and safety issues. Some 30 per cent said that they did not, and the remaining 18 per cent said that they did not know whether their employer consulted them or not (perhaps implying a negative response).

3.4.1 Forms of direct consultation

The most prevalent form of direct consultation, according to our employers, was through 'informal discussions' (66 per cent of cases, see Table 3.6), regardless of size of establishment. Most of the organisations we visited argued that employees were encouraged to come forward with concerns about health and
Table 3.6: Means of direct consultation (per cent)

<table>
<thead>
<tr>
<th></th>
<th>Size (employees)</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1-10</td>
<td>11-49</td>
<td>50-199</td>
<td>200+</td>
<td>All</td>
</tr>
<tr>
<td>Informal discussions</td>
<td>66</td>
<td>65</td>
<td>61</td>
<td>58</td>
<td>66</td>
</tr>
<tr>
<td>All staff meetings</td>
<td>47</td>
<td>48</td>
<td>48</td>
<td>38</td>
<td>47</td>
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<tr>
<td>Noticeboards</td>
<td>30</td>
<td>50</td>
<td>73</td>
<td>89</td>
<td>36</td>
</tr>
<tr>
<td>Team briefings</td>
<td>31</td>
<td>34</td>
<td>52</td>
<td>76</td>
<td>33</td>
</tr>
<tr>
<td>Memo/letter</td>
<td>25</td>
<td>48</td>
<td>68</td>
<td>66</td>
<td>32</td>
</tr>
<tr>
<td>Newsletter</td>
<td>14</td>
<td>17</td>
<td>34</td>
<td>63</td>
<td>16</td>
</tr>
<tr>
<td>Other set-piece/regular meetings</td>
<td>12</td>
<td>17</td>
<td>20</td>
<td>32</td>
<td>13</td>
</tr>
<tr>
<td>E-mail</td>
<td>5</td>
<td>4</td>
<td>16</td>
<td>42</td>
<td>5</td>
</tr>
<tr>
<td>Tool box meetings</td>
<td>5</td>
<td>4</td>
<td>16</td>
<td>26</td>
<td>6</td>
</tr>
<tr>
<td>Quality circles</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>13</td>
<td>3</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Total (N =) weighted data</td>
<td>494</td>
<td>140</td>
<td>31</td>
<td>8</td>
<td>673</td>
</tr>
<tr>
<td>Total (N =) unweighted data</td>
<td>236</td>
<td>195</td>
<td>177</td>
<td>202</td>
<td>810</td>
</tr>
</tbody>
</table>

Base: Establishment consulting their workforce directly.

Source: IES Employers' Survey, 1999

safety and that informal means were the most common form of communication.

'The coffee break is a good time to talk to staff, they tend to open up more than in formal set-piece meetings.' — sports club

The next most popular form of direct consultation was via meetings of all staff, although these were (understandably) less common in the largest workplaces (with 200 or more employees).

A few of the organisations we visited for the follow-up interviews had general staff meetings, ranging in frequency between once a month and once a quarter — in two of these this structure had been to some extent 'imposed' by head offices. Health and safety was often an item on the agenda of these staff meetings but it appeared to be more of a case of the employer passing on information to employees than a means for receiving employee input.

Consultation or information provision

Our survey only looked at the form of direct consultation not the content so we cannot readily distinguish between 'consultation' (implying some form of dialogue) and 'information provision' (ie a more one-way process). However, a detailed examination of the data suggest that:

- in around three per cent of cases the only mechanisms used were memo, letter, newsletter or noticeboard. As these are
not interactive forms of communication we can assume that in these cases little real consultation took place

- in one in five cases the only form of consultation was ‘informal discussions’ — as could be expected, these were nearly all small workplaces with under 50 employees

- just under ten per cent consulted through informal discussions supplemented by memo, letter, newsletter or noticeboards.

- The remainder, some 70 per cent of workplaces, said they consulted through some form of meeting with employees (eg staff meeting, team briefings etc.).

The data also indicate that the larger the workplace, the more likely that less interactive forms of consultation are used. Thus most workplaces with more than 50 employees said that they consulted via noticeboards and letters or memos. A substantial number also said that they used newsletters (in one of the case studies this came from the safety representatives). Such methods are far more likely to result in one-way information-giving rather than more two-way consultation, in which employers can receive and react to employees’ concerns. However, they generally accompanied more participative forms of consultation.

Further analysis of the survey results (not shown) indicates that such forms of direct consultation are more common in the production sectors and publicly owned or voluntary organisations. They are also more likely in workplaces with some form of safety representative and this further suggests that they are seen as complementary forms of consultation, rather than a substitute for more interactive processes.

According to our employees (ie those who said that their employer consulted them directly), the main methods of direct consultation were:

- team briefings (67 per cent of cases)
- noticeboards (64 per cent)
- workplace newsletters (47 per cent)
- memos or letters (44 per cent)
- staff meetings (43 per cent)
- informal discussions (26 per cent).

The interesting thing here is that informal discussions are much lower down the employees’ list than the employers’ list (in Table 3.6). This may indicate a difference in perception about the nature of consultation (ie employees may not see ‘informal discussions’ as consultation).
### 3.4.2 Effectiveness of direct consultation

Direct consultation with employees was also thought to be an effective channel of consultation over health and safety. As with other forms of consultation we asked employers who said they consulted the workforce directly how effective they thought it was (using our five point scale with one being equivalent to totally ineffective and five being totally effective). The mean score was 4.0 — very similar to the score for safety committees, with 71 per cent giving scores of four or five (Figure 3.5).

Following the pattern we found with safety committees (see Section 3.1.5), larger employers were not as enthusiastic about the effectiveness of this form of consultation as smaller ones. Only five per cent of respondents from the largest workplaces said that they thought direct consultation was totally effective, compared with 35 per cent of those from the smallest size band. We found little significant variation by other aspects of employer characteristics, although service sector employers (particularly those in other services) appeared to view direct consultation as more effective than those in the production sector (especially construction, where we again found the lowest rating).

### 3.5 Issues consulted about

The Regulations require employers to consult their employees on a range of health and safety matters. The HSE’s guidance to the HSCE Regulations says that employers must consult their employees on, among other things:
Table 3.7: Issues of consultation (per cent)

<table>
<thead>
<tr>
<th></th>
<th>1-10</th>
<th>11-49</th>
<th>50-199</th>
<th>200+</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety policy</td>
<td>76</td>
<td>77</td>
<td>74</td>
<td>77</td>
<td>76</td>
</tr>
<tr>
<td>Changes in workplace layout</td>
<td>68</td>
<td>67</td>
<td>71</td>
<td>71</td>
<td>68</td>
</tr>
<tr>
<td>Health and safety training</td>
<td>58</td>
<td>71</td>
<td>85</td>
<td>87</td>
<td>62</td>
</tr>
<tr>
<td>Selection of safety equipment</td>
<td>53</td>
<td>46</td>
<td>55</td>
<td>57</td>
<td>52</td>
</tr>
<tr>
<td>Accident investigations</td>
<td>43</td>
<td>44</td>
<td>63</td>
<td>75</td>
<td>45</td>
</tr>
<tr>
<td>Health and safety performance</td>
<td>29</td>
<td>31</td>
<td>50</td>
<td>68</td>
<td>31</td>
</tr>
<tr>
<td>Appointment of health and safety advisers</td>
<td>15</td>
<td>16</td>
<td>31</td>
<td>28</td>
<td>16</td>
</tr>
<tr>
<td>Others</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Total (N =) weighted data</td>
<td>524</td>
<td>155</td>
<td>34</td>
<td>8</td>
<td>721</td>
</tr>
<tr>
<td>Total (N =) unweighted data</td>
<td>250</td>
<td>216</td>
<td>195</td>
<td>214</td>
<td>875</td>
</tr>
</tbody>
</table>

Base: Establishment consulting the workforce at least to some extent

Source: IES Employers’ Survey, 1999

- any measure which may substantially affect workplace health and safety
- information provided on the risks to health and safety and preventative measures
- the planning and organisation of health and safety training
- the health and safety consequences of new technology in the workplace.¹

Employers consulting with their workforce over health and safety by whatever means were questioned as to the subject of those consultations. According to the results, which are set out in Table 3.7, issues relating to safety policy were the most common matter for consultation — in three-quarters (76 per cent) of the sample overall, with little variation by size of employer. In one example, cited in Chapter 2, the employer we visited was in current discussion with safety representatives and others about developing a policy on violence at work. In another the health and safety manager had recently drawn up a new health and safety policy and passed to the safety committee for comment, which were taken into account in a revised draft. The policy was then opened up to all employees in the organisation for further comment. However, the interviewee recalled with some disappointment that:

't not one employee had made any suggestions, or offered any encouragement or criticism, either directly or through their representative.' — manufacturer

Two thirds (67 per cent) said that changes in workplace layout were the subject of consultation, again with no variation by size of employer. Around six out of ten employers (59 per cent) consulted over health and safety training — including over four-fifths of the larger employers. One-half (50 per cent) discussed the selection of safety equipment.

Fewer than half talked to their employees about accident investigations (43 per cent), reports on health and safety performance (30 per cent) and the appointment of health and safety advisers (15 per cent). In each case larger employers were more likely to consult over these issues than smaller ones. These sorts of issues were often cited as common matters for safety committee discussions in the follow-up interviews. Analysing the data against other characteristics of our employers (not shown) suggests that:

- there was little consistent variation by industrial sector. A higher proportion of employers in the service sector (69 per cent) than those in production (57 per cent) reported that they consulted over workplace layout. Consultation over this issue was particularly common in the finance sector (77 per cent). However, the pattern was not repeated for other issues.

- employers in the public and voluntary sectors were generally more likely to say that they consulted over any of the issues than those in the private sector — eg 88 per cent of public sector and 86 per cent of voluntary sector employers said that consulted their employees over their safety policy, compared with 76 per cent in the private sector.

- employers with trade union representatives tended to consult over a wider range of issues than those with non-union representatives. In general, workplaces with any form of representative were more likely to say that they consulted over any of the issues, compared with sites with no representative. Taking changes to workplace layout as an example, 82 per cent of workplaces with trade union representatives said that they consulted on this issue, compared with 76 per cent of workplaces with both trade union and non-trade union representatives, 62 per cent of those with non-trade union representatives and 52 per cent of those with no representatives at all.

3.5.1 What the employee representatives said

In our survey of safety representatives those respondents who stated that consultation took place were presented with a slightly longer list of potential issues for consultation.\(^1\) The results are displayed in Figure 3.6 and are broadly similar to those in the employers’ survey, in that:

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\(^1\) In the representatives’ survey we asked whether they were consulted over the drawing up of a risk assessment.
Figure 3.6: Issues employers consult representatives about

- two of the three most common issues were same as those at the top of the employers’ list. Two-thirds of respondents stated that their employer consulted them about safety policy. Slightly fewer respondents agreed that changes in the workplace (62 per cent) were a matter for consultation.

- safety representatives placed greater emphasis on consultation over accident investigations (63 per cent) than did employers.

- almost three-fifths (57 per cent) of safety representatives noted that their employer consults them about drawing up a risk assessment.

- more than half (56 per cent) of representatives agreed that they are consulted about the selection of safety equipment. A similar proportion (54 per cent) stated that their employer consults them about reports on health and safety performance.

- Just under half of all respondents (49 per cent) agreed that their employer consults them about health and safety training. Around a quarter (28 per cent) stated they are consulted about the appointment of health and safety advisors.

3.5.2 Employees’ views

A few interesting perspectives of employees’ views on consultation comes from their responses to a question in their survey about the issues their employer consulted them about regarding health and safety.

The most commonly cited issue was health and safety training — fairly low down the safety representatives list of issues (Figure 3.6) and number three on the employers list (Table 3.7). This may
reflect a degree of confusion about the term ‘consultation’ employers and employees may interact (frequently) over health and safety training (in that one provides training to the other). However, it could be supposed that such interaction is more of a one-way conveyance of knowledge and skills than discussion over the form that the training may take.

A greater degree of congruence between the three surveys was found on the issue of safety policy. This was cited by 60 per cent of employees as an issue over which they were consulted by their employer — and prominent in both the employers’ and representatives’ lists. However, again it may reflect a difference of interpretation between consultation (implying some degree of mutuality in forming the outcomes) and information giving (a more one-way dissemination of knowledge). Employees may just be saying that they had heard of the safety policy, rather than being involved in discussions over its content.

Third in the employees’ list of issues over which they were consulted was the selection of safety equipment, cited in 50 per cent of cases. Other matters included:

- accident investigations (48 per cent)
- appointment of health and safety advisers (45 per cent) — much more prominent than among the employers or representatives in their responses
- changes to workplace layout (44 per cent) — given much lower prominence by employers and representatives
- reports on health and safety performance (42 per cent)
- new methods of working (29 per cent), and
- new technology (23 per cent).

### 3.6 General views on consultation

To gauge employers’ attitudes to consultation generally, we asked respondents to the employer survey whether they agreed or disagreed with a series of statements. The statements and the proportions responding to each point of a five point scale (where One equates to strong disagreement and five to strong agreement) are set out in Figure 3.7.

The responses indicate that by and large employers were generally in favour of consultation and that they operated in a generally consultative manner.

For instance, the vast majority agreed that:

- they were an ‘open organisation in which anyone can have a say’ — with 54 per cent strongly agreeing and a further 28 per cent agreeing
Figure 3.7: Employers’ views on consultation

- We are an open organisation in which anyone can have a say
- It is better to talk to employees directly rather than through representatives
- We consult the workforce regularly
- Consulting with employees usually produces a better course of action when there is no consultation
- Consultation means listening to the workforce and acting on what you have heard
- We consult the workforce through a variety of means
- We get useful ideas from consulting employees
- Consultation is best done informally outside set-piece arrangements
- Managers have the right to manage without interference from employees
- Consultation makes it harder to deliver our business objectives
- Consultation makes very little difference to what management would do anyway

Total (N =) weighted data = 809
Total (N =) unweighted data = 899
Base: All establishments (excluding don’t knows)
Source: IES Employers’ Survey, 1999

- ‘consulting with employees usually produces a better course of action than when there is no consultation’ — 40 per cent strongly agreeing and 34 per cent agreeing
• 'consultation means listening to the workforce and acting on what you have heard' — 42 per cent and 35 per cent
• 'we get useful ideas from consulting employees' — 35 per cent and 34 per cent.

