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# **Health and Safety (Consultation with Employees) Regulations**

The Health and Safety Agency for Northern Ireland was renamed the Health and Safety Executive for Northern Ireland; see the Health and Safety at Work (Amendment) Order (Northern Ireland) 1998 (S.I. 1998/2795 N.I. 18), Article 3(1). Under that Order, many of the functions of the Department of Enterprise, Trade and Investment (formerly the Department of Economic Development) are now carried out by the Executive.

# A guide to the Health and Safety (Consultation with Employees) Regulations (Northern Ireland) 1996

**Guidance on Regulations**

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This guidance is issued by the Health and Safety Agency for Northern Ireland. Following the guidance is not compulsory and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance as illustrating good practice.

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## Introduction

1. The law requires you to consult your employees on matters that affect their health and safety. This guide tells you about Regulations which will apply to you if you have any employees who are not covered by representatives appointed by recognised trade unions. It:
    - (a) describes what you must consult those employees about;
    - (b) explains that you can choose to consult those employees:
      - (i) directly, or
      - (ii) through elected representatives;and
  - (c) sets out what is involved if you choose to consult through elected representatives.
- 
2. Proper consultation with your employees on health and safety matters can make a significant contribution to creating and maintaining an effective "health and safety culture" within your business. The effect on employees' motivation, and awareness of the importance of health and safety, should be entirely positive with the potential for greater efficiency and a reduction in accidents or incidents of work-related ill-health.

## Regulation 1

### Regulation 1

## Citation and commencement

*These Regulations may be cited as the Health and Safety (Consultation with Employees) Regulations (Northern Ireland) 1996 and shall come into operation on 6th January 1997.*

## Regulation 2

## Interpretation

### Regulation

(1) *In these Regulations -*

*"the 1978 Order" means the Health and Safety at Work (Northern Ireland) Order 1978<sup>1</sup>;*

*"the 1979 Regulations" means the Safety Representatives and Safety Committees Regulations (Northern Ireland) 1979<sup>2</sup>;*

*"employee" has the meaning assigned to it by Article 2(2) of the 1978 Order but shall not include a person employed as a domestic servant in a private household; and "employer" shall be construed accordingly;*

*"the relevant statutory provisions" has the meaning assigned to it by Article 2(2) of the 1978 Order;*

*"representatives of employee safety" shall be construed in accordance with regulation 4(1)(b);*

*"safety representative" has the meaning assigned to it by regulation 2(1) of the 1979 Regulations;*

*"workplace" means, in relation to an employee, any place where that employee is likely to work or which he is likely to frequent in the course of his employment or incidentally to it and, in relation to a representative of employee safety, any place where the employees he represents are likely so to work or frequent.*

(2) *Any reference in these Regulations to consulting employees directly or consulting representatives of employee safety is a reference to consulting them pursuant to regulation 3 and regulation 4(1)(a) or (b), as the case may be.*

(3) *The Interpretation Act (Northern Ireland) 1954<sup>3</sup> shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.*

1 S.I. 1978/1039(N.1.9)

2 S.R. /979 No. 437 as amended by S.R. 1992 No. 459

3 1954 c. 33 (N.I.)

2

## Regulation 3

### Regulation

## Duty of employer to consult

*Where there are employees who are not represented by safety representatives under the 1979 Regulations, the employer shall consult those employees in good time on matters relating to their health and safety at work and, in particular, with regard to:-*

- (a) *the introduction of any measure at the workplace which may substantially affect the health and safety of those employees;*
- (b) *his arrangements for appointing or, as the case may be, nominating persons in accordance with regulations 6(1) and 7(1)(b) of the Management of Health and Safety at Work Regulations (Northern Ireland) 1992<sup>4</sup>;*

4 S.R. 1992 No. 459.

3

- (c) *any health and safety information he is required to provide to those employees by or under the relevant statutory provisions;*
- (d) *the planning and organisation of any health and safety training he is required to provide to those employees by or under the relevant statutory provisions; and*
- (e) *the health and safety consequences for those employees of the introduction (including the planning thereof) of new technologies into the workplace.*

#### To whom does this apply?

3. These Health and Safety (Consultation with Employees) Regulations (Northern Ireland) 1996 ("the HSCER 1996") apply to all employers and employees, other than:
  - (a) those whose employees are all covered by safety representative(s) appointed by recognised trade union(s) under the Safety Representatives and Safety Committees Regulations (Northern Ireland) 1979 ("the SRSCR 1979");
  - (b) domestic staff employed in private households; or
  - (c) the master or crew of a sea-going ship or to their employer in respect of the normal ship-board activities of a ship's crew under the direction of the master.
4. The SRSCR 1979 provide for the appointment of safety representatives by recognised trade unions. Those Regulations specify the functions of such safety representatives and set out the obligations of employers towards them. They remain in force in their entirety. The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 apply offshore. The Marine Safety Agency is preparing regulations to apply in the maritime sector<sup>5</sup>.

#### The duty to consult: what must I consult my employees about?

5. The HSCER 1996 require you to consult your employees on:
  - (a) any measure at the workplace which may substantially affect their health and safety;
  - (b) your arrangements for getting a competent person<sup>6</sup> or persons to help you comply with health and safety requirements and to implement evacuation procedures. The Management of Health and Safety at Work Regulations (Northern Ireland) 1992 ("the Management Regulations") require you to make such an appointment unless you are competent to deal with these matters yourself; under the HSCER 1996 you will need to consult your employees on how you plan to go about this;

<sup>5</sup> New regulations were due to be made by the Marine Safety Agency in 1996 to come into force on 1 January 1997

<sup>6</sup> The "competent person" as specified under the Management Regulations is distinct from the elected "representative of employee safety" defined under the HSCER 1996: in brief the "competent persons" advises the employer: the "representative of employee safety" represents the views of the employees