By contrast, most disagreed that:

• 'managers have the right to manage without interference from employees' — 28 per cent strongly disagreeing and 27 per cent disagreeing
• 'consultation makes it harder to deliver business objectives' — 35 per cent and 29 per cent
• 'consultation makes little difference to what management would do anyway' — 42 per cent and 27 per cent.

The data also indicate that, from the employers' perspective, the best form of consultation is informal and often:

• almost four in five (79 per cent) argued that they consulted their workforce on a regular basis
• three quarters (73 per cent) agreed that they used a variety of means to consult their workforce, and
• over half (51 per cent) assented to the view that 'consultation is best done informally and outside set-piece arrangements'
• three-quarters (78 per cent) also felt that 'it is better to talk to employees directly rather than through representatives'.

3.6.1 Sceptics versus the enthusiasts

To analyse the data further we split the sample on the basis of their responses to the statements. This gave us two contrasting groups:

• employers who were generally sceptical of the wisdom of consultation — the anti-consultation group, or sceptics
• on the other end of the scale there were employers who were most well-disposed towards the principle of consultation — the pro-consultation group, or enthusiasts.

We then looked to see the different characteristics of the sceptics and the enthusiasts.

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1 We did this by reversing the negative statements, looking at the overall distribution of scores and then dividing the sample into three — those scoring up to and including the lowest decile of the distribution, those up to and including the highest decile of the distribution, and the rest. There were 91 cases in sample belonging to the first group, 132 in the second.
The former, *i.e.* those who doubted the value of consultation, tended to be:

- disproportionately represented among small, but not the smallest employers. Some 27 per cent of the *sceptics* had between 11 and 49 employees, compared with 21 per cent of the whole sample. The proportions in the smallest size band (ten or fewer employees) were similar, 69 per cent and 72 per cent.
- in the production sector — particularly construction, with 13 per cent of the *sceptics* in that sector, compared with only five per cent of the whole sample
- under-represented in the public sector — four per cent compared with seven per cent overall
- less likely to be engaged in collective bargaining — 40 per cent of the *sceptics* who had trade union members had recognised trade unions, compared with 49 per cent overall — although, if anything, they were more likely to say that they had union members in the first place, 16 per cent compared with 14 per cent overall.

Workplaces in the pro-consultation group, *i.e.* the *enthusiasts* were:

- more service sector oriented — *e.g.* 14 per cent were in the ‘other services’ category compared with six per cent of all employers. Hardly any of this group were in construction.
- relatively new — 45 per cent were no more than ten years old, compared with 34 per cent of the overall sample
- more likely to be in the public sector — ten per cent compared with six per cent, and
- also, as with the *sceptics*, less likely to recognise trade unions — 39 per cent of those with trade union members did so, compared with 49 per cent overall, although this group was just as likely as the rest to have any members in the first place.

The contrasting views of the two groups on consultation were reflected in their attitude to health and safety representation. Looking at the different responses to the bulk of the questionnaire between the two groups showed that:

- the *sceptics* were more likely not to consult employees at all on health and safety (15 per cent gave this response, compared with one per cent of the pro group and four per cent overall)
- the *enthusiasts* were much more likely to consult extensively (40 per cent compared with seven per cent of the anti-group and 21 per cent overall)
- the *sceptics* were less likely to have safety representatives — 63 per cent had no representatives, compared with 44 per
cent of the whole sample. However, when they did, they were more likely to only have trade union representatives, six per cent compared with two per cent overall.

- the sceptics tended to have a lower opinion of the effectiveness of their safety representatives, compared with employers as a whole and particularly the enthusiasts. The relative mean scores on a five point scale (with one being totally ineffective and five being totally effective) were 3.2, 3.4 and 4.4 respectively.

- the sceptics were less likely to have provided their representatives with training (63 per cent had done so, compared with 70 per cent overall and 85 per cent of the pro-consultation group). They were also less likely to pay the cost of training for their representatives (41 per cent said that they did not pay training costs, as against 22 per cent of the whole sample and 16 per cent of the enthusiasts).

Finally, the sceptics were less likely to consult their workforce directly — only 79 per cent did so, compared with 96 per cent of the pro-consultation group and 94 per cent overall.

This analysis may indicate that attitudes to consultation generally are a key factor in determining not only practice but also the perceived value of the practice.

3.6.2 General views of the representatives

In order to gain representatives' general views on health and safety consultation in the workplace we asked them how far they agreed or disagreed with a series of statements. The results are presented in graphic form in Figure 3.8. Below we summarise the main points of interest:

- Four out of five disagreed that 'consultation makes very little difference to what management would do anyway'.
  - Non-union representatives and representatives from the service sector were more likely to consider that consultation has made a difference.

- Most (61 per cent) also disagreed that 'management is reluctant to consult me about any changes which may affect the health and safety of employees in this organisation'.
  - The data suggest that that consultation is more likely to take place in the service industries and in the private sector as representatives in these sectors were more likely to disagree with this statement than their counterparts.

- Non-union representatives disagreed with this statement to a greater extent than union representatives, indicating that management may be less reluctant to consultation in these establishments.
Figure 3.8: Representatives’ views of consultation

- Most (54 per cent) agreed that ‘management consults the workforce regularly’.
  - Representatives in the public sector agreed to a lesser extent that consultation takes place regularly compared with those employed in the private sector.
  - Again, non-union representatives agreed with this statement to a greater extent than union representatives.
- Most (59 per cent) felt that ‘management consults the workforce through a variety of means’.
  - Those in the public sector and the service sector agreed to a lesser extent with this statement, compared with those in the private sector and in the production sector.
  - Respondents employed in larger establishments agreed to a greater extent, compared with those working in smaller organisations.

Two other statements were designed to find out the views of the sample on trade unions, with the aim of exploring differences in the analysis. In the event there was not enough variation in the sample to make such an analysis worthwhile, given the fact that the sample turned out to be dominated by trade union representatives.

- More than four-fifths of respondents (83 per cent) agree (more than often strongly) with the statement that, ‘the best way to provide workers with an effective right to consultation, information and representation is through a recognised union’.
  - Not surprisingly union representatives were far more likely to have agreed with this statement, compared with non-union representatives who in fact disagreed with this statement.
• Over two-thirds (67 per cent) of respondents agreed that 'on balance management in this organisation are in favour of trade unions'.

• Representatives in the service sector, those in the public sector and those working in larger organisations were more inclined to agree with this statement compared with their relevant counterparts.

• Union representatives generally agreed with this statement whilst non-union representatives more often than not disagreed.

Consultation in good time

Both sets of Regulations require employers to consult either with safety representatives or employees in 'good time' on matters relating to health and safety at work. Hence we asked those representatives, where they had agreed that consultation took place, whether this happened. Our results (presented in Figure 3.9) indicate that consultation takes place early enough in most workplaces, as 55 per cent of representatives stated that consultation took place in good time. They also show that:

• consultation is more likely to take place in good time in establishments in the production sector (67 per cent) compared with the service sector (51 per cent)

• a greater proportion of representatives in the private sector (61 per cent) stated that consultation took place in good time, compared with those working in the public sector (50 per cent).

Employees were fairly equivocal about whether their employer consulted them in good time. One-third (35 per cent) agreed or
strongly agreed with the statement that 'I am consulted early enough to enable me to contribute to raising health and safety standards in the workplace' while slightly under one-third (30 per cent) disagreed or disagreed strongly.

In the interviews, we encountered one example of an organisation that failed to consult early enough about major workplace changes and reaped the consequences. Recently this manufacturing company had set up a new laboratory block for people dealing with highly inflammable chemicals. There was no consultation between the managers, architects and the people who were going to use it. Health and safety failed to enter into the picture. When the staff arrived in their new building the first thing they wanted to know was where the explosion proof store was located. They soon found out that it did not exist. The architect claimed that he simply was not aware of the legislation. The staff then soon discovered that the solvent store contained air vents. This was also problematic, as the air vents would lead to the loss of any fire protection. In short, this was all seen to reflect a complete lack of communication between senior managers, contractors, employees and health and safety. Both issues cost considerable amounts of money to rectify.

3.6.3 Employees' views on consultation generally

By and large employees seemed reasonably positive about the degree of consultation taking place in their workplace. Most (66 per cent) felt it was easy to raise health and safety concerns with management (Figure 3.10). Although only a minority (36 per cent) agreed that management consulted the workforce regularly, those who felt consultation made little difference were outnumbered by those who disagreed, by almost two to one. A majority of employees (53 per cent) disagreed or strongly disagreed with the statement that 'management is reluctant to

Figure 3.10: Employees' views on consultation

| It is easy to raise concerns about health and safety with management |
| Management regularly consult the workforce |
| Consultation makes little difference to what management would do anyway |
| Management is reluctant to consult about changes which may affect health and safety |

Source: IES Employees' Survey, 1999
consult safety representatives/workforce about changes which may affect health and safety in this organisation'. This also implies that on balance employees felt involved at least to some extent in health and safety matters.

The last conclusion is given further weight by the fact that two-thirds (65 per cent) of our employees said that the workforce had an opportunity to participate in the development of health and safety issues, while 35 per cent dissented.

Employees' also generally felt that their employer was good at:

- informing them about workplace hazards and preventative measures (57 per cent said that their employer was either good or very good at this) — see Figure 3.11
- responding to employees' health and safety complaints (52 per cent said good or very good)
- keeping the workforce up to date about proposals which may affect their health and safety (48 per cent)
- giving the workforce the right to comment on proposals which may affect health and safety (44 per cent).

However, responses to other elements of the employee questionnaire suggest that while employees may feel involved in the process they are less sanguine about being able to influence the outcomes.

We asked employees about the extent to which they felt able to influence management proposals affecting health and safety in their workplace (on a five-point scale where one = not at all and five = a great deal). The mean score was 2.8, below the mid-point of 3.0, indicating that the balance was inclined towards little rather than large influence.

Figure 3.11: Employees' views on management actions on health and safety

![Bar chart showing employee views on management actions on health and safety]

Source:IES Employees' Survey, 1999
3.7 Impact of consultation

Employers generally held a positive view about the value of consultation. Almost two-thirds of our employers’ sample (63 per cent) indicated that they agree with the statement that ‘consultation with the workforce has improved health and safety in this organisation’. Employers without employee representatives were less likely to agree than those with representatives. Otherwise there was little variation across the sample.

The employers’ view was endorsed by employee representatives themselves. In the employee representatives survey we asked respondents a similar question about whether consultation had led to improvements in health and safety in their organisation. Again, the vast majority of representatives believed that it had (80 per cent agreed or strongly agreed). There was no significant variation in responses according to the sector of the establishment, ownership, size and type of representative etc.

Employees were generally positive too, with 60 per cent agreeing that consultation had led to improvements to the health and safety of their workplace.

We encountered a number of examples where consultation had led employers to take courses of action on health and safety that they would not otherwise have taken. Most were fairly minor — moving equipment, rearranging equipment, provision of safety railing or guards. Some were the product of regular consultation processes, eg team briefings where health and safety issues were the subject of mutual problem solving. Others were the suggestions of employee representatives or of employees themselves.

A few organisations were able to give examples of more major interventions taken at the employees behest:

- Provision of lighting. In a travel company employees were concerned that the car park was inadequately lit. The issue was raised by the organisation’s safety representatives and after some discussion the directors agreed to install better lighting.

- Major workplace changes. One office-based employer had involved employees in the design of a new cabling system which not only ensured the cables went where they were needed, but also that employees were aware of when the work would be carried out, and could clear their desks and time the work appropriately.

- A few organisations had instituted no-smoking policies in response to employee’s concerns.

- Another organisation, with large number of female employees, was developing a health and safety policy for
pregnant women in response to concerns they raised about the use of VDUs etc.

- Another multi-site organisation had developed a coherent first aid policy across all its workplaces, in response to employee’s concerns of different treatment in different places.

Other organisations argued that consultation produced a cumulative, rather than one-off impact, with employees being more interested in and knowledgeable about health and safety issues, and managers building into their day-to-day thinking.

However, not all the employers were so positive about the suggestions made by employees:

'we put in a load of anti-glare screens on the computers because staff wanted them, however most don’t use them now and they are kicking about the offices.' — financial services company

Some of the more difficult issues which were the subject of ongoing discussions between employers and employees included:

- problems arising from faulty building design — eg ventilation
- training in the use of hazardous materials, especially chemicals
- occupational stress.

The employer survey also provides some assessment of the impact of consultation management, and employees’ understanding of health and safety issues in the workplace.

Employers generally felt well aware of employee concerns about health and safety. Almost three-quarters (73 per cent) of the employer sample agreed with the statement that ‘this organisation is very aware of any employee concerns about health and safety’. Only five per cent disagreed.

This view was generally endorsed by the employee representatives, with the same proportion, 73 per cent, agreeing with the same statement. In a pattern familiar across many aspects of the representatives survey, non-union representatives agreed to a much greater extent that management are aware of employee concerns, compared with their union counterparts.

Employees largely concurred, with 58 per cent either agreeing or strongly agreeing with a similar statement and 17 per cent disagreeing.

Most employers (76 per cent) also felt that ‘employees are well aware of the risks to their health and safety in this workplace’. This statement was only put forward in the employer survey so we cannot cross-check responses of the employee representatives or employees.
3.8 Conclusion

From an employer's perspective, consultation with employees about health and safety can have three sources of value:

- problem spotting — employees can identify hazards or potential hazards
- problem solving — employees can help develop solutions to such problems through their familiarity with the workplace and workplace procedures
- problem ownership — in so doing health and safety issues become more of a joint problem-solving exercise rather than one that is seen as solely the responsibility of either management or employees.

However, not all employees see the benefits of consultation, or at least their interpretation of the term. We found at least two forms of confusion. First there were those, mainly smaller firms, who felt that consultation had to be formal, meeting based and therefore did not want to be bound by such inflexible procedures. Secondly, there was a wide range of organisations that confused consultation with information provision and had not developed mechanisms to ensure that employees could articulate concerns or views and for them to be taken into account.

The most effective organisations appeared to have a number of features in common. They:

- use a range of communication and consultation channels
- display commitment from senior management to involving employees in running the organisation and to health and safety
- have knowledgeable and well-trained people involved, both on the management side and as employee representatives
- have a positive view about the benefits of consultation generally.

The effectiveness of health and safety consultation may therefore be linked to wider considerations of management style and organisational culture generally.