- (c) the information you must give them on risks to health and safety, and preventive measures. This will include the information you are already required by other Regulations to give your employees. Appendix A sets out the details. Under the Management Regulations, for example, among other things<sup>7</sup>, you have to tell your employees about the risks identified by the risk assessment you must carry out and your preventive and protective measures. You must also tell them about your emergency procedures. Now, under the HSCER 1996, you will have to consult your employees about these matters before you tell them what has been decided, and before you make changes;
- (d) the planning and organising of any health and safety training you must provide to employees under health and safety law, for example when your employees are first recruited and when they are to be exposed to new or increased risks (as required by the Management Regulations). Other Regulations are relevant where your employees are exposed to particular risks or hazards. Appendix B sets out what applies. In addition, you also have to ensure that any representatives of employee safety elected under the HSCER 1996 are provided with relevant training (see paragraphs 23-24 below); and
- (e) the health and safety consequences for them of new technology that you plan to bring into the workplace. This will cover the introduction of any new technology if there could be implications for their health and safety, and for the risks and hazards to which they are exposed.

**When do I have to consult?**

- 6. The HSCER 1996 require that you must consult your employees "in good time". That means that, wherever a decision involving work equipment, processes or organisation could have health and safety consequences for employees, before making that decision you must allow time:
  - (a) to provide the employees, or their elected representatives, with information about what you propose to do;
  - (b) to give the employees, or their elected representatives, an opportunity to express their views about the matter in the light of that information;

and then

  - (c) for you to take account of any response from employees or their elected representatives.

**The difference between informing and consulting**

- 7. You are already required by the Management Regulations to provide your employees with comprehensible and relevant information on the matters set out previously in footnote 7, below. The difference between providing information to your employees and consulting them, which the HSCER 1996 require, is that consultation involves listening to their views and taking account of what they say before any decision is taken.

*7 Requirements to provide information to your employees under the Management Regulations include information on: the risks to their health and safety identified by your risk assessment; the preventive and protective measures designed to ensure their health and safety; the procedures to be followed in the event of an emergency in your undertaking; the identity of any "competent person" or persons nominated by you to help with the implementation of those procedures; and risks notified to you by another employer with whom you share a workplace, arising out of, or in connection with, the conduct of the second employer's undertaking*

## Regulation 4

## Persons to be consulted

### Regulation

2

(1) *The consultation required by regulation 3 is consultation with either -*

- (a) *the employees directly; or*
- (b) *in respect of any group of employees, one or more persons in that group who were elected, by the employees in that group at the time of the election, to represent that group for the purposes of such consultation (and any such persons are in these Regulations referred to as "representatives of employee safety").*

(2) *Where an employer consults representatives of employee safety he shall inform the employees represented by those representatives of -*

- (a) *the names of those representatives; and*
- (b) *the group of employees represented by those representatives.*

(3) *An employer shall not consult a person as a representative of employee safety if -*

- (a) *that person has notified the employer that in respect of any group of employees he does not intend to represent that group of employees for the purposes of such consultation;*
- (b) *that person has ceased to be an employee in the group of employees which he represents;*
- (c) *the period for which that person was elected has expired without that person being re-elected; or*
- (d) *that person has become incapacitated from carrying out his functions under these Regulations;*

*and where pursuant to this paragraph an employer discontinues consultation with that person he shall inform the employees in the group concerned of that fact.*

(4) *Where an employer who has been consulting representatives of employee safety decides to consult employees directly he shall inform the employees and the representatives of that fact.*

### Guidance

4

#### **How to consult: what if I recognise a trade union?**

8. Some or all of your employees may be represented by one or more trade unions which you recognise. If so, you are already required to consult health and safety representatives appointed by each union under the SRSCR 1979<sup>8</sup>. When appointing such representatives, the union must notify you in writing of the group or groups of employees they represent. They may, for example, tell you that they are representing all the workers in a particular category, or, alternatively, only their own members. You may continue to implement existing arrangements that comply with the SRSCR 1979 in respect of these employees. The HSCER 1996 apply only to any employees not covered by such arrangements including where recognised trade unions have not appointed representatives, or they are not about to, and mean that you must now also consult any such employees. They therefore "top up" the consultation requirements of the SRSCR 1979. You need to check whether the trade union safety representative(s) do indeed cover all of the employees or not.

<sup>8</sup> In 1992 specific provisions about consultation rights for such union-appointed representatives were added to the SRSCR 1979. For details of Guidance available, see reference 6 in Appendix D References.

## What about my other employees?

9. If some employees are not members of a trade union which you recognise, but are members of a group of employees for which a union is recognised, they may be covered by the consultation arrangements with the union safety representative and the paragraph above applies. If they are not members of such a group, or if the union safety representative(s) cover only their own members, then you must make arrangements to consult them under the HSCER 1996. If there is no recognised trade union, you must make arrangements to consult all your employees under the HSCER 1996.

10. You are not obliged to keep written records of your consultation. You may, however, need to convince health and safety inspectors that you have complied with the HSCER 1996; and they will also talk to safety representatives and/or employees.

## The self-employed

11. The HSCER 1996 do not apply to the self-employed. However, you should bear in mind that case law has been established that workers who are categorised as self-employed for tax or other purposes may in fact be employees in respect of health and safety law. This depends on individual circumstances (eg the worker's degree of independence, whether they are using their own tools etc)<sup>9</sup>

## Non-employees

12. Seconded staff, long-term agency staff and other workers on your premises who are not your employees do not have to be consulted by you, though you must provide them with the information they need in order to work safely, under the Management Regulations (see paragraph 5(c) and footnote 7, page 4). You may choose, voluntarily, to include them in your arrangements for consulting your employees. This may be worthwhile, particularly if they have been working for you for a period of weeks or months or are exposed to particular risks and hazards at work.

## Non-employed trainees

13. However, non-employed trainees such as student nurses and others participating in work experience schemes are covered by the HSCER 1996 as they are treated as employees under health and safety law.

## Construction industry

14. One special case is that of construction, where firstly the employer may not be in control of all the risks and secondly there are self-employed people who are exposed to the risks. The Construction (Design and Management) Regulations (Northern Ireland) 1995 address this situation by requiring the principal contractor to ensure all employees are self-employed people carrying out the construction work are able to discuss issues which affect their health and safety and to offer him/her advice. The principal contractor must ensure that there are arrangements in place for the co-ordination of site-specific consultation undertaken by employers<sup>10</sup>.

<sup>9</sup> For a detailed review see the *IRS Industrial Relations Law Bulletin*, parts 533 (November 1995) and 534 (December 1995)

<sup>10</sup> For further information see reference 25 in Appendix D References.

**Choose how to consult**

15. When you consult employees under the HSCER 1996 you have a choice between consultation:

- (a) Through one or more elected representatives (and it is important that they are independent of you in conveying the views of their colleagues); or
- (b) directly with each employee.

You can choose whatever means suit you and your employees best.

16. For example:

- (a) you may have briefing meetings allowing feedback of representatives' or employees' views up the management chain. Such meetings might deal with health and safety matters alone, or might easily be adapted to include them as agenda items among other issues. You may have employee quality circles which could be adapted to deal with consultation. Similarly staff councils, notice boards, newsletters, electronic mail and surveys may also be used;
- (b) if you run a very small firm, you may talk to your employees on a regular basis, and take account of what they say. If so, you may need to do no more if such informal arrangements are adequate for consultation on health and safety matters affecting the employees.

17. Where elected representatives exist, there would be nothing to prevent you from consulting employees directly on particular matters. Similarly, you might consult on any particular issue both directly and indirectly.

18. What matters is that your employees, or their representatives, are made aware of:

- (a) when their views are being sought about health and safety;
- (b) how they can give their views to you as their employer; and
- (c) their right to take part in discussions on all questions relating to their health and safety at work.

19. If you decide to consult via elected representatives but no candidates come forward for election, then you will have to consult directly. If only one candidate is nominated for a vacancy then there would be no need to hold a formal election.

4

**Regulation 5****Duty of employer to provide information****Regulation**

(1) *Where an employer consults employees directly he shall, subject to paragraph (3), make available to those employees such information, within the employer's knowledge, as is necessary to enable them to participate fully and effectively in the consultation.*

(2) *Where an employer consults representatives of employee safety he shall, subject to paragraph (3), make available to those representatives such information, within the employer's knowledge, as is -*

(a) *necessary to enable them to participate fully and effectively in the consultation and in the carrying out of their functions under these Regulations;*

(b) *contained in any record which he is required to keep by Regulation 7 of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1986<sup>11</sup> and which relates to the workplace or the group of employees represented by those representatives.*

11 S.R. 1986 No. 459

5

## Regulation

(3) *Nothing in paragraph (1) or (2) shall require an employer to make available any information -*

- (a) *the disclosure of which would be against the interests of national security;*
- (b) *which he could not disclose without contravening a prohibition imposed by or under any statutory provision;*
- (c) *relating specifically to an individual, unless that individual has consented to its being disclosed;*
- (d) *the disclosure of which would for reasons other than its effect on health or safety, cause substantial injury to the employer's undertaking or, where the information was supplied to him by some other person, to the undertaking of that other person; or*
- (e) *obtained by the employer for the purpose of bringing, prosecuting or defending any legal proceedings;*

*or to provide or allow the inspection of any document or part of a document which is not related to health or safety.*

5

## Guidance

### What sort of information do I have to provide?

20. You must provide enough information to allow your employees to understand:

- (a) what the likely risks and hazards arising from their work, or changes to their work, may be (including details of injuries, diseases and dangerous occurrences that have been reported);
- (b) the measures in place, or which will be introduced, to eliminate or reduce them and
- (c) what employees ought to do when encountering risks and hazards.

But you do not have to provide information for consultation if the exemptions listed in Regulation 5(3) apply to it.

Regulations 6 and 7, Schedules 1 and 2 and guidance paragraphs 21 to 28 below relate specifically to consultation via elected representatives.

## Regulation 6

### Functions of representatives of employee safety

*Where an employer consults representatives of employee safety each of those representatives shall, for the period for which that representative is so consulted, have the following functions -*

- (a) *to make representations to the employer on potential hazards and dangerous occurrences at the workplace which affect, or could affect, the group of employees he represents;*
- (b) *to make representations to the employer on general matters affecting the health and safety at work of the group of employees he represents and, in particular, on such matters as he is consulted about by the employer under regulation 3; and*
- (c) *to represent the group of employees he represents in consultations at the workplace with inspectors appointed under Article 21(1) of the 1978 Order.*

6

**Statutory functions of elected representatives**

21. As long as a person holds office as an elected representative of employee safety and is being consulted by the employer, the law gives them the functions described in Regulation 6. They can make representations to you on their own initiative; they are not restricted to the occasions when you consult them; and the HSCER 1996 do not impose any legal duties upon them.