3.9 Key points

- One in ten employers do not consult their employees about health and safety issues at all. These tend to be small workplaces in the retail and hospitality sectors. They also tend to be relatively new and non-unionised.
- The main reason that they do not consult is because they are small and feel that they either have few health and safety issues and/or are well aware of employees' concerns.
• Turning to the employers who say that they do consult, the extent to which they consult rises with size of workplace. Across the sample as a whole there appears to be a fair degree of consultation taking place, but this is not extensive.

• Consultation appeared to be most extensive in more established workplaces, in the voluntary sector and, to a lesser extent, the public sector and in workplaces with trade union members.

• Most consultation takes place informally, and in 20 per cent of workplaces (mainly small ones) it is the only form of consultation.

• The main method of consulting with safety representatives is informal discussions. Only a quarter of workplaces, over two-thirds of those with at least 50 employees, had a safety committee.

• Most safety committees meet between every one and three months and were considered fairly effective by our employer respondents and employee representatives alike. Employers with larger workplaces were not as positive about their committees as those from smaller workplaces.

• The vast majority of employers who consult their employees at all say that they consult directly, mainly through informal discussions, but also staff meetings and team briefings. Larger workplaces tended to use a wider range of consultation mechanisms, particularly written forms such as noticeboards, memos and newsletters.

• The main issues employers talk to employees about are safety policy, changes to workplace layout, and health and safety training.

• By and large most employers had a fairly positive view about consultation, and consulted their employees regularly (a view endorsed by (albeit unrepresentative) samples of employees and employee representatives). Most thought it worthwhile and they got useful ideas from employees which led to improvement in health and safety in the workplace.

• However, some employers were far more sceptical about the value of consultation. They tended to be small construction companies without trade unions and were less likely to consult employees directly or have employee representatives. Where they did have representatives, these sceptics tended to consider them less effective than respondents on average, but were less likely to provide them with training or pay for training.

• By contrast, the enthusiasts at the other end of the scale tended to be more service sector oriented and/or in the public sector. They were often relatively new workplaces and, like the sceptics, less likely than average to have trade unions. This group is more likely to consult, and consult through a wider range of means than workplaces on average.
4. The Regulations

In this chapter we look at the two sets of Regulations: the Health and Safety (Consultation with Employees) Regulations, 1996 — referred to henceforth as the HSCE Regulations — and the longstanding Safety Representatives and Safety Committee Regulations, 1977 (the SRSC Regulations). Using data from the two surveys, we examine employers’ and employee representatives’ awareness and understanding of the Regulations, their awareness and the usefulness of the HSE guidance in this area, and their general views regarding the impact of the Regulations and possible changes to them.

4.1 Awareness of the Regulations

Only a minority of the employers in our postal survey were aware of either of the Regulations affecting employee consultation on health and safety. Around a two-fifths said that they had heard of the HSCE Regulations and one-third were aware of the SRSC Regulations.

The relevant responses by size of employer are presented in Table 4.1. They show that overall 42 per cent of employers reported that they or someone in their organisation was aware of the HSCE Regulations, and that in 41 per cent no-one was aware. The rest, 17 per cent, did not know whether anyone was aware of the Regulations or not. Awareness is clearly related to size of the organisation. While only around two-fifths of respondents from workplaces with fewer than 50 employees said that they were aware, over 90 per cent of those from workplaces with 200 or more gave a positive response.

Additional analysis of the returns shows that awareness was higher in the production sector than the services sector and in the public sector. One-half (50 per cent) of production sector employers said that they heard of the HSCE Regulations, compared with 40 per cent in services. Awareness was highest in the primary sector, i.e. agriculture, energy and water (57 per cent) and construction (51 per cent). Some 47 per cent of publicly owned workplaces said that they were aware of the Regulations, compared with 41 per cent of those in the private sector or the voluntary sector. Multi-site organisations had a higher level of
Table 4.1 Awareness of the Regulations (per cent)

<table>
<thead>
<tr>
<th>Safety Representative and Safety Committee Regs 1977:</th>
<th>1-10</th>
<th>11-49</th>
<th>50-199</th>
<th>200+</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aware</td>
<td>31</td>
<td>36</td>
<td>65</td>
<td>88</td>
<td>34</td>
</tr>
<tr>
<td>Unaware</td>
<td>50</td>
<td>39</td>
<td>20</td>
<td>7</td>
<td>46</td>
</tr>
<tr>
<td>Don’t know</td>
<td>19</td>
<td>25</td>
<td>15</td>
<td>5</td>
<td>20</td>
</tr>
<tr>
<td>Health and Safety (Consultation with Employee) Regs 1996:</td>
<td>38</td>
<td>48</td>
<td>69</td>
<td>91</td>
<td>42</td>
</tr>
<tr>
<td>Aware</td>
<td>45</td>
<td>32</td>
<td>18</td>
<td>6</td>
<td>41</td>
</tr>
<tr>
<td>Unaware</td>
<td>17</td>
<td>20</td>
<td>14</td>
<td>3</td>
<td>17</td>
</tr>
<tr>
<td>Total (N =) weighted</td>
<td>632</td>
<td>162</td>
<td>35</td>
<td>8</td>
<td>838</td>
</tr>
<tr>
<td>Total (N =) unweighted</td>
<td>291</td>
<td>225</td>
<td>201</td>
<td>222</td>
<td>963</td>
</tr>
</tbody>
</table>

Base: All Establishments

Source: IES Employers' Survey, 1999

Awareness than single-site organisations: 46 per cent compared with 38 per cent.

Establishments with employees who were members of trade unions were more likely to say that they aware of the HSCE Regulations, compared with those without trade union members — 50 per cent compared with 40 per cent, respectively. Where the unions were recognised, awareness was slightly higher at 52 per cent.

There was a particularly sharp difference between workplaces with and those without safety representatives. Only 31 per cent of respondents from workplaces without representatives said that they were aware of the HSCE Regulations, compared with 56 per cent of those with non-trade union representatives only, 70 per cent of those with trade union representatives and 84 per cent of those with both.

Turning to the SRSC Regulations, 34 per cent of the whole sample said that they, or someone else at the workplace, were aware of them, 46 per cent they were not and 20 per cent did not know. Again awareness rises with size, from 31 per cent among the smallest workplaces (with ten or fewer employees) to 88 per cent in the largest workplaces (with 200 or more employees).

Awareness of the SRSC Regulations appears to vary little by sector or how long the workplace has been in existence. Multi-site and public sector workplaces were more likely to have heard of the Regulations, than were single site organisations or those in the private and voluntary sectors.
Given that the SRSC Regulations apply to workplaces with trade unions, it is not surprising that awareness is higher in such establishments. However, it is interesting to note that even here only a minority of respondents said that they were aware of the Regulations — fewer than said they knew of the more recent HSCE Regulations. Just under half (48 per cent) of the respondents from workplaces with recognised trade unions said that they had heard of the SRSC Regulations, 23 per cent said that they were unaware and 29 per cent said that they did not know.

Workplaces with safety representatives had much higher levels of awareness — 69 per cent where there were trade union representatives, 49 per cent where there were non-union representatives and 79 per cent where there were both, compared with 30 per cent in workplaces without representatives.

### 4.1.1 Awareness among safety representatives

In the survey of safety representatives we also asked respondents whether they had heard of the regulations on health and safety consultation. Our results for all respondents show that:

- 40 per cent of representatives had heard of both regulations
- 16 per cent knew only of the SRSC
- six per cent had only heard of the HSCE
- as many as three-tenths had not heard of either of these Regulations and a further six per cent did not know/gave no answer.

As our sample is largely made up of union representatives it is understandable that overall knowledge of the 1977 Regulations (which only apply to firms with recognised unions) is higher compared to awareness of the 1996 Regulations. The data also suggest that:

- Awareness of both regulations among safety representatives is higher among those working in the production sector, compared to those employed in the services sector, and among representatives working in the private sector compared to their counterparts in the public sector.
- Nearly half (46 per cent) of all representatives employed in small establishments were unaware of either sets of Regulations, compared with about one-fifth (22 per cent) of those in larger firms.
- Awareness of the Regulations among non-union representatives is lower compared with union representatives.
- Lack of awareness of the regulations is associated with lack of training; those with training were more likely to have heard of either set of Regulations compared with those without training.
4.1.2 Employees' awareness

Surprisingly, given the employers' and representatives' levels of awareness, the majority of employees said that they were aware of 'the requirements that the HSCE Regulations put on my employer'. Almost half (49 per cent) agreed with the statement in the questionnaire that they were aware of the requirements and a further ten per cent strongly agreed. Only 23 per cent registered disagreement.

4.2 Employers' understanding of the Regulations

Employers who said that they were aware of either set of Regulations were then asked how well they thought they understood them (on a five point scale, ranging from one being the equivalent of 'no understanding at all' to five 'fully understand'). The results for each set of Regulations are shown separately in Figure 4.1 and 4.2.

The data suggest that most employers who have heard of either Regulation have a reasonable, but not thorough, understanding of them. In each case the vast majority (over 80 per cent) gave a response of three or more.

As with overall awareness, understanding rose with size (though not particularly markedly in respect of the HSCE Regulations). For example, employers in the largest size band were twice as likely to say that they fully understood either set of Regulations, than those in the smallest size.

Figure 4.1: Understanding of the SRCS Regulations

![Bar chart showing understanding levels by size of employer.]

*Source: IES Employers' Survey, 1999*
Figure 4.2: Understanding of HSCE Regulations

Otherwise, levels of understanding of the HSCE Regulations varied little across the sample (e.g. by sector, forms of ownership, existence of trade unions, length of operations etc.).

There was slightly more variation in the levels of understanding of the SRSC Regulations, particularly in respect of workplace ownership and the existence of trade unions. On the first point, for example, 33 per cent of workplaces in the public sector said that they fully understood the Regulations, compared with 23 per cent of voluntary sector establishments and 16 per cent of privately owned workplaces. On the second point, 31 per cent of sites with trade union members said that they fully understood the Regulations, compared with 17 per cent of those with no union members. Respondents from sites with only trade union safety representatives also had higher than average levels of understanding, compared to those with either non-union representatives or no representatives at all.

We were able to gain some assessment of employers’ understanding of the Regulations in the follow-up interviews with employers and it was clear that knowledge was variable.

Some employers confused the consultation regulations with health and safety legislation generally and/or the ‘management regulations’ in particular — i.e. having some understanding of their responsibilities regarding the health and safety of their workforce but neither in detail nor which bit of legislation applied when.

Another group was able to talk in very general terms about the Regulations (sometimes prompted by reference to the relevant pages of the Croners handbook). This may mean that they had a
Table 4.2 Awareness of HSE guidance in HSCE Regulations

<table>
<thead>
<tr>
<th></th>
<th>1-10</th>
<th>11-49</th>
<th>50-199</th>
<th>200+</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seen guidance</td>
<td>58</td>
<td>55</td>
<td>56</td>
<td>.72</td>
<td>58</td>
</tr>
<tr>
<td>Not seen guidance</td>
<td>30</td>
<td>31</td>
<td>33</td>
<td>23</td>
<td>30</td>
</tr>
<tr>
<td>Don’t know</td>
<td>12</td>
<td>14</td>
<td>11</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>Total (N= weighted)</td>
<td>170</td>
<td>55</td>
<td>21</td>
<td>7</td>
<td>253</td>
</tr>
<tr>
<td>Total (N= unweighted)</td>
<td>80</td>
<td>80</td>
<td>130</td>
<td>185</td>
<td>475</td>
</tr>
</tbody>
</table>

Base: Establishments aware of Regulations

Source: IES Employers’ Survey, 1999

partial or incomplete view of their obligations under the Regulations. For example one argued that:

'We are ok because we have elected representatives, so we are covered on that.'—financial services company

One-third were able to talk in some detail about both sets of Regulations. One interviewee, for instance, working in a collective bargained environment, was still able to discuss the merits of the HSCE Regulations and the advantages or otherwise of having two sets of Regulations.

Comparing these (unsystematic) assessments with the data given in the questionnaire, suggested that while the survey results seemed broadly right, they were perhaps gilded by a degree of optimism on behalf of the respondent about their levels of understanding.

4.3 Guidance to the Regulations

Respondents aware of the Regulations were also asked whether they had seen the relevant HSE guidance.¹

Most (58 per cent) said they had seen the guidance on the HSCE Regulations (see Table 4.2). Larger employers were more likely to say that they had seen the guidance, but not markedly so — 73 per cent of those in sites with 200 or more employees said that they had seen it, compared with 58 per cent in workplaces with fewer than 200 employees. Workplaces in the public sector and with trade unions (and trade union safety representatives) were also more likely to say that they had sight of the HSE guidance.

A similar proportion (59 per cent) had seen the HSE’s guidance to the SRSC Regulations (Table 4.3). Again, larger workplaces

were more likely to say they had looked at the guidance, as were those from the public sector and those with trade union members among their employees and trade union safety representatives.

### 4.3.1 Usefulness of the guidance

Respondents who had seen either set of guidance were fairly positive about it. We asked them how useful they thought it was (on a five point scale with one meaning ‘totally useless’ and five being ‘extremely useful’). The results for both sets of guidance are set out in Figure 4.3. In both cases most employers gave a score of three or more. The mean scores were 3.5 for the guidance on the HSCE Regulations and 3.3 for the guidance on the SRSC Regulations — both above the mid-point of the scale of 3.0. We do not think that too much should be read into the different mean scores. The main reason for the difference appears to be that a number of small establishments in the hospitality and retail sector (without recognised trade unions) said that they thought that the SRSC guidance was of no use at all. This may reflect their general view about regulation in this area and/or trade unions rather than the guidance itself.
Other sources of guidance used by our interviewees included material from employers’ associations and published guidance from organisations such as Croners.

4.4 General views on the Regulations

To find out more about their opinion of various aspects of the Regulations, we asked employer respondents whether they agreed or disagreed with a series of statements (on a five point scale ranging between one for strong disagreement and five for strong agreement). Respondents to the safety representatives’ survey were asked about a shorter list of similar statements.

The overall results are set out in Figure 4.4 and below we discuss the findings in more detail, distinguishing between statements relating to:

- the impact of the Regulations on consultation practice
- whether the Regulations need changing, and if so how
- the enforcement of the Regulations.