**Regulation 7****Training, time off and facilities for representatives of employee safety and time off for candidates****Regulation**

7

- (1) *Where an employer consults representatives of employee safety, he shall -*
- (a) *ensure that each of those representatives is provided with such training in respect of that representative's functions under these Regulations as is reasonable in all the circumstances and the employer shall meet any reasonable costs associated with such training including travel and subsistence costs; and*
- (b) *permit each of those representatives to take such time off with pay during that representative's working hours as shall be necessary for the purpose of that representative performing his functions under these Regulations or undergoing any training pursuant to sub-paragraph (a).*

(2) *An employer shall permit a candidate standing for election as a representative of employee safety reasonable time off with pay during that person's working hours in order to perform his functions as such a candidate.*

(3) *Schedule 1 (pay for time off) and Schedule 2 (provisions as to industrial tribunals) shall have effect.*

(4) *An employer shall provide such other facilities and assistance as a representative of employee safety may reasonably require for the purpose of carrying out his functions under these Regulations.*

**Schedule 1****Pay for time off****Regulation 7(3)****Schedule**

1

1. *Subject to paragraph 3, where a person is permitted to take time off in accordance with regulation 7(1)(b) or 7(2), his employer shall pay him -*

- (a) *where the person's remuneration for the work he would ordinarily have been doing during that time does not vary with the amount of work done, as if he had worked at that work for the whole of that time;*
- (b) *where the person's remuneration for that work varies with the amount of work done, an amount calculated by reference to the average hourly earnings for that work (ascertained in accordance with paragraph 2).*

2. *The average hourly earnings referred to in paragraph 1(b) are the average hourly earnings of the person concerned or, if no fair estimate can be made of those earnings, the average hourly earnings for work of that description of persons in comparable employment with the same employer or, if there are no such persons, a figure of average hourly earnings which is reasonable in all the circumstances.*

## Schedule

1

3. Any payment to a person by an employer in respect of a period of time off -
  - (a) if it is a payment which discharges any liability which the employer may have under Articles 92 and 93 of the Employment Rights (Northern Ireland) Order 1996<sup>12</sup>, in respect of that period, shall also discharge his liability in respect of the same period under regulation 7(1)(b) or 7(2);
  - (b) if it is a payment under any contractual obligation, shall go towards discharging the employers liability in respect of the same period under Regulation 7(1)(b) or 7(2);
  - (c) if it is a payment under Regulation 7(1)(b) or 7(2), shall go towards discharging any liability of the employer to pay contractual remuneration in respect of the same period.

12 S.I. 1996/1919 (N.I. 16)

## Schedule 2

### Provisions as to industrial tribunals

#### Regulation 7(3)

## Schedule

2

1. An industrial tribunal shall have jurisdiction to determine complaints in accordance with paragraphs 2 to 5.
2. A person (referred to in this Schedule as the "complainant") may present a complaint to an industrial tribunal that -
  - (a) his employer has failed to permit him to take time off in accordance with Regulation 7(1)(b) or 7(2); or
  - (b) his employer has failed to pay him in accordance with Regulation 7(1)(b) or 7(2) and Schedule I.
3. An industrial tribunal shall not consider a complaint under paragraph 2 unless it is presented within three months of the date when the failure occurred or within such further period as the tribunal considers reasonable in a case where it is satisfied that it was not reasonably practicable for the complaint to be presented within the period of three months.
4. Where an industrial tribunal finds a complaint under paragraph 2(a) well-founded the tribunal shall make a declaration to that effect and may make an award of compensation to be paid by the employer to the complainant which shall be of such amount as the tribunal considers just and equitable in all the circumstances having regard to the employer's default in failing to permit time off to be taken by the complainant and to any loss sustained by the complainant which is attributable to the matters complained of.
5. Where on a complaint under paragraph 2(b) an industrial tribunal finds that the employer has failed to pay the complainant the whole or part of the amount required to be paid in accordance with regulation 7(1)(b) or 7(2) and Schedule 1, the tribunal shall order the employer to pay the complainant the amount which it finds due to him.

#### Special facilities for elected representatives

## Guidance 7

22. So that elected representatives can carry out their functions properly, you must:
  - (a) provide them with facilities and assistance which they may reasonably require for the purpose of carrying out their functions under the HSCER 1996. What is needed in particular circumstances will vary widely. It could involve access to:

- (i) lists showing the names and workplaces of employees in a representative's constituency;
  - (ii) communications, distribution and photocopying facilities for the representative to communicate with represented employees;
  - (iii) you or your senior management to discuss health and safety issues whenever the representative(s) might reasonably wish to do so;
- (b) give them reasonable time off with pay<sup>13</sup> during working hours, as necessary to perform the representative's functions under the HSCER 1996, and for reasonable training in respect of those functions. In practice, this means they should carry out their duties as part of their normal job, and you will need to take account of this in their work load;
  - (c) ensure that they are provided with adequate training (see paragraphs 23-24 below); and
  - (d) ensure that they are protected against detriment (see paragraph 30 below).

### Training for elected representatives

23. Individuals' abilities and needs will vary widely. Some may need to undertake a structured programme that will equip them with the necessary skills and knowledge. Others may already be sufficiently competent in respect of both representational skills and knowledge of health and safety issues and current legislation<sup>14</sup> so that initially little or no special training will be required. Further training may be needed in the light of legislative changes, different working conditions, new hazards etc. You must pay any reasonable costs associated with such training, including any travel and subsistence costs.

24. Once training needs are identified and agreed, you will have to identify sources. There may be various possibilities, including:

- (a) participation in health and safety training courses which trade unions run for the representatives they appoint under the SRSCR 1979<sup>15</sup> - and particularly apt if the elected representative happens to be a member of a union which offers or has access to such courses;
- (b) health and safety courses which may be offered by your trade association, specialist personnel organisations, the Northern Ireland Committee of the Irish Congress of Trade Unions, individual trade unions, local Chamber of Commerce, colleges and similar institutions; and
- (c) distance learning materials including (for example) the Great Britain Health and Safety Executive's booklet and audio package *You can do it*<sup>16</sup>.

*13 When elected representatives are entitled to take time off under the HSCER 1996, you must give them the pay they would ordinarily receive for the work they would otherwise have been doing during that time. Schedule 1 to the Regulations sets out the requirements in detail.*

*14 The Management Regulations already require that all employees are provided with adequate health and safety training when they are recruited and if they are to be exposed to new or increased risks. The need for further training must be considered when employees transfer or take on new responsibilities, and when there is a change in the work equipment or systems of work in use. Other Regulations have more specific requirements.*

*15 There are some differences in the legal functions of trade union safety representatives as compared with elected representatives of employee safety (the SRSCR 1979 give trade union safety representatives the additional functions of undertaking inspections and investigations). This means the training that will be needed so that they can carry out their statutory functions is not precisely the same.*

*16 You can do it ISBN 0 7176 0726 7 is available from HSE Books. PO Box 1999, Sudbury, Suffolk CO10 6FS*

## Preliminary arrangements for the election

25. When making the arrangements for electing representatives of employee safety, it may be useful to consider the following:

### *(a) Constituencies*

The HSCER 1996 require that any elected representative of employee safety must be employed in the group ("the constituency") which elects them. There is no legal definition of the group. Constituencies may, for example, cover multiple sites if this is appropriate to your particular business. Elected representatives may well have to travel, for example, to consult dispersed or mobile constituents. The constituencies can be specified in the light of the circumstances that apply to your business - see paragraph (d) below for some factors you may want to bear in mind. There are no set rules on how the election must be organised, or which employees must be part of any particular constituency.

### *(b) How often to hold elections*

In deciding what interval to allow between elections, account may be taken of the benefits that may follow from giving any elected representative time to develop experience so as better to discharge the functions and responsibilities of the post. On the other hand, where your employees change quite frequently, someone elected a couple of years ago may no longer be the choice of the current workforce<sup>17</sup>.

### *(c) Optional functions for elected representatives*

Elected representatives do not have to be confined to consultation on matters set out in these particular Regulations. For example, you might find it convenient to consult these representatives on matters other than health and safety. Alternatively, some employers have non-union safety representatives who carry out investigations of accidents and complaints and sit on safety committees, in the same way as representatives appointed under the SRSCR 1979. It would need to be clear to all those taking part in the election that the elected representative(s) would include the particular functions and consultation rights provided for by these Regulations, as well as any others you wished to add.

### *(d) Number of representatives*

When deciding how many representatives should be elected from a constituency, it may be useful to take into account:

- (i) the total numbers to be represented;
- (ii) the variety of different groupings (eg by occupation, location, type of work or shift patterns) into which the employees might be divided; and
- (iii) the nature of the work activities they undertake and the degree and character of the health and safety risks to which some or all of them may be exposed.

## Before the election

26. It is important that the election is properly conducted so that the result reflects the wishes of those in the constituency. In advance of the election, relevant employees should be aware of:

- (a) which other employees or groups of employees are part of their constituency;
- (b) the length of time the elected representative(s) will hold office; and
- (c) the nature of the health and safety functions to be undertaken by the elected representative(s).

<sup>17</sup> Under the *Offshore Installations (Safety Representatives etc) Regulations 1989*, there must be at least two constituencies for every installation; limits are set for the size of constituencies (no fewer than three, no more than 40); and elections must be held at least every two years. But this model may not meet the health and safety needs of any other situation.

## How to conduct an election

27. Some general principles which may be followed, in order to make sure the election is fair and the representative(s) are independent of you, are that:

- (a) each of the employees to be represented must be able, if they wish, to stand as a candidate on an equal basis to any other, and without any cost or disadvantage to themselves;
- (b) a candidate standing for election as a representative of employee safety must also be permitted reasonable time-off with pay during working hours in order to perform his/her functions as a candidate;
- (c) if the election is contested:
  - (i) no-one eligible to vote in the ballot is subjected to intimidation or interference from any source intended to influence the way in which they cast their vote;
  - (ii) steps are taken to prevent the ballot papers from being tampered with at any stage (giving each one a serial number can be a useful further protection);
  - (iii) as far as possible, each of the employees to be represented has an equal opportunity to cast their vote, without any cost or disadvantage to themselves, for the candidate or candidates of their choice;
  - (iv) votes can be cast in secret;
  - (v) the result is determined by the number of votes cast for each candidate; and
- (d) the election result is communicated, with sufficient information (eg on the number of votes cast for each candidate in a contested election), as soon as practicable, to all the candidates who stood and to the employees to be represented by the elected representative, eg by means of notices at relevant workplaces and/or through company newsletters etc.

28. To make sure that the election is properly carried out, you might want to get help from an outside body. Appendix C lists some organisations that help to organise workplace elections and provide independent scrutiny.

## Other help

29. Consulting your employees, either directly or through representatives, should bring benefits for health and safety in your undertaking. If you run into problems, your health and safety inspector can provide advice on health and safety issues. Inspectors will not get involved in industrial relations matters: you should seek to resolve any disputes through your normal procedures, and you can get further help from the Labour Relations Agency, Windsor House, Bedford Street, Belfast BT2 7NU (Tel: 01232-321442). Independent external information and advice is also available from public libraries, Citizens Advice Bureaux, the Fire Brigade and safety bodies such as the Royal Society for the Prevention of Accidents.

## Regulation 8

# Amendment of the Employment Rights (Northern Ireland) Order 1996

Regulation
8

*In Articles 68(1) (health and safety cases: right not to suffer detriment) and 132 (1) (health and safety cases: unfair dismissal) of the Employment Rights (Northern Ireland) Order 1996<sup>18</sup>, after paragraph (b) there shall be inserted -*

*"(ba) the employee took part (or proposed to take part) in consultation with the employer pursuant to the Health and Safety (Consultation with Employees) Regulations (Northern Ireland) 1996 or in an election of representatives of employee safety within the meaning of those Regulations (whether as a candidate or otherwise),"*

18 5.1. 1996/1919 (NI16)

### Protection against detriment

Guidance
8

30. None of your employees may suffer any detriment because of anything reasonable they do, or propose to do, in connection with consultation on health and safety matters. If you penalise an employee (for example, by denying them promotion or opportunities for extra earnings) or dismiss them for such a reason, they could complain to an industrial tribunal<sup>19</sup>. The same applies if you penalise an employee because of participation in an election for a representative of employee safety; because they are or have been a candidate in such an election; or because of what they do when they are acting as such a representative.