4.4.1 The impact of the Regulations

On balance, employers felt that the Regulations had made little impact in their workplaces. More employers agreed than disagreed with the statement ‘the Regulations have made no difference to how we run this organisation’. Some 50 per cent gave a score of four or five, compared with 24 per cent disagreeing by giving a score of one or two. A quarter, 24 per cent, gave a neutral answer of three. Overall some 22 per cent did not give an opinion either way.¹ The mean score was 3.3 — above the mid-point of the scale of 3.0.

Broadly similar proportions agreed (29 per cent) and disagreed (36 per cent) with the statement ‘the Regulations have led to better consultation arrangements’ and the mean score was 3.0, the same as the scale mid-point. Employers tended to disagree that ‘as a result of the Regulations, we have had to change the way we consult our employees’. Around 46 per cent disagreed (31 per cent strongly) and only 16 per cent agreed (of whom only five per cent did so strongly). The mean score for this statement was 2.6.

Most of the interviewees we saw when we followed up the survey argued that they consulted prior to the Regulations coming in and so they had made little difference.

‘We’ve had safety representatives since the early 1990s so we did not have the do anything different when the new Regs came in.’ — manufacturer

¹ That is, said ‘don’t know’ — excluded from Figure 4.4.
Figure 4.4: Views on the Regulations

However, their view of consultation did not necessarily correspond to that reflected in the guidance. For instance, one interviewee said:

"There has not been a great change in the organisation's approach to dealing with health and safety issues as staff were free to approach the
Health and Safety Officer prior to the [HSCE] Regulations being in force.' — financial services company

Some did think that the Regulations had affected practice. One recalled the introduction of the SRSC Regulations in 1977:

'They caused quite a stir at the time and we had to rethink a lot of our procedures. There was also a lot of concern about how they would work in practice, how often inspections should take place, how often committees should meet and things like that. It all padded down in the end now.'

We found a couple of examples where the respondent said that they had to change their practices to accommodate the HSCE Regulations.

'The hotel has had a safety committee since the 1980s, but we had to set one up in the (separate) leisure complex because of the 1996 Act.' — hospitality company

'Our group health and safety committee used to have two employee representatives who we had picked. However, a couple of years ago we decided we needed more reps to comply with the legislation. There are now six representatives each covering a main division and elected by their colleagues.' — hire company

The reason for the difference in practice was largely due, it was argued, to the temporary nature of many of the employees in the leisure part of the company, given that the business was very seasonal.

Another organisation told us that:

'A couple of months prior to the HSCE Regs coming in I explained to the senior management here that we would either have to discuss health and safety with all staff or with safety reps. They agreed that reps would be most efficient so we arranged for two employees to be elected. They cover pay and conditions as well as health and safety.' — financial services company

Finally, most employers (61 per cent) also did not agree that 'the Regulations have led to more disputes with employees'. Only 14 per cent agreed and the mean score was 2.3.

There was little significant variation in views across the sample except that:

- Workplaces in the construction sector and those that were long established (ie had been in existence for over 100 years) were more likely than others to agree that the Regulations had led to more disputes, each with mean scores of 3.0, compared with 2.3 for all employers.
- Workplaces with both trade union and non-union representatives were more likely to disagree than those with either trade union representatives or non-union representatives only — with mean scores of 2.0, 2.5 and 2.6 respectively.
- New workplaces, less than a year old, were more inclined than more established sites to say that the Regulations had changed the way they consulted employees, with a mean score of 3.2 compared with 2.6 overall. This suggests that such employers may be taking the Regulations into account when first setting up their procedures. However, their impact may be limited, as such employers were also more likely to agree that the Regulations made no difference to how the organisation was run generally. Workplaces in existence for less than a year recorded a mean score of 3.7 against this statement, compared with a mean across the sample of 3.2.

- Workplaces with trade union representatives only recorded a higher mean score of 3.5 against the statement about the Regulations leading to better consultation arrangements, compared to 3.0 across the board.

Employee representatives were more likely than employers to feel that the Regulations had led to more disputes with employees and that employers had had to change the way they consulted. While the two results are not strictly comparable, since in the employee representatives' survey we specifically referred to the most recent HSE Regulations (rather than the older SRSC Regulations), in the statements this may indicate that from an employee perspective the Regulations have had more of an impact.

The employee representatives' results are set out in Figure 4.5 and as with the employers, they generally indicate that the Regulations have had only a little impact on workplace practice:

- Only two-fifths of representatives agreed/agreed strongly that the most recent (1996) Regulations have led to more disputes with employers.

**Figure 4.5: Representatives’ views of the Regulations**

![Bar chart showing representatives' views on the impact of the Regulations](chart.png)

*Source: IES Survey of Safety Representatives*
• Less than half of all respondents (46 per cent) consider that as a result of the most recent (1996) Regulations the employer has had to change the way they consult with employees.

• 30 per cent of respondents disagreed/disagreed strongly with the statement that the most recent Regulations (1996) have made no difference to the consultation arrangements at work. Twenty three per cent were neutral/gave no answer with respect to this issue.

Almost seven-tenths (69 per cent) of representatives agree that the Regulations should be more strongly enforced. Out of these, 31 per cent feel this strongly.

4.4.2 Changes to the Regulations

Referring back to Figure 4.4 and the employer survey, five of the statements referred to possible changes to the Regulations. The results show that:

• employers generally feel that this is an appropriate area for regulation. Some 48 per cent strongly disagreed and a further 21 per cent disagreed with the statement that 'there is no need for Regulations in this area'. Only 17 per cent registered some form of agreement. Employers in the smallest workplaces were particularly more likely than the largest employers to feel that there was no need for regulations — recording mean scores of 2.4 and 1.7 respectively, compared with an overall average of 2.0. Workplaces in construction and the transport industries and those in operation for under a year also had above average scores. However, in all cases those disagreeing with the statement outnumbered those agreeing and there was no clear opposition to regulation in this area.

This point was emphasised in some of our follow-up interviews:

'I think you have to have some rules otherwise some employers, especially the back-street businesses, would ride roughshod over their employees all the time.' — travel company

• employers see little need to change the Regulations. Two-fifths (40 per cent) agreed that 'the Regulations do not need any further change' and under a quarter (23 per cent) disagreed. There was little variation in this view across the employer sample. That said,

• the majority felt that the Regulations should apply to all forms of workers, not just employees. Almost half, 47 per cent, disagreed that 'it is sensible that workers other than employees are excluded from consultation Regulations', while 29 per cent agreed. A quarter (24 per cent) gave a neutral score of three. The mean score against this statement was 2.7 and opinion was fairly consistent across all types of employers, although those with only union representatives disagreed particularly strongly. The mean score for this category of
employer was 2.1, reflecting the fact that 76 per cent disagreed and only ten per cent agreed. For example one employer in the follow-up interviews said that:

'It can be difficult to get representatives to cover our casual workers as they are, by definition, rarely around. However, there is no reason why they should not be covered by the legislation in my view. They have the same degree of risk as any other employee — more sometimes if they are working in an area they are not used to. However the unions here are not that worried about it and I guess they would be if there was a real problem.' — local authority

One concern that came up in the interviews was how best to consult with three groups of 'non-employees:

- contractors’ employees
- employees on other sites where the organisation worked regularly
- self-employed people regularly working for the host organisation.

• employers would prefer to have one set of Regulations rather than two. The great majority of employers agreed that 'it would be easier to have one set of Regulations covering health and safety representation and consultation.' Over half, 53 per cent, strongly agreed and a further 27 per cent agreed. Only five per cent registered any disagreement. The mean score was 4.2. Newer and, interestingly, the most established workplaces (ie those in operation for less than five and those going for over 100 years) had significantly lower than average scores of 3.7, suggesting marginally less enthusiasm for more co-ordinated regulation. Employers with recognised trade unions were more likely than those not engaged in collective bargaining to agree with the statement (with respective mean scores of 4.4 and 3.9). Some of the employers in the follow-up interviews felt that there should not be a distinction between unionised and non-unionised workplaces:

'whether or not you are a union member should not come into it' — general manufacturer

'I don't see why there are differences between the role of union and non-union representatives — they should have the same rights and responsibilities.' — local authority

• on balance employers would like to see a Code of Practice in this area. Almost half (48 per cent) agreed, over twice as many as the 21 per cent who disagreed that 'this would be an appropriate area for a Health and Safety Executive Approved Code of Practice'. Employers without trade unions and those with safety representatives (of any kind) were less enthusiastic about a Code of Practice than others. A number of employers in the survey (one in five of those who volunteered a comment) said that they needed clearer concise guidance as to what procedures or processes to put in place. However, others (less than one in 20) felt that there should be less rather than more prescription.
• A few other areas for change came up in the interviews including the need, according to one interviewee from a non-union workplace, to ensure adequate training for safety representatives, 'so they know what they are talking about and do the job properly'.

4.4.3 Enforcement

Finally we asked both the employer and the trade union samples about the issue of enforcement of the Regulations.

Employers’ views were fairly evenly balanced in respect of the statement that the ‘consultation Regulations should be more strongly enforced’, with few strong views either way. A quarter (25 per cent) disagreed, while 30 per cent agreed. Many, 45 per cent, gave a neutral score of three on our five-point scale. In addition a third of the employers asked the question said that they did not know.

Employee representatives, on the other hand, were much more vociferous. Some 30 per cent strongly agreed and a further 38 per cent agreed that both sets of Regulations should be more strongly enforced (Figure 4.5).

Representatives from the public sector and from smaller workplaces (employing fewer than 100 employees) were most likely to agree with stronger enforcement, while non-union representative were slightly less likely to agree than union representatives.

4.5 Conclusions

We encountered a fairly low level of recognition of the Regulations among employers. In discussion it was clear that for many employers, the consultation regulations had merged into the background of health and safety legislation generally and some struggled to recall the main points.

The low level of recognition may have led some of our respondents to downplay the impact of the regulations on workplace practice, particularly the HSCE Regulations. It was generally recognised that employers should talk to employees about health and safety, though some employers may disagree on principle or feel it a waste of time in practice. What appeared to be less well established was the principle of two-way consultation, and the mechanisms for securing active employee involvement in matters affecting their health and safety.

In particular there seemed to be at least two areas of confusion in employers’ minds about the Regulations. We found in the process of administering the survey that many small employers acted on the assumption that they were not covered by the Regulations and, as we saw in Chapter 3, a significant minority
do not consult with their employees at all. Therefore the coverage of the Regulations is unclear. The second issue was a concern for employers at the other end of the spectrum, those with a detailed understanding of the legislation in this area. They were concerned about the overlap and differences between the SRSC and HSCE Regulations, and the different rights that employees and union representatives had, although these had not caused them any particular problems.

4.6 Key points

- Only a minority of the employers in the survey were aware of either the HSCE or the SRSC Regulations. The former seemed better known than the latter. Awareness rose by size of workplace and more people had heard of the HSCE than the SRSC Regulations.

- Fewer than half of the respondents from workplaces with recognised trade unions said that they knew of the SRSC Regulations.

- Fewer respondents from workplaces without safety representatives were aware of either set of Regulations, compared with those with some form of representative.

- Two-thirds of the safety representatives in their survey had heard of at least one set of regulations and half the employees in their survey said that they were aware of the HSCE Regulations.

- Employers who were aware of the Regulations felt they had a reasonable understanding of them, although there were some suggestions in the follow-up interviews that their knowledge may be limited.

- Most of those who were aware of the Regulations also said that they knew of the relevant HSE guidance.

- Those who had seen the guidance thought it fairly useful.

- There was little evidence to suggest that the Regulations; particularly the HSCE Regulations had a major impact on workplace practice. Although we found a few examples, where new procedures had been developed because of the Regulations, most employers and employee representatives felt that the Regulations had made little difference.

- However, employers generally agreed that this was a legitimate area for legislation, to try to ensure consistent application of good practice.

- Although employers did not see any need to change the Regulations, almost half felt that they should cover all workers, including non-employees, and most would prefer to have one coherent set of Regulations rather than two. There was also an expressed desire for more guidance as to appropriate action to take on consultation.
5. Conclusion

In conclusion we return to the objectives set for us at the start of the study (see Chapter 1) to see what light we can now shed on them.

5.1 The main objectives of the study

5.1.1 Awareness of employer obligations

One of the issues we were specifically asked to examine was the awareness about the requirements for consultation on health and safety among employers, safety representatives and employees.

In terms of the relevant legislation, awareness among employers seemed fairly low, particularly among smaller employers. Most did not know of the relevant Regulations by name and some of those that claimed to, confused the law on consultation with other health and safety legislation. To the average employer the body of legislation on health and safety may begin to look increasingly impenetrable and confusing and there may be a case for the HSE or others to present clear route maps specifying different employers' obligations. There was certainly a desire among some employers for greater guidance on what they should be doing.

Awareness among our samples of employees and employee representatives seemed relatively high, but this is more likely to be due to bias in the sample rather than a fundamental difference between employers and employees.

Despite a relatively low level awareness of the legislation, employers seemed broadly in favour of the principle of consultation and most, but not all, consulted employees on health and safety to a greater or lesser extent.

We conclude from this that where consultation with employees occurs it is because employees want to rather than because they are required so to do.
5.1.2 The process of consultation

Turning to the process of consultation including the role of elected representatives; the most common form of consultation is informal discussions with employees — which in practice range from one-to-one conversations or exchanges about health and safety concerns, to more wide-ranging but still informal discussions in coffee breaks etc. Staff meetings or team briefings were also a common channel of consultation, especially in smaller organisations. Other common mechanisms tend to be more suitable to informing rather than consulting, eg noticeboards, letters, memos etc.

The larger the organisation the wider the range of consultation mechanisms employed. In particular, larger organisations are more likely to have more formal consultation channels such as safety representatives and safety committees. In other words these were seen as additional rather than alternative consultation channels to directly talking to employees.

Where they did exist, representatives could be key figures, alerting organisations to health and safety hazards as they emerge, contributing to the development of appropriate preventative measures and policies and helping to educate and inform the workforce about health and safety issues. However, their effectiveness could be constrained by a lack of high quality training or high levels of turnover among appointees, or other structural factors (such as a high level of seasonal or temporary staff, continual job change etc.).

5.1.3 The impact of consultation

The form of consultation did not appear to be a particularly critical factor in determining impact. For example we asked employers to rate the effectiveness of their safety representatives, safety committees and direct forms of consultation on a five point scale — the higher the better. The mean scores for all three were similar, ranging between 3.7 (for representatives) and 4.0 (for direct consultation) and the differences do not appear to be significant.