*19 These protections apply to any employee, regardless of the length of time they have been working for you.*

### Exclusion of civil liability

*Breach of a duty imposed by these Regulations shall, subject to regulation 7(3) and Schedule 2, not confer any right of action in any civil proceedings.*

## Regulation 9

Regulation 9
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### Application of health and safety legislation

## Regulation 10

Regulation
10

*Articles 18 to 23, 25, 26, 28, 30, 31, 32, 34 to 36 and 39(1) to (3) of the 1978 Order, the Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1993<sup>20</sup> and the Health and Safety (Training for Employment) Regulations (Northern Ireland) 1994<sup>21</sup> shall apply as if any references therein to health and safety regulations or to the relevant statutory provisions included references to these Regulations.*

*20 SR 1993 No. 147, as amended by SR 1995 No. 47 and SR 1995 No. 209.*

*21 SR 1994 No. 1.*

31. This means that the HSCER 1996 are, in respect of such matters as who enforces them and powers of inspection, the same as Regulations made under the Health and Safety at Work (Northern Ireland) Order 1978. In particular, they apply to non-employed trainees, see paragraph 13 above.

Guidance
10

## Regulation 11

### Application to the Crown and armed forces

#### Regulation

(1) *Article 44 of the 1978 Order shall, subject to paragraph (2), apply in respect of these Regulations as it applies in respect of Regulations made under Part II of that Order.*

(2) *These Regulations shall apply in respect of members of the armed forces of the Crown subject to the following -*

- (a) *references to "representatives of employee safety" shall, in respect of any group of employees, be references to one or more persons in that group who were appointed by the employer to represent that group for the purposes of such consultation;*
- (b) *references to "elected" and "re-elected" in regulation 4(3)(c) shall be, respectively, references to "appointed" and "re-appointed"; and*
- (c) *Regulation 7(1)(b), (2) and (3) shall not apply.*

11

## Regulation 12

### Disapplication to sea-going ships and offshore installations

#### Regulation

(1) *These Regulations shall not apply to or in relation to the master or crew of a sea-going ship or to the employer of such persons in respect of the normal ship-board activities of a ship's crew under the direction of the master.*

(2) *These Regulations shall not apply to, or in relation to, an offshore installation to which the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989<sup>22</sup> apply.*

(3) *In this regulation, the expression "offshore installation" has the same meaning as it has in regulation 3 of the Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995<sup>23</sup>.*

*22 S.I. 1989/971, as amended as respects Northern Ireland by S.R. 1993 No. 221, S.R. 1995 No. 340 and S.R. 1995 No. 345.  
23 S.R. 1995 No. 340.*

12

32. See paragraph 4 above in relation to offshore installations.

## Regulation 13

### Amendment of the 1979 Regulations

#### Regulation 13

*In regulation 3(1) of the 1979 Regulations the word "except in the case of employees employed in a mine within the meaning of section 156 of the Mines Act (Northern Ireland) 1969 which is a coal mine" shall be omitted.*

# Requirements for information for employees in existing legislation

The following health and safety legislation requires employers to give information to their employees. Each entry contains a brief summary of what is required but you will need to find out your precise duties from the publications listed in Appendix D References.

### General health and safety

#### ***Management of Health and Safety at Work Regulations (Northern Ireland) 1992 (MHSW)<sup>1</sup>***

Information on:

- (a) risks to health and safety;
- (b) preventive and protective measures;
- (c) emergency procedures (including who is responsible for evacuation); and
- (d) temporary employees on fixed contracts: any special occupational skills or qualifications needed for the work and any requirements for health surveillance.

#### ***Health and Safety (First Aid) Regulations (Northern Ireland) 1982<sup>2</sup>***

First aid arrangements: including facilities, responsible personnel and where first aid equipment is kept.

#### ***Health and Safety (Safety Signs and Signals) Regulations (Northern Ireland) 1996<sup>3</sup>***

Each employee must be given clear and relevant information on the measures to be taken in connection with safety signs.

#### ***Health and Safety Information for Employees Regulations (Northern Ireland) 1991<sup>4</sup>***

Information about employees' health and safety welfare in the form of:

- (a) an approved poster to be displayed where it can be easily read as soon as is reasonably practicable after any employees are taken on; or
- (b) an approved leaflet to be given to employees as soon as practicable after they start.

#### ***Health and Safety (Consultation with Employees) Regulations (Northern Ireland) 1996<sup>5</sup>***

Necessary information to enable your employees to fully take part in consultation and to understand:

- (a) what the likely risks and hazards arising from their work, or changes to their work, might be;
- (b) the measures in place, or to be introduced, to eliminate or reduce them;
- (c) what employees ought to do when encountering risks and hazards.

See paragraph 5 of this guidance document.

#### ***Safety Representatives and Safety Committees Regulations (Northern Ireland) 1979<sup>6</sup>***

Necessary information to assist the work of safety representatives nominated in writing by a recognised trade union.

## **Health hazards**

### ***Control of Substances Hazardous to Health Regulations (Northern Ireland) 1995<sup>7</sup>***

Information on:

- (a) risks to health created by exposure to substances hazardous to health (including eg high hazard biological agents);
- (b) precautions;
- (c) results of any required exposure monitoring; and
- (d) collective results of any required health surveillance.

### ***Chemicals (Hazards Information and Packaging) Regulations (Northern Ireland) 1995<sup>8</sup>***

Safety data sheets or the information they contain to be made available to employees (or to their appointed representatives).