One pattern that did emerge, for which there is not an obvious explanation, is that larger employers generally gave lower ratings than smaller ones to any of the three forms of consultation. This may be because they have higher expectations (ie expect more input and/or knowledge among representatives or employees about health and safety), or it may merely reflect the problems they faced in capturing the opinions of relatively large numbers of employees. It may also be related in some way to the fact that larger employers employ a wider range of consultation mechanisms than average. Whatever the reason, it is an interesting, and surprising, finding and perhaps one worthy of further research.
Generally employers, employees and representatives alike were positive about the benefits of consultation, whatever the form it took, in terms of developing understanding about health and safety issues and effective solutions.

The key factors affecting impact seemed more generic than the precise form that the consultation took. In particular we noticed an association between an organisation’s attitude to the principle of consultation with employees, about whatever issue, and their approach to and opinions on the value of consultation on health and safety. A positive attitude to consultation may be reflected in the general organisational culture (eg in encouragement for employees to have a say etc.); it could also be manifested in a range of processes. Thus we noticed in the interviews that consultation seemed to work best in workplaces where the health and safety consultation processes (eg committees, representatives reports, accident reports) were linked into more wide-ranging consultative mechanisms (ie general workplace consultative committees). A key element was devolved decision-making and an expectation on those responsible for health and safety that problems would be spotted early and acted on immediately (and not circulated round a bureaucratic decision-making process).

A strong interest in health and safety among management was also a key factor. It has been almost a cliché to talk about the importance of health and safety being built into management thinking rather than bolted on. However, the interviews once again confirmed the point. Workplaces where the manager responsible for health and safety and/or senior management were both aware of health and safety issues and attached high priority to them (often as part of an adherence to a quality standard) had on the face of it high levels of health and safety performance and a high degree of employee involvement.

5.1.4 Why employers do not consult employees

According to our survey, in around ten per cent of workplaces there is no consultation with employees at all and in a few more (three per cent) the reported consultation is through one-way information channels only (eg notice boards or memos). Some of the ‘non-consulters’ gave reasons that suggest they in fact do consult, but only very informally — eg ‘we are only a small company and talk to each other about any safety concerns’. However, most did not feel the need because they felt that:

- there were no real risks
- their employees had no interest and would not contribute anything.

Only a few took a principled stand against involving employees.
5.2 Further thoughts

In addition to those who say that they do not consult, we can discern at least three further groups of employers from the data in the employer survey. These include:

- **The reluctant consultants** — We estimate that of those involved in consultation, some ten to 15 per cent do so with a great deal of reluctance and little expectation of value. In some cases these employers are just doing the minimum to comply with the legislation and/or at the behest of their trade union if they have one. In contrast to the bulk of employers, they are consulting because they are required rather than want to. In others, they may have a wider range of mechanisms in place but do not accord them high priority in making decisions which may affect health and safety. Legislation may be a key factor determining their involvement with consultation at all.

- **The committed consultants** — This group comprises the 15 to 20 per cent of employers who are enthusiastic about involving employees in managing health and safety issues in the workplace and use a wide-range of mechanisms so to do. They feel they reap a range of benefits including having a workforce with a more realistic appreciation of workplace risks and a higher level of commitment to mutual problem solving.

The remainder — between one-half and two-third of employers — do consult their employees with a range of enthusiasm. For this group, legislation is more likely to influence the form of consultation rather than whether it takes place at all. However, as we concluded earlier it is not the form of consultation that appears to be important in determining the quality of the outcome.

In reviewing the Regulations, the HSE may wish to take this point into account. While it was generally accepted by employers that this was a legitimate area for legislation, further prescription in terms of the form that consultation should take may not be welcomed. However, it is likely that employers, and employee representatives, would appreciate further guidance as to what mechanisms could be adopted and what constitutes best practice.
Appendix A: Methodological Approach

In this appendix we run through the approach we adopted to the survey elements of the study in more detail.

A1.1 Employer survey

Initially the plan was to survey those with at least ten employees; however, to ensure the views of all employers were taken into account it was subsequently decided to open up the survey to all employers with at least one employee.

A seven-page questionnaire was developed based on the issues emerging from our preliminary interviews and literature review, and agreed with the HSE. It was piloted with a sample of 200 employers drawn at random from a list of 4,000 (in turn drawn at random from BT’s Yellow Pages) to be used for the main survey. Minor changes (ambiguous wording and routing instructions) were made as a result. The final questionnaire is set out in Appendix B.

The finalised questionnaire was sent to the remaining 3,800 employers in February 1999. Two reminders were sent in March and April and the survey closed in May 1999.

A1.1.1 Response rate

A total of 1,297 responses were received. However, some 174 were deemed inappropriate (eg the employers had no employees or had ceased trading). It could be expected that a number of non-respondents (ie those from whom we received no response at all) were also in this position. We also received a number of nil responses and others with too little information to be worth coding. We have also had at least a further 25 returns which arrived too late to be coded. Taking account of the invalid responses leaves us with a total 1,010 usable returns — a net response rate of 27.9 per cent (see Table A1.1)
Table A1.1: Response to employer survey

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial sample</td>
<td>3,800</td>
</tr>
<tr>
<td>Total response</td>
<td>1,297</td>
</tr>
<tr>
<td>Gross response rate (%)</td>
<td>34.1</td>
</tr>
<tr>
<td>Inappropriate responses*</td>
<td>174</td>
</tr>
<tr>
<td>Adjusted sample</td>
<td>3,626</td>
</tr>
<tr>
<td>Invalid responses **</td>
<td>88</td>
</tr>
<tr>
<td>Late responses</td>
<td>25</td>
</tr>
<tr>
<td>Valid responses</td>
<td>1,010</td>
</tr>
<tr>
<td>Net response rate (%)</td>
<td>27.9</td>
</tr>
</tbody>
</table>

* eg no employees, ceased trading etc.
** eg No responses, largely blank responses etc.

Source: IES Employers’ Survey, 1999

This is disappointing and below original expectations. Part of the explanation can be seen in Table A1.2 which sets out the estimated net response rate by employer size band (as measured by the number of employees). This shows that the response from smaller employers was significantly lower than larger ones. If the smallest employers (with ten or fewer employees) are excluded the net response rate is around 36 per cent (which would have been in line with expectations). The reason why small employers were less likely to respond emerged from conversations with those who rang up during the survey. It was clear, from this anecdotal evidence, that many did not feel that consultation was a big issue for them — generally because they asserted that as a small organisation, employees were involved in decision-making anyway and therefore consulted. Interestingly, many also erroneously felt that the legislation did not apply to them as a small employer.

A1.1.2 Weighting procedure

The distribution of the achieved sample by size and sector is set out in Table A1.3

Table A1.2: Response rate by size of employer

<table>
<thead>
<tr>
<th></th>
<th>1-10</th>
<th>11-49</th>
<th>50-199</th>
<th>200+</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjusted sample</td>
<td>1,735</td>
<td>867</td>
<td>544</td>
<td>478</td>
<td>3,626</td>
</tr>
<tr>
<td>Valid responses*</td>
<td>334</td>
<td>240</td>
<td>209</td>
<td>228</td>
<td>1010</td>
</tr>
<tr>
<td>Net response rate (%)</td>
<td>19.3</td>
<td>27.7</td>
<td>37.1</td>
<td>47.4</td>
<td>27.9</td>
</tr>
</tbody>
</table>

* Adjusted to account for missing size data

Source: IES Employers’ Survey, 1999
Table A1.3 Unweighted sample by sector and size

<table>
<thead>
<tr>
<th>Sector</th>
<th>1-10</th>
<th>11-49</th>
<th>50-199</th>
<th>200+</th>
<th>Total (N =)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary (agriculture forestry, fishing, energy and water)</td>
<td>32</td>
<td>23</td>
<td>15</td>
<td>10</td>
<td>80</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>40</td>
<td>41</td>
<td>61</td>
<td>87</td>
<td>229</td>
</tr>
<tr>
<td>Construction</td>
<td>26</td>
<td>22</td>
<td>17</td>
<td>15</td>
<td>80</td>
</tr>
<tr>
<td>Distribution, hotels and restaurants</td>
<td>94</td>
<td>47</td>
<td>41</td>
<td>39</td>
<td>221</td>
</tr>
<tr>
<td>Transport and communications</td>
<td>25</td>
<td>10</td>
<td>14</td>
<td>19</td>
<td>68</td>
</tr>
<tr>
<td>Banking, finance, insurance, etc.</td>
<td>57</td>
<td>47</td>
<td>20</td>
<td>22</td>
<td>146</td>
</tr>
<tr>
<td>Public administration, education and health</td>
<td>39</td>
<td>40</td>
<td>28</td>
<td>29</td>
<td>136</td>
</tr>
<tr>
<td>Other Services</td>
<td>21</td>
<td>11</td>
<td>13</td>
<td>5</td>
<td>50</td>
</tr>
<tr>
<td>Production</td>
<td>98</td>
<td>86</td>
<td>93</td>
<td>112</td>
<td>389</td>
</tr>
<tr>
<td>Services</td>
<td>236</td>
<td>128</td>
<td>116</td>
<td>114</td>
<td>621</td>
</tr>
<tr>
<td>All Sectors</td>
<td>334</td>
<td>214</td>
<td>209</td>
<td>226</td>
<td>1,010</td>
</tr>
</tbody>
</table>

Source: IES Employees’ Survey, 1999

In order that the results from the analysis of the survey be an accurate reflection of what is happening in the population as a whole (ie all British workplaces) the sample has been re-weighted. This was a relatively simple process.

As our sample was drawn on the basis of establishment, the establishment based Census of Employment for 1996 was used in order to construct the relevant weights. The proportion of total establishments for each of the cells in our size and sector matrix from the census were calculated. Then, taking the total number of observations, ie the 1,010 cases, the number of observations in each cell was calculated as if the sample had been drawn randomly and thus reflecting census proportions. The difference between the cell count in our actual achieved matrix and the random ‘ideal’ matrix gave the required weights. The weights, when applied, allowed accurate inferences to be drawn concerning the population as a whole.

The characteristics of the weighted sample are set out in Table A1.4.

Comparing the size and sector matrix of the weighted sample, with the population proportions reported in the Census of Employment, confirms that our sample reflects the population proportions exactly. The relative influence of observations in each of the matrix cells have been adjusted in order to reflect the Census of Employment 1996. It can be seen that nearly 80 percent of establishments are found in the smallest size category, a finding one would expect.
Table A1.4: Weighted sample characteristics by size and sector

<table>
<thead>
<tr>
<th>Sector</th>
<th>Size (employees)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1-10</td>
</tr>
<tr>
<td>Primary (agriculture, forestry, fishing, energy and water)</td>
<td>6</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>60</td>
</tr>
<tr>
<td>Construction</td>
<td>50</td>
</tr>
<tr>
<td>Distribution, hotels and restaurants</td>
<td>290</td>
</tr>
<tr>
<td>Transport and communications</td>
<td>29</td>
</tr>
<tr>
<td>Banking, finance, insurance, etc</td>
<td>200</td>
</tr>
<tr>
<td>Public administration, education and health</td>
<td>65</td>
</tr>
<tr>
<td>Other Services</td>
<td>67</td>
</tr>
<tr>
<td>Production</td>
<td>116</td>
</tr>
<tr>
<td>Services</td>
<td>650</td>
</tr>
<tr>
<td>All Sectors</td>
<td>766</td>
</tr>
</tbody>
</table>

* A value of less than 0.5, in this case 0.2

Source: IES Employers' Survey, 1999

A1.1.3 Representativeness of the sample

We have compared some of our findings with those from the Workplace Employee Relations Survey (WERS) to confirm the validity of our sample. WERS suggests that 47 per cent of workplaces have at least one employee who is member of a trade union. On the face of it our data offers a very different result. Only 11 per cent of our sample said that they had union members (12 per cent excluding the don’t knows) (see Table A1.5).

However our survey includes organisations with ten or fewer employees (while ten is the cut off for WERS¹). If we adjust our

Table A1.5: Union members in unweighted sample, by size

<table>
<thead>
<tr>
<th>Size (employees)</th>
<th>Trade union members (%)</th>
<th>Trade non-union members (%)</th>
<th>Don't know (%)</th>
<th>Total (N=) weighted data</th>
<th>Total (N=) unweighted data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>5</td>
<td>87</td>
<td>7</td>
<td>763</td>
<td>324</td>
</tr>
<tr>
<td>11-49</td>
<td>25</td>
<td>64</td>
<td>11</td>
<td>193</td>
<td>235</td>
</tr>
<tr>
<td>50-199</td>
<td>46</td>
<td>46</td>
<td>8</td>
<td>40</td>
<td>203</td>
</tr>
<tr>
<td>200+</td>
<td>75</td>
<td>20</td>
<td>3</td>
<td>9</td>
<td>221</td>
</tr>
<tr>
<td>All establishments</td>
<td>11</td>
<td>81</td>
<td>8</td>
<td>1,006</td>
<td>1,007</td>
</tr>
</tbody>
</table>

Source: IES Employers' Survey, 1999

¹ Although the main sample is weighted to reflect the distribution of employers with 25 or more employees — thus ensuring comparability with previous surveys.
Table A1.6 Comparison of results on which membership between IES survey and WERS

<table>
<thead>
<tr>
<th>Size (no. of employees)</th>
<th>IES %</th>
<th>WERS %</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-49*</td>
<td>25</td>
<td>43</td>
</tr>
<tr>
<td>50-199</td>
<td>46</td>
<td>57</td>
</tr>
<tr>
<td>200+</td>
<td>75</td>
<td>80</td>
</tr>
<tr>
<td>All establishments</td>
<td>34</td>
<td>47</td>
</tr>
</tbody>
</table>

Base: IES Survey: establishments with more than ten employees excluding don’t knows
WERS: all establishments
* WERS, 10-49

Results to take account of these two factors and ensure that the comparisons between the two datasets are made on the same basis, then some 34 per cent of our sample had trade union members (see Table A1.6). The differences between the two surveys are lower among larger workplaces. The remaining difference, between WERS and us, can be largely accounted for by the different sectoral compositions of the two samples (although this may to an extent reflect the variation by size). For example, our (weighted) sample mirrors the distribution of British workplaces, and has a significant proportion of finance, retail and hospitality employers - some 60 per cent of the total - with a below average incidence of trade union membership. By contrast such employers only comprise 30 per cent of the WERS sample.

The conclusions we draw from this are that:

- the two surveys are not directly comparable because of significant sample differences
- nevertheless, taking sample differences into account, our survey may slightly under-represent workplaces with trade union members, compared with WERS.