### ***Manual Handling Operations Regulations (Northern Ireland) 1992<sup>9</sup>***

Information on:

- (a) the weight of loads for employees undertaking manual handling; and
- (b) the heaviest side of any load whose centre of gravity is not positioned centrally.

### ***Health and Safety (Display Screen Equipment) Regulations (Northern Ireland) 1992<sup>10</sup>***

Health and safety information about display screen work for both operators and users. (The Regulations define who is an operator and who is a user).

### ***Noise at Work Regulations (Northern Ireland) 1990<sup>11</sup>***

Information for employees likely to be exposed to daily personal noise levels at 85dB(A) or above:

- (a) noise exposure: level, risk of damage to hearing and action employees can take to minimise that risk;
- (b) personal ear protectors (to be provided by employers): how to get them, where and when they should be worn, how to look after them and how to report defective ear protectors/noise control equipment;
- (c) when to seek medical advice on loss of hearing; and
- (d) employees' duties under the Regulations.

In addition, ear protection zones to be marked for employees likely to be exposed to daily personal noise levels at 90dB(A) or above (as far as is reasonably practicable).

### ***Control of Asbestos at Work Regulations (Northern Ireland) 1988<sup>12</sup>***

Information about risks and precautions for:

- (a) employees liable to be exposed to asbestos; and
- (b) employees who carry out any work connected with your duties under these Regulations.

### ***Control of Lead at Work Regulations (Northern Ireland) 1986<sup>13</sup>***

Information about risks and precautions for:

- (a) employees liable to be exposed to lead; and
- (b) employees who carry out any work connected with your duties under these Regulations.

### ***Ionising Radiations Regulations (Northern Ireland) 1985<sup>14</sup>***

Information:

- (a) to enable employees working with ionising radiations to meet the requirements of the Regulations;
- (b) on health hazards for particular employees classified in the Regulations, the precautions to be taken and the importance of complying with medical and technical requirements; and
- (c) for female employees on the possible hazard to the unborn child and the importance of telling the employer as soon as they find out they are pregnant.

### ***Control of Pesticides Regulations (Northern Ireland) 1987<sup>15</sup>***

Information on risks to health from exposure to pesticides and precautions.

#### **Safety Hazards**

### ***Provision and Use of Work Equipment Regulations (Northern Ireland) 1993<sup>16</sup>***

Information on:

- (a) conditions and methods of use of work equipment (including hand tools); and
- (b) foreseeable abnormal situations: what to do and lessons learned from previous experience.

### ***Personal Protective Equipment at Work Regulations (Northern Ireland) 1993<sup>17</sup>***

Information on:

- (a) risk(s) that the personal protective equipment (PPE) will avoid or limit;
- (b) the PPE's purpose and the way it must be used; and
- (c) what your employee needs to do to keep the PPE in working order and good repair.

#### **Special Hazards**

### ***Control of Industrial Major Accident Hazards Regulations (Northern Ireland) 1985<sup>18</sup>***

Information necessary to ensure employees' safety.

### ***Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations (Northern Ireland) 1992<sup>19</sup> and***

### ***Road Traffic (Carriage of Dangerous Substances in Packages etc) Regulations (Northern Ireland) 1992<sup>20</sup>***

Information in writing (required by both sets of Regulations) for drivers on:

- (a) specified information about the load, eg what the substance is and the amount being carried; and
- (b) hazards created by the substance and how to deal with emergencies.

(NB Both sets of Regulations are to be replaced by the Carriage of Dangerous Goods by Road Regulations (Northern Ireland), currently in preparation, but the requirements will remain largely the same.)

***Pressure Systems and Transportable Gas Containers Regulations (Northern Ireland) 1991***<sup>21</sup>

Operators (employees) of installed or mobile pressure systems to be informed about:

- (a) safe operation of the system; and
- (b) action to be taken in the case of an emergency.

***Dangerous Substances in Harbour Areas Regulations (Northern Ireland) 1991***<sup>22</sup> and

***Explosives in Harbour Areas Regulations (Northern Ireland) 1995***<sup>23</sup>

Information for employees handling dangerous substances and explosives to ensure their own health and safety (and that of others).

***Nuclear Installations Act 1965 (as amended)***<sup>24</sup>

Employers who hold site licences must give information on:

- (a) safety; and
- (b) effective implementation of emergency arrangements.

***Construction (Design and Management) Regulations (Northern Ireland) 1995***<sup>25</sup>

Contractors must provide employees who are engaged in construction work with information:

- (a) on the risks to their health and safety; and
- (b) as required under the Management of Health and Safety Regulations.

Principal contractors are responsible for ensuring that this happens. They should also display all notifiable project information on a notice and bring this and any site rules to the attention of everyone who may be affected by them.

# Requirements for instructions and training for employees in existing legislation

The following health and safety legislation requires employers to instruct and train their employees. Each entry contains a brief summary of what is required but **you** will need to find out your precise duties from the publications listed in Appendix D References.

### General health and safety

#### *Management of Health and Safety at Work Regulations (Northern Ireland) 1992<sup>1</sup>*

Health and safety training:

- (a) on recruitment;
- (b) on being exposed to new or increased risks; and
- (c) repeated as appropriate

#### *Health and Safety (First Aid) Regulations (Northern Ireland) 1982<sup>2</sup>*

First-aiders provided under the Regulations must have received training approved by the Department of Economic Development.

#### *Health and Safety (Safety Signs and Signals) Regulations (Northern Ireland) 1996<sup>5</sup>*

Each employee must be given instruction and training on:

- (a) the meaning of safety signs; and
- (b) measures to be taken in connection with safety signs.

#### *Health and Safety (Consultation with Employees) Regulations (Northern Ireland) 1996<sup>5</sup>*

Training for employee representatives in their functions as representatives (as far as is reasonable). You are required to meet the costs of this training, including travel and subsistence and giving time off with pay for training. See paragraphs 23 and 24 of this guidance document.