A1.2 Employee representatives survey

The research was based on a telephone survey of safety representatives conducted during May 1999 by PACEC. The research procedures for the survey are as follows:

- The research aimed to achieve 200 telephone interviews each approximately lasting 20 minutes in length.
- The sample was drawn from two sources, a sample of safety representatives collated by the TUC and a sample compiled from names of representatives given by respondents to the employer survey in their establishment. It was hoped that by utilising these two different sample sources we would be able to capture both trade union appointed safety representatives and non-trade union appointed safety representatives.
• Safety representatives were contacted by letter to alert them to the study and its aims prior to the fieldwork being undertaken. A separate letter was devised for the two different sample sources.

• The questionnaire was designed in consultation with HSE and PACEC, who undertook the fieldwork. The questionnaire was designed to some extent so that comparisons could be made with the employer survey, although it also included more in-depth questions on the representation arrangements and on the functions of safety representatives. A copy of the questionnaire is provided in Appendix B.

• Out of a target 200 interviews, 201 were in fact completed within the interview period. 88 per cent of respondents were trade union safety representatives and 12 per cent were non-trade union safety representatives.

A1.2.1 Sample characteristics

The characteristics of our sample were as follows:

• main business activity:
  • 26 per cent production
  • 73 per cent services

• size of employer:
  • 24 per cent employed less than 50 employees
  • ten per cent employed between 50 and 99 employees
  • 65 per cent employed over 100 employees

• ownership of the organisation:
  • 45 per cent were mainly in the private sector
  • 54 per cent were mainly in the public sector.

This is not a representative sample and is skewed towards trade union representatives.

A1.3 Employee survey

Our employer survey respondents were asked whether they would be willing to circulate an additional questionnaire among their workforce. Some 48 (five per cent) said that they might be willing to take part. Nearly all of these were contacted by IES researchers and 15 agreed to distribute questionnaires and we sent out over 1,000. In some cases the timing was not convenient and others, on reflection, declined to be involved. By the time we closed this element of the study we had received 218 returns from employees, from ten different workplaces. It is difficult to calculate a response rate as we are not sure how many
questionnaires were distributed in the workplaces, but on the basis of the number despatched this represents a 35 per cent response rate.

The sample comprised a range of occupational groups:

- 11 per cent were in management or administrative occupations
- 13 per cent in technical or scientific
- 22 per cent in professional occupations
- 17 per cent were operatives or assembly workers
- 15 per cent performed routine unskilled tasks
- 11 per cent in craft-related jobs
- eight per cent in clerical and secretarial jobs
- four per cent were in personal services

Employees in sales occupations were the most significant group under-represented in the sample.

Nearly all of the sample (93 per cent) were permanent employees and hardly any were either mobile workers (eight per cent) or worked from home (one person). Around a quarter had been with their employer for less than two years, a further quarter between two and five years, another quarter for between five and ten years and the remaining quarter for more than ten years. Over one-third, 38 per cent were trade union members.

A copy of the questionnaire used is contained in Appendix B.
Health and Safety Consultation:  
Survey of Safety Representatives

Introduction

Good morning/afternoon. My name is..........., and I am calling from PACEC, an independent survey organisation. We are conducting a survey on behalf of the Health and Safety Executive about safety representatives views of current consultation arrangements. You should have already received a letter explaining the purposes of the survey.

Everything you say will be treated in the strictest confidence and no individuals or organisations will be identifiable in the report.

I'd now like to ask you some questions about your employer...

Section 1: Your Employer

1. What is the main activity of the organisation you work for?

ENTER VERBATIM

2. Approximately how many people are employed at your workplace?

WRITE IN NUMBER

I am now going to ask some questions about the representation arrangements in this workplace and about your role as a safety representative...

Section 2: Representation Arrangements and Role of Safety Representative

3. Are you a member of a trade union or staff association?

   Yes

   No

   IF YES AT Q3 ASK Q4A; IF NO AT Q3 GO TO Q7 (i.e. NON TRADE UNION REPRESENTATIVE)

4(a) Which trade union do you belong to?

ENTER VERBATIM

4(b) Does your employer recognise your union for bargaining purposes?

   Yes

   No
4(c) Does your employer recognise any other union for bargaining purposes

Yes

No

Don’t know

IF YES AT Q4B (i.e. TRADE UNION APPOINTED REPRESENTATIVE) ASK Q5 IF NO AT Q4B (i.e. NON TRADE UNION REPRESENTATIVE) GO TO Q7

5. Do you represent the health and safety interests of groups of employees not covered by collective bargaining?

Yes

No

6. Are there any groups of employees (other than management) not represented by trade union safety representatives at this workplace?

Yes

No

7. How did you become a (union or non-union) safety representative?

Was it...(READ OUT) CODE ALL THAT APPLY

Elected by employees

Management appointment

Chosen by unions or staff associations

Volunteered

Other (SPECIFY)

8. How long have you been a (union or non-union) safety representative?

ENTER NUMBER OF YEARS/MONTHS

9. Approximately how many employees do you represent?

WRITE IN NUMBER

10. In which of the following occupations, at this workplace are these employees that you represent?

(READ OUT)

Managers and administrative

Workplace Consultation on Health and Safety
Professional
Technical, scientific
Clerical and secretarial
Craft and skilled service
Personal Services
Sales
Operative and assembly
Routine unskilled manual

11 (a) Are any of the employees that you represent agency workers and/or contract workers?

Yes
No

IF YES AT Q11A ASK Q11B; OTHERS GO TO Q12A

11(b) Are there any particular difficulties in representing these workers?

Yes
No

IF YES AT Q11B ASK Q11C; OTHERS GO TO Q12A

11 c) What are these difficulties that you face?

CODE ALL THAT APPLY

12 (a) Are any of the employees that you represent home workers?

Yes
No

IF YES AT Q12A ASK Q12B

12(b) Are there any particular difficulties in representing these workers?

YES
NO
IF YES AT Q12B ASK Q12C; OTHERS GO TO Q13

12c) What are these difficulties that you face?

CODE ALL THAT APPLY

13. How do you keep the employees you represent informed of health and safety matters? (READ OUT) CODE ALL THAT APPLY

Hold Meetings

Newsletters/mailings

Noticeboards

E-mail

Other (SPECIFY)

14(a) Are there any other safety representatives at this workplace besides yourself?

Yes

No

Don’t know

IF YES AT Q14A ASK Q14B; OTHERS GO TO Q15

14(b) Approximately how many other safety representatives are there at your workplace?

ENTER NUMBER

15. What do you do in your role as a safety representative?

(READ OUT). CODE ALL THAT APPLY

Represent employees on health and safety issues to management

Report potential hazards

Inspect the workplace for hazards

Investigate accidents, ill health, dangerous occurrences and near miss incidents

Represent employees in discussions with Health and Safety Inspectors or other outside agents

Investigate complaints on Health and Safety

Keep a log of the hazards present in the workplace that could lead to harm
Other (SPECIFY)

16. On average how many hours per week do you spend on representative activities while at work?

ENTER VERBATIM

17. In the last 12 months, how many times have you inspected all or part of your workplace?

Full inspections: ENTER NUMBER

Part inspections: ENTER NUMBER

I would now like to consider the facilities, information, training and support you receive as a safety representative...........

Section 3: Facilities, Information, Training and Support for Safety Representatives

18. Can you tell me whether management provides you with access to any of the following resources to enable you to conduct your functions as a safety representative?

(READ OUT) CODE ALL THAT APPLY

Free access to telephones and communications facilities

Free access to stationery, photocopying and other administrative support

Information on software and other health and safety material

Other (SPECIFY)

19. How co-operative do you feel management is in enabling you to carry out your functions as a safety representative?

(READ OUT)

Completely co-operative

Fairly co-operative

Neither co-operative nor uncooperative

Fairly uncooperative

Not at all co-operative

20. How well informed do you feel about health and safety issues in general?

(READ OUT)
Very informed
Fairly informed
Neither informed nor uninformed
Fairly uninformed
Very uninformed

21 (a) Do you receive support from any of the following sources to assist you in your role as a safety representative,

(READ OUT) CODE ALL THAT APPLY.

Yes, receive support from...
Trade union
Other safety representatives
The Health and Safety Executive
Local Environmental Health Officer
Other (SPECIFY)
I do not receive any support > GO TO Q21(C)

FOR EACH OF THE SOURCES CODED AT Q21(A) ASK Q21(B);

21(b) How satisfied are you with the level of support you receive?

(READ OUT)
Very satisfied
Fairly satisfied
Neither satisfied nor dissatisfied
Fairly dissatisfied
Very dissatisfied

ALL

21(c) How isolated do you feel in your role as a safety representative

(READ OUT)
Very isolated
Fairly isolated
Not particularly isolated
Not at all isolated

22(a) Have you received any training for your role as a safety representative?
Yes
No

IF YES AT Q22A ASK Q22B & Q22C; OTHERS GO TO Q23

22(b) Who provided the training?
Was it..... (READ OUT) CODE ALL THAT APPLY

In-house provided
Trade association or other employer body
Distance learning (e.g. through books and other written materials, CD-ROMs etc.)
External training provider
Trade union/TUC
Other (SPECIFY)

22(c) To what extent do you feel this training has helped you perform your role of safety representative effectively?

(READ OUT)
Very helpful
Of some help
Neither helpful nor unhelpful
Not much help
No help at all

23. How confident are you that you have the skills to deal effectively with management over health and safety issues?

(READ OUT)
Very confident
Fairly confident
Neither confident nor unconfident

Fairly unconfident

Not at all confident

I would now like to ask you about the consultation arrangements with respect to health and safety in this workplace...

**Section 4: Consultation**

24. To what extent does your employer consult you about proposals/issues which may affect health and safety in your workplace?

(READ OUT)

A great deal 1

Quite a lot 2

Neither a lot nor a little 3

A little 4

Not at all 5

**IF SCALE IS BETWEEN 1 AND 4 AT Q24 ASK Q25; IF SCALE IS EQUAL TO 5 GO TO Q31A**

25. Which of the following issues does your employer consult you about with regards to health and safety?

Changes in the workplace layout

Appointment of health and safety advisors

Health and safety training

Selection of safety equipment

Reports on health and safety performance

Accident investigations

Safety policy

Drawing up a risk assessment

Other (SPECIFY)
26 (a) As a result of being consulted over health and safety by your employer have you been able to make an intervention to improve the health and safety of the employees you represent?

Yes

No

Don’t know

IF YES AT Q26A ASK Q26B; OTHERS GO TO Q27

26 (b) Please give an example of an improvement that stemmed directly from an intervention from you.

RECORD VERBATIM

27. Does management consult you in good time over proposals which may effect health and safety in your workplace?

Yes

No

28. To what extent do you feel you are able to influence such proposals?

(READ OUT)

A great deal 1

Quite a lot 2

Neither a lot nor a little 3

A little 4

Not at all 5

29 (a) How does your employer consult you over health and safety matters?

Is it via .......(READ OUT) CODE ALL THAT APPLY

Regular safety committee meetings

Ad hoc meetings between managers and safety representatives

Informal discussions between manager(s) and safety representatives

E-MAIL

Memo/letter
Other (SPECIFY)

IF REGULAR SAFETY COMMITTEE MEETING IS CODED AT Q29A ASK Q29B AND Q30; OTHERS GO TO Q31A

29(b) How often does the safety committee meet?

ENTER VERBATIM

30. How effective do you think your safety committee is as a means of consultation over health and safety (e.g. allows issues to be aired, leads to effective improvements in health and safety)?

(READ OUT)

Completely effective

Fairly effective

Neither effective nor ineffective

Fairly ineffective

Not at all effective

I would now like to explore your views of the Health and Safety Consultation regulations...........

Section 5: Views on Health and Safety Consultation

31 (a) Have you heard of the Safety Representatives and Safety Committees Regulations (SRSCR) 1977?

Yes

No

Don't know

31 (b) Have you heard of the Health and Safety (Consultation with Employees) Regulations (HSCER) 1996?

Yes

No

Don't know

IF YES AT EITHER Q31A OR Q31B GO TO Q32; OTHERS GO TO Q33

32. I am going to read out a series of statements in order to gain your views on various aspects of the Safety Representatives and Safety Committees Regulations
(SRSCR) 1977 and The Health and Safety (Consultation with Employees) Regulations (HSCER) 1996. Please state whether you strongly agree, agree, neither agree nor disagree, disagree, or disagree strongly with each of the following statements:

The most recent (1996) Regulations have led to more disputes with employers

As a result of the most recent (1996) Regulations the employer has had to change the way that they consult with employees

The most recent (1996) Regulations have made no difference to the consultation arrangements at this workplace

Both sets of Regulations should be more strongly enforced

33. I am now going to read out a series of statements in order to gain your more general views about health and safety consultation within your workplace. Please state whether you strongly agree, agree, neither agree nor disagree, disagree, or disagree strongly with each of the following statements:

Consultation has led to improvements in health and safety in this organisation

Consultation makes very little difference to what management would do anyway

Management is reluctant to consult me about any changes which may affect the health and safety of employees in this organisation

On balance management in this organisation are in favour of trade unions

Management consults the workforce regularly

Management consults the workforce through a variety of means

This organisation is very aware of employees concerns about health and safety

The best way to provide workers with an effective right to consultation, information and representation is through a recognised union

34. What single measure would you like to see introduced which you consider would have the greatest impact on enhancing the contribution you can make to improving health and safety in your workplace.

ENTER VERBATIM

Finally, I would like to ask....................

35. Would you be interested in taking a further part in the study by agreeing to an IES researcher following-up your response with a face-to-face interview?