#### *Safety Representatives and Safety Committees Regulations (Northern Ireland) 1979<sup>6</sup>*

Sufficient time-off with pay for safety representatives to receive adequate training in their functions as a safety representative.

### Health hazards

#### *Control of Substances Hazardous to Health Regulations (Northern Ireland) 1995<sup>7</sup>*

Instruction and training in:

- (a) risks created by exposure to substances hazardous to health (eg high hazard biological agents) and precautions;
- (b) results of any required exposure monitoring; and
- (c) collective results of any required health surveillance

#### *Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 1994<sup>26</sup>*

Training and local rules for the safety of employees whose work involves genetically modified organisms.

***Health and Safety (Display Screen Equipment) Regulations (Northern Ireland) 1992<sup>10</sup>***

Adequate health and safety training in the use of any workstation to be used

***Noise at Work Regulations (Northern Ireland) 1990<sup>11</sup>***

Instruction and training for employees likely to be exposed to daily personal noise levels at 85dB(A) or above:

- (a) noise exposure: level, risk of damage to hearing and action employees can take to minimise that risk;
- (b) personal ear protectors (to be provided by employers): how to get them, where and when they should be worn, how to look after them and how to report defective ear protectors/noise control equipment;
- (c) when to seek medical advice on loss of hearing; and
- (d) employees' duties under the Regulations.

***Control of Asbestos at Work Regulations (Northern Ireland) 1988<sup>12</sup>***

Instruction and training about risks and precautions for:

- (a) employees liable to be exposed to asbestos; and
- (b) employees who carry out any work connected with your duties under these Regulations.

***Control of Lead at Work Regulations (Northern Ireland) 1986<sup>13</sup>***

Instruction and training about risks and precautions for:

- (a) employees liable to be exposed to lead; and
- (b) employees who carry out any work connected with your duties under these Regulations.

***Ionising Radiations Regulations (Northern Ireland) 1985<sup>14</sup>***

Instruction and training to enable employees working with ionising radiations to meet the requirements of the Regulations, eg in radiation protection for particular groups of employees classified in the Regulations.

**Safety Hazards**

***Provision and Use of Work Equipment Regulations (Northern Ireland) 1993<sup>16</sup>***

Employees who use work equipment (including hand tools) and those who manage or supervise the use of work equipment need health and safety training in:

- (a) methods which must be used: and
- (b) any risks from use and precautions.

***Personal Protective Equipment at Work Regulations (Northern Ireland) 1993<sup>17</sup>***

Employees who must be provided with personal protective equipment (PPE) need instruction and training in:

- (a) risk(s) the PPE will avoid or limit;
- (b) the PPE's purpose and the way it must be used; and
- (c) how to keep the PPE in working order and good repair.

***Office and Shop Premises Act (Northern Ireland) 1966 Section 19 (Training and supervision of persons working at dangerous machines)<sup>27</sup>***

Training and supervision of people working at machines.

***Factories Act (Northern Ireland) 1965 Section 22 (Training and supervision of young persons working at dangerous machines)<sup>28</sup>***

Training, instruction and supervision of young people working on prescribed machinery.

***Woodworking Machinery Regulations (Northern Ireland) 1922<sup>29</sup>***

Prescribed training, instruction and supervision of employees on woodworking machines.

***Power Presses Regulations (Northern Ireland) 1966<sup>30</sup>***

Prescribed training and competence for appointed people preparing, installing and adjusting tools or safety devices on power presses.

***Abrasive Wheels Regulations (Northern Ireland) 1971<sup>31</sup>***

Prescribed training and competence for appointed people mounting abrasive wheels.

**Special Hazards**

***Control of Industrial Major Accident Hazards Regulations (Northern Ireland) 1985<sup>18</sup>***

Training for employees necessary to ensure their safety under the Regulations.

***Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations (Northern Ireland) 1992<sup>19</sup> and***

***Road Traffic (Carriage of Dangerous Substances in Packages etc) Regulations (Northern Ireland) 1992<sup>20</sup>***

NB: Both sets of Regulations are due to be replaced by the Carriage of Dangerous Goods by Road Regulations (Northern Ireland), currently in preparation.

***Road Traffic (Carriage of Explosives) Regulations (Northern Ireland) 1993<sup>32</sup>***

NB: To be replaced by the Carriage of Explosives by Road Regulations (Northern Ireland), currently in preparation.

***Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations (Northern Ireland) 1992<sup>33</sup> and***

***Road Traffic (Training of Drivers of Vehicles Carrying Explosives) Regulations (Northern Ireland) 1993<sup>34</sup>***

NB: To be replaced, respectively, by the Carriage of Dangerous Goods by Road (Driver Training) Regulations (Northern Ireland) and the Carriage of Explosives by Road (Driver Training) Regulations (Northern Ireland), currently in preparation.

Training for employees necessary to ensure their safety under the Regulations.

In some cases the driver has to attend an approved training course, pass an approved examination and hold a related training certificate.

***Pressure Systems and Transportable Gas Containers Regulations (Northern Ireland) 1991<sup>21</sup>***

Operators (employees) of installed or mobile pressure systems to be instructed on:

- (a) safe operation of the system; and
- (b) action to be taken in the case of an emergency.

***Dangerous Substances in Harbour Areas Regulations (Northern Ireland) 1991<sup>22</sup> and Explosives in Harbour Areas Regulations (Northern Ireland) 1995<sup>23</sup>***

Employees handling dangerous substances or explosives to be instructed and trained to ensure their own health and safety (and that of others).

***Nuclear Installations Act 1965 (as amended)<sup>24</sup>***

Employers who hold nuclear site licences must give instruction and training on:

- (a) safety; and
- (b) effective implementation of emergency arrangements.

***Agriculture (Circular Saws) Regulations (