Yes

No

Thank you for taking part in this study. I would like to reassure you that everything you have said will be treated in the strictest confidence and no individual will be identifiable in the results of the study.
1. About you, your job and your employer

1. Which of the following occupations best describes your job at present? (Please tick one box only)
   - Managers and administrative
   - Technical, scientific
   - Craft and skilled service
   - Sales
   - Routine unskilled manual
   - Professional
   - Clerical and secretarial
   - Personal services
   - Operative and assembly
   - Agency

2. Is your job permanent or is it temporary or for a fixed term? (Please tick one box only)
   - Permanent
   - Temporary
   - Fixed term

3.a Do you work mainly at home? (Please tick one box only)
   - Yes
   - No

3.b Does your work involve any regular travelling? (Please tick one box only)
   - Yes
   - No

4. How many years in total have you been working at your present workplace/site? (Please tick one box only)
   - Less than 1 year
   - 1 to less than 2 years
   - 2 to less than 5 years
   - 5 to less than 10 years
   - 10 years or more

2. Representation at work

5a. Are you a member of a trade union or staff association? (Please tick one box only)
   - Yes
   - No
   - If No, Go to Q6

5b. If Yes, which trade union do you belong to? (Please write in)

6. Who represents you and your colleagues in dealings with management about health and safety issues at work? (Please tick all that apply)
   - A trade union appointed safety representative
   - A non-trade union (employee) safety representative
   - Not applicable — management only consults directly with employees about health and safety matters
   - Don’t know

Go to Q10

Go to Q10
7. How much contact do you have with your trade union/non-trade union safety representative? (Please tick one box only)
   I am frequently in contact with my safety representative
   I am occasionally in contact with my safety representative
   I am hardly ever in contact with my safety representative
   I am never in contact with my safety representative
   I do not know who is my safety representative

8. How does your safety representative keep you informed of health and safety matters? (Please tick all that apply)
   Holds meetings
   Internal discussions
   E-mail
   Don’t know
   Newsletters/mailings
   Noticeboards
   Other
   (Please write in) ........................................

9. To what extent do you agree/disagree with the following statements about safety representatives at your workplace? (Please tick one box in each row)

   Safety representatives . . .
   Follow up employees' complaints about health and safety
   Are taken seriously by management
   Have led to improvements in health and safety
   Provide information about hazards in the workplace and how to avoid them
   Are easy to get hold of
   Are knowledgeable about the health and safety issues at this workplace

   Strongly
   Agree
   Neither
   Disagree
   Strongly
   Don't
   agree agree nor disagree disagree know

3. Consultation at work

10. To what extent does your employer consult the workforce about issues which may affect health and safety in your workplace (either directly or through your safety representative)? Please circle a number between 1 and 5 on the following scale below, where 1 = not at all and 5 = extensively.

   Not at all = 1 2 3 4 5 = Extensively

11a. Is there a safety committee (joint committee of managers and safety representatives) in your workplace? (Please tick one box only)

   Yes [ ]
   No [ ] Go to Q12
   Don't Know [ ] Go to Q12

11b. If Yes, to what extent does your safety representative keep you informed of the outcomes/matters arising from safety committee meetings? (Please circle a number between 1 and 5 on the following scale below, where 1 = not at all informed and 5 = completely informed)

   Not at all = 1 2 3 4 5 = Completely informed

12. Does your employer consult directly with the workforce (other than through safety representatives) about issues which may affect health and safety in your workplace? (Please tick one box only)

   Yes [ ]
   No [ ] Go to Q15
   Don't know [ ] Go to Q15
13. If Yes, how? (Please tick as many boxes as apply)

- Staff meetings
- Team briefings
- Workplace newsletters
- E-mails
- Other set piece/regular meetings
- Tool box meetings
- Quality Circles
- Informal discussions
- Noticeboards
- Memos/letters
- Other
- (Please specify) ............................................................................................................

14. What issues does your employer consult the workforce about regarding health and safety? (Please tick as many boxes as apply)

- Health and safety training
- Changes in workplace layout
- Selection of safety equipment
- Accident investigations
- New methods of working
- New technology
- Appointment of health and safety advisors
- Reports on health and safety performance
- Safety policy
- Other (Please specify) ............................................................................................................

15. To what extent do you feel employees are able to influence management proposals affecting health and safety in your workplace? Please circle a number between 1 and 5 on the following scale below, where 1 = not at all and 5 = a great deal.

Not at all =1 2 3 4 5 = A great deal

16. Does the workforce have the opportunity to participate in the development of health and safety issues? (Please tick one box only)

Yes [ ]

No [ ]

17. How good would you say management is at the following? (Please tick one box in each row)

- Keeping the workforce up to date about proposals which may affect health and safety in your workplace
- Giving the workforce the right to comment on proposals which may affect health and safety
- Responding to comments made by the workforce on proposals which may affect health and safety
- Responding to employees complaints about health and safety matters
- Informing you about the hazards in your workplace and how you will be protected from them

Very good [ ]

Good [ ]

Neither good nor bad [ ]

Poor [ ]

Very poor [ ]

Don’t know [ ]
4. Views on health and safety consultation

18. To what extent do you agree/disagree with the following general statements about health and safety consultation in your workplace? (Please tick one box in each row)

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree nor disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
<th>Don't know</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is easy to raise concerns about health and safety with management</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consultation has led to improvements in health and safety in this organisation</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consultation makes very little difference to what management would do anyway</td>
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<tr>
<td>Management is reluctant to consult safety representatives/ the workforce about changes which may affect health and safety in this organisation</td>
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<tr>
<td>Management regularly consults the workforce</td>
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<tr>
<td>The organisation is very aware of employees' concerns about health and safety</td>
<td></td>
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<tr>
<td>The best way to provide workers with an effective right to consultation, information and representation on health and safety is through a recognised union</td>
<td></td>
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<tr>
<td>I am consulted early enough to enable me to contribute to raising health and safety standards in my workplace</td>
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<tr>
<td>I am aware of the requirements that the Health and Safety (Consultation with Employees) Regulations put on my employer</td>
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</tbody>
</table>

19. Do you have any further comments you would like to make about consultation over health and safety in your organisation?

_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
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_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________

Thank you very much indeed for participating in this survey.
Please return the questionnaire in the reply-paid envelope enclosed. All questionnaires will be treated in confidence. If you have any queries about the study, please contact Jo Rick or Peter Bates at IES.

Institute for Employment Studies, FREEPOST, Mantell Building, University of Sussex, Falmer, Brighton, BN1 9BR
Fax: 01273 690430
Tel: 01273 686751
HEALTH AND SAFETY CONSULTATION
Confidential to the Institute for Employment Studies

Please answer the following questions as fully as you are able by ticking the boxes or writing in the spaces provided. Please return the completed questionnaire to IES in the reply-paid envelope provided. If you have any queries, please contact Jim Hillage at IES: telephone 01273 686751 or Nic Boyns at PACEC: telephone 01223 311649. Thank you for your co-operation.

We want you to answer this questionnaire on behalf of this particular site or establishment.

A. Background

1. Is this establishment an independent unit or part of a larger organisation? (Please tick one box)
   - One of a number of different sites/units within a larger organisation  
   - A single independent site/unit not part of another body  
   - Other (Please specify)  

2. What is your main business activity at this site, ie what are your main products or services? (Please write in)

3. How long has your organisation been operating at this site? (Please write in in years. If less than one year please enter ‘0’)
   - Don’t know

4. Is your organisation part of the private or public sector? (Please tick one box)
   - Private sector (ie shareholder-owned)  
   - Public sector (ie State owned)  
   - Voluntary/not-for-profit  
   - Other (Please specify)  

5. Approximately how many people are currently employed at this site? (Please write in including full-time and part-time employees ie provide total head count, not full-time equivalents)
   - Don’t know

(If None, please go to the end of the questionnaire)

6. Are any of your employees members of an independent trade union or staff association? (Please tick one box)
   - Yes  
   - No  
   - Don’t know

(If No, please go to Q12a)

7a. Does your organisation recognise any trade unions for bargaining purposes? (Please tick one box)
   - Yes  
   - No  
   - Go to Q11a  
   - Don’t know

7b. If Yes, which unions? (Please write in)

........................................................................................................................................................................
........................................................................................................................................................................
7c. Are all non-management employees represented by recognised trade unions? (Please tick one box)

   All [ ]       Some [ ]       Don’t know [ ]

B. Representation Arrangements

NB Please only answer questions 8-10 if you have any recognised trade unions

8. Has/have the trade union(s) appointed safety representatives? (Please tick one box)

   Yes [ ]       No [ ]       Go to Q11a       Don’t know [ ]

8a. If Yes, how many trade union safety representatives are there at your site? (Please write in)

   __________________________________________

9. Do trade union safety representatives cover the health and safety interests of groups of employees not covered by collective bargaining? (Please tick one box)

   Yes [ ]       No [ ]       Don’t know [ ]

10. Are there any groups of (non-management) employees not represented by trade union safety representatives? (Please tick one box)

   Yes [ ]       No [ ]       Go to Q12a       Don’t know [ ]

NB Question 11a and b is to be answered by organisations where some or all of their employees are NOT covered by trade union safety representatives

11a. Are there any (non-trade union) representatives of your employees with whom you consult about issues to do with health and safety?

   Yes [ ]       No [ ]       Go to Q12a       Don’t know [ ]

11b. If Yes, how are they appointed? (Please tick as many boxes as apply)

   Election [ ]
   Management appointment [ ]
   Volunteer [ ]
   Other (Please specify) [ ]

C. Consultation Arrangements

12a. To what extent do you consult with your employees about issues relating to health and safety (either directly or through their representatives)? (Please circle a number between 1 and 5 on the following scale with 1 = Not at all and 5 = Extensively)

   Not at all = 1       2       3       4       5 = Extensively

12b. If Not at all, are there any particular reasons why you do not consult with your employees about issues relating to health and safety? (Please write in and then go to Q24)

   ........................................................................................................
   ........................................................................................................
   ........................................................................................................
13a. If you consult your workforce over health and safety, do you do so through employee or trade union health and safety representatives? (Please tick as many boxes as apply)
   a) Trade union safety representatives Yes ☐ No ☐ Don't know ☐
   b) Non-trade union, employee safety representatives Yes ☐ No ☐ Don't know ☐

13b. If Yes to either, how? (Please tick as many boxes as apply)
   Regular safety committee meetings ☐
   Ad hoc meetings between manager(s) and safety representative(s) ☐
   Informal discussions between manager(s) and safety representative(s) ☐
   E-mail ☐
   Memo/letter ☐
   Other (Please specify) .........................................................

13c. If you have regular safety committee meetings, roughly how often do they meet? (Please tick one box)
   Weekly ☐ Fortnightly ☐ Monthly ☐ Bi-monthly ☐ Quarterly ☐
   Six monthly ☐ Yearly ☐ Other (Please specify) ................................

14. How effective do you think your safety committee is as a means of consultation over health and safety (eg allows issues to be aired, leads to effective improvements in health and safety)? (Please circle a number from 1 to 5 with 1 = Totally ineffective and 5 = Totally effective)
   Totally ineffective = .........................................................

15. What are the main functions of your health and safety representatives? (Please tick as many boxes as apply)
   Representing employees on health and safety issues to management ☐
   Reporting potential hazards ☐
   Inspecting the workplace for hazards ☐
   Investigating accidents and/or other health and safety incidents ☐
   Representing employees in discussions with Health and Safety Inspectors or other outside agents ☐
   Investigating complaints on health and safety ☐
   Other (Please specify) .........................................................

16. How effective do you think your safety representatives are as a channel of consultation over health and safety? (Please circle a number from 1 to 5 with 1 = Totally ineffective and 5 = Totally effective)
   Totally ineffective = .........................................................

17a. Do you consult directly with the workforce (other than through representatives)? (Please tick one box)
   Yes ☐ No ☐ Go to Q17c Don't know ☐

17b. If Yes, how? (Please tick as many boxes as apply)
   All staff meetings ☐
   Team briefings ☐
   Other set-piece/regular meetings ☐
   Newsletters ☐
   E-mails ☐
   Other (Please specify) .........................................................
   Tool box meetings ☐
   Quality circles ☐
   Informal discussions ☐
   Notice-boards ☐
   Memo/letter ☐

Workplace Consultation on Health and Safety
17c. How effective do you think direct discussion with employees is as a channel of consultation over health and safety? (Please circle a number from 1 to 5 with 1 = Totally ineffective and 5 = Totally effective)

Totally ineffective = 1 2 3 4 5 = Totally effective

18. What issues do you consult about regarding health and safety? (Please tick as many boxes as apply)

- Changes in workplace layout
- Appointment of health and safety advisors
- Health and safety training
- Selection of safety equipment
- Reports on health and safety performance
- Accident investigations
- Safety policy
- Other (Please specify) ..............................................................

D. Training and Facilities for Safety Representatives

19a. Have the health and safety training needs of your safety representatives been assessed? (Please tick one box)

- Yes □
- No □
- Don’t know □

19b. If Yes, who assessed their training needs? (Please write in job title) .................................................................

........................................................................

20a. Have they received any training associated with their health and safety responsibilities? (Please tick one box)

- Yes, in the last year □
- Yes, sometime over a year ago □
- No □
- Don’t know □

20b. If Yes, who provides the training? (Please tick as many boxes as apply)

- In-house provided □
- External training provider □
- Trade association or other employer body □
- Trade union/TUC □
- Distance learning □
- Other (Please specify) ..............................................................

21. Do they receive paid time off for training? (Please tick as many boxes as apply)

- Training done in paid work time □
- Training done in unpaid work time □
- Training done in representatives own time □
- Other (Please specify) ..............................................................

22. Do you pay for the cost of training including travel and subsistence? (Please tick one box)

- Yes, all □
- Yes, most □
- Yes, some □
- No □
- Don’t know □

23. Do you provide any of the following resources to safety representatives? (Please tick as many boxes as apply)

- Free access to telephone and communication facilities □
- Free access to stationery, photocopying and other administrative support □
- Information on software/books or other health and safety materials □
E. Views on Health and Safety Regulations

24a. Are you or someone in your organisation aware of either of the following two sets of Regulations? (Please tick one box per statement)

The Safety Representatives and Safety Committees Regulations (SRSCR) 1977
- Yes ☐
- No ☐
- Don’t know ☐

The Health and Safety (Consultation with Employees) Regulations (HSCER) 1996
- Yes ☐
- No ☐
- Don’t know ☐

*If No, please go to Q26*

24b. If Yes, how well do you think you understand them? (Please circle a number between 1 and 5 on the following scale with 1 = Have no understanding at all and 5 = Fully understand)

<table>
<thead>
<tr>
<th>Regulation</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>SRCSR 1977</td>
<td></td>
<td></td>
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<tr>
<td>HSCER 1996</td>
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</tbody>
</table>

25a. Have you seen the HSE guidance on the Regulations?

<table>
<thead>
<tr>
<th>Guidance</th>
<th>Yes ☐</th>
<th>No ☐</th>
<th>Don’t know ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>SRCSR 1977</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HSCER 1996</td>
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</tbody>
</table>

25b. If Yes, how useful do you think the guidance is? (Please circle a number from 1 to 5 with 1 = Totally useless and 5 = Extremely useful)

<table>
<thead>
<tr>
<th>Guidance</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>SRCSR 1977</td>
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<tr>
<td>HSCER 1996</td>
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</table>

26. What are your views on various aspects of the SRSC and HSCE Regulations? (Please circle a number between 1 and 5 on the following scale with 1 = Strongly disagree and 5 = Strongly agree)

<table>
<thead>
<tr>
<th>Statement</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>It would be easier to have one set of Regulations covering health and safety representation and consultation</td>
<td></td>
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<tr>
<td>There is no need for any Regulations in this area</td>
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</tr>
<tr>
<td>The Regulations have led to more disputes with employees</td>
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<tr>
<td>As a result of the Regulations we have had to change the way we consult our employees</td>
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<tr>
<td>The Regulations have made no difference to how we run this organisation</td>
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<tr>
<td>The Regulations have led to better consultation arrangements</td>
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<tr>
<td>This would be an appropriate area for an Health and Safety Executive Approved Code of Practice</td>
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<tr>
<td>The Regulations do not need any further change</td>
<td></td>
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</tr>
<tr>
<td>It is sensible that workers other than employees are excluded from consultation Regulations</td>
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</tr>
<tr>
<td>Consultation with the workforce has improved health and safety in this organisation</td>
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<tr>
<td>The consultation Regulations should be more strongly enforced</td>
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</tbody>
</table>
27. What are your views on more general aspects of consultation with your workforce? (Please circle a number between 1 and 5 on the following scale with 1 = Strongly disagree and 5 = Strongly agree)

<table>
<thead>
<tr>
<th>Strongly disagree</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation makes it harder to deliver our business objectives</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>Consulting with employees usually produces a better course of action than when there is no consultation</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>We are an open organisation in which anyone can have a say</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>We consult the workforce through a variety of means</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>Consultation means listening to the workforce and acting on what you have heard</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>On balance management in this organisation are in favour of trade unions</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>Employees are well aware of the risks to their health and safety in this workplace</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>We get useful ideas from consulting employees</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>Consultation makes very little difference to what management would do anyway</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>Consultation is best done informally outside set-piece arrangements</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>It is better to talk to employees directly rather than through representatives</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>Managers have the right to manage without interference from employees</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>We consult the workforce regularly</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
<tr>
<td>This organisation is very aware of any employee concerns about health and safety</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>DK</td>
</tr>
</tbody>
</table>

F. Health and Safety

28. Do you have any further comments to make on either the Regulations themselves or how you consult over health and safety with your workforce? (Please write in)

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G. Respondent Details and Further Contact

29. What is your responsibility for Health and Safety at this site? (Please write in)

...............................................................................................................................................................................................................................................................................................................................................................................................

30. How do you keep up to date with health and safety requirements (Please tick as many boxes as apply)

- Membership of a professional institution □
- Press/publications □
- Employer/trade association □
- HSE literature □
- Other (Please specify) □
As well as collecting employers' views through this questionnaire we want to explore some of the issues in more depth with a few employers and also collect information from employee/trade union representatives.

31. If you are willing to let us contact your employee/trade union health and safety representatives, please provide their name(s), business telephone number(s) and business address(es)

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32a. Would you be interested in taking a further part in the study by agreeing for an IES researcher to follow-up your response with a face-to-face interview and/or a sample of your employees to be surveyed? (*Please indicate which elements of the study you would be willing to take part in by ticking the appropriate box(es)).

Follow-up interviews  
Survey of employees

32b. If so, please confirm your name and address, by writing in the space provided.

Name and telephone number: ........................................................................................................................................

Name of organisation: ....................................................................................................................................................

Address: ............................................................................................................................................................................
........................................................................................................................................................................
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Thank you very much indeed for participating in this survey. Please return the questionnaire in the reply-paid envelope enclosed. All questionnaires will be treated in confidence. If you have any queries about the study, please contact Jim Hillage at IES.

Institute for Employment Studies, FREEPOST, Mantell Building, University of Sussex, Falmer, Brighton, BN1 9BR
Fax: 01273 690430  
Tel: 01273 686751
Appendix C: Analysis of WERS Data

C1.1 Introduction

Multivariate modelling on the causes of occupational accidents in the Great Britain has been the subject of several studies, see *inter alia*, Nichols (1990, 1991). More recently, Reilly *et al.* (1995) have used the Workplace Industrial Relations Survey (WIRS3) to examine the relationship between different types of health and safety consultation arrangements and the injury rates within manufacturing establishments. This section adopts their methodology and applies it to data from the Workplace Employee Relations Survey (WERS 98).

C1.2 Data

C1.2.1 The Sample

WERS 98 is a survey of 2,191 establishments that employ ten or more workers. However, the presence of missing data mean that only 1,982 establishments are suitable for modelling purposes. A further four cases were excluded on the basis of the fact that their responses are exceptional (eg they suggest that more employees were injured over the previous year than are currently employed).

C1.2.2 The dependent variable

The subject of interest in our model is the injury rate, calculated for each establishment as the number of workers injured over the previous year divided by the number of workers employed. The types of injuries recorded in WERS 98 are similar to those defined in RIDDOR85 or 95 and include: bone fractures, amputations, loss of sight, loss of consciousness, burns, acute illness, physical injury resulting from work related assault, and any other injury resulting in hospitalisation for more than 24 hours. The WERS 98 definitions also differ from WIRS3 in two respects. Firstly, physical injuries resulting from work-related physical assaults are not reported in the earlier dataset. Secondly, and more significantly, WERS 98 refers to any type of

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1 This is technically possible if turnover is taken into account.
burn or loss of consciousness, while WIRS3 relates these injuries specifically to shocks from electricity.

As expected, the majority of establishments (74.9 per cent) do not report any injuries. Among the injuries recorded, the most common forms relate to bone fractures (6.9 per cent of establishments) and burns (11.2 per cent), while amputations (0.3 per cent) and sight loss (0.1 per cent) are relatively less common occurrences.

**C1.2.3 The explanatory variables**

The variables we use to ‘explain’ an establishment’s injury rate are those that were adopted by Reilly et al. They include: the logarithm of the establishment’s size; the percentage of females employees; the percentage of employees in trade unions; the percentage of manual employees; industrial sector variables and consultation variables.

*Health and Safety Consultation*

WERS 98 makes a distinction between establishments that have joint consultation committees that deal specifically with health and safety and establishments that have joint consultation committees for health and safety and other matters. Within each committee, it is also possible to distinguish between those that choose all their representatives through a trade union, those that have some trade union representatives and those that only have non-union representatives.

**C1.3 Results**

The results from our model are presented here in terms of their implication for a ‘base’ establishment. The base establishment is taken to be one that employs 62 workers, 54.8 per cent of whom are female, 21.1 per cent are members of trade unions and 31.0 per cent are in manual occupations. The establishment is concerned with ‘other community services’ and does not have any employee representatives in health and safety. Based on our calculations, the base establishment experiences an annual rate of 14.9 injuries per 1,000 employees. This figure is considerably higher than the figure of 10.9 for manufacturing establishments.

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1 Details of the model’s specification and results are summarised in the technical appendix (C2).

2 These figures are based on establishment means.

3 The overall probability of injury (defined as the total number of injured workers in the sample divided by the total number of workers) is 15.9 per 1,000. This compares to a figure of 5.9 per 1,000 employees, based on WIRS3 data and a narrower injury definition, reported in Millward et al. (1992).
with 25 or more employees, reported in Reilly et al., but is likely to reflect differences in the definition of injury.

Turning now to the impact of joint consultation committees. Table C1.1 illustrates the marginal effects on the injury rates of different health and safety arrangements.¹ Compared to the base establishment, those with specific committees report higher rates of injury, irrespective of the level of union involvement. Committees that deal with health and safety and other issues yield varying results. Establishments with committees that include trade union members appear to have lower injury rates than either the base establishment, or establishments with general committees that only have non-union representatives.

Our results were not consistent with those of Reilly et al. Further analysis, based on a similar sample to that used in the previous study, also produced mixed results. We expect that a reason for this may rest in the model’s specification. At the time of writing, regional variables and detailed industrial level classifications, that proved significant in the 1995 paper, had not been released. It is thus possible that the positive relationship found between some of these consultation arrangements and the rate of injury, may reflect the fact that dangerous industries are likely to adopt the more advanced health and safety mechanisms. This is an area of debate which will require further investigation.

Table C1.1: Health and safety consultation arrangements and injuries, per 1,000 employees

<table>
<thead>
<tr>
<th>Health and Safety Variables</th>
<th>Change in Base</th>
<th>Injury Rate Per 1,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specific H&amp;S committee, all members chosen by union</td>
<td>3.1</td>
<td>18.0</td>
</tr>
<tr>
<td>Specific H&amp;S committee, some members chosen by union</td>
<td>3.1</td>
<td>18.0</td>
</tr>
<tr>
<td>Specific H&amp;S committee, no members chosen by union</td>
<td>2.4*</td>
<td>17.3</td>
</tr>
<tr>
<td>General H&amp;S committee, all members chosen by union</td>
<td>-5.9*</td>
<td>9.0</td>
</tr>
<tr>
<td>General H&amp;S committee, some members chosen by union</td>
<td>-0.2</td>
<td>14.7</td>
</tr>
<tr>
<td>General H&amp;S committee, no members chosen by union</td>
<td>4.2*</td>
<td>19.1</td>
</tr>
<tr>
<td>No committee but safety representatives</td>
<td>-0.7</td>
<td>14.2</td>
</tr>
<tr>
<td>No employee representatives</td>
<td>0</td>
<td>14.9</td>
</tr>
</tbody>
</table>

* = based on predictions that are significant at the 5 per cent level

Source: Based on Workplace Employee Relations Survey, 1998

¹ Details of their calculations can be found in the appendix.
C2. Technical appendix

C2.1 The model

The model adopted here follows a logistic-linear specification outlined by Reilly et al. (1995). The injury rate (IR) is calculated as:

\[ \text{IR} = r/n \]

where \( r \) is the number of injuries in an establishment and \( n \) is the number of employees.

The model is thus defined:

\[ \ln \left( \frac{(\text{IR} + (2n)^{-1})}{(1 - \text{IR} + (2n)^{-1})} \right) = B'X + \nu \]

where \( X \) is a matrix of establishment characteristics, \( B \) is a vector of unknown parameters and \( \nu \) is an error term.

The inclusion of the term \((2n)^{-1}\) in the above expression controls for the fact that a standard logistic expression is undefined at IR equals 0 or 1.¹

Unfortunately the model’s specification suffers from inherent heteroscedasticity. Reilly et al. propose the use of Weighted Least Squares² based on a weight \((1/\sqrt{V})\) where:

\[ V = [(n+1)(n+2)] / [n(r+1)(n-r+1)] \]

C2.2 Marginal effects

The marginal effects are given by \( p \times (1-p) \times \) estimated coefficient, where \( p \) is the overall probability of injury. For example, in the case of calculating the marginal effects of having a joint consultation committee specifically for health and safety, that selects all its employee representatives through a union, this is given by:

\[ 0.0159 \times (1 - 0.0159) \times 0.199 = 0.003109. \]

This equates to approximately 3.1 injuries per 1,000 employees.

¹ see Cox 1970 for details of this transformation.
² see Maddala, 1983 for further details.
### C3. Results

**Weighted Least Squares results**

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coefficient Estimate</th>
<th>Standard Error</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constant</td>
<td>-1.348</td>
<td>0.150*</td>
</tr>
<tr>
<td>Log (establishment size)</td>
<td>-0.701</td>
<td>0.022*</td>
</tr>
<tr>
<td>Percentage Female Workers</td>
<td>-0.005</td>
<td>0.001*</td>
</tr>
<tr>
<td>Percentage Union Workers</td>
<td>0.004</td>
<td>0.001*</td>
</tr>
<tr>
<td>Percentage Manual Workers</td>
<td>0.005</td>
<td>0.001*</td>
</tr>
<tr>
<td>Specific H&amp;S committee, all members chosen by union</td>
<td>0.199</td>
<td>0.106</td>
</tr>
<tr>
<td>Specific H&amp;S committee, some members chosen by union</td>
<td>0.199</td>
<td>0.122</td>
</tr>
<tr>
<td>Specific H&amp;S committee, no members chosen by union</td>
<td>0.153</td>
<td>0.072*</td>
</tr>
<tr>
<td>General H&amp;S committee, all members chosen by union</td>
<td>-0.378</td>
<td>0.199*</td>
</tr>
<tr>
<td>General H&amp;S committee, some members chosen by union</td>
<td>-0.016</td>
<td>0.353</td>
</tr>
<tr>
<td>General H&amp;S committee, no members chosen by union</td>
<td>0.269</td>
<td>0.089*</td>
</tr>
<tr>
<td>No committee but safety representatives</td>
<td>-0.046</td>
<td>0.068</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>-0.215</td>
<td>0.123</td>
</tr>
<tr>
<td>Energy</td>
<td>-0.903</td>
<td>0.166*</td>
</tr>
<tr>
<td>Construction</td>
<td>-0.278</td>
<td>0.147</td>
</tr>
<tr>
<td>Wholesale and Retail</td>
<td>-0.140</td>
<td>0.118</td>
</tr>
<tr>
<td>Hotels and Restaurants</td>
<td>0.991</td>
<td>0.140*</td>
</tr>
<tr>
<td>Transport and Communication</td>
<td>-0.391</td>
<td>0.141*</td>
</tr>
<tr>
<td>Financial Services</td>
<td>-0.533</td>
<td>0.153*</td>
</tr>
<tr>
<td>Other Business Services</td>
<td>-0.276</td>
<td>0.125*</td>
</tr>
<tr>
<td>Public Administration</td>
<td>-0.120</td>
<td>0.136</td>
</tr>
<tr>
<td>Education</td>
<td>-0.179</td>
<td>0.130</td>
</tr>
<tr>
<td>Health</td>
<td>0.233</td>
<td>0.130</td>
</tr>
</tbody>
</table>

* = significant at the 5 per cent level

*Source: Calculations based on Workplace Employee Relations Survey, 1998*
C4 References

Cox D (1970), *Analysis of Binary Data*, London, Methuen


Nichols T (1991), ‘Labour intensification, work injuries and the measurement of percentage utilisation of labour (PUL)’, *British Journal of Industrial Relations*, 29 (4)
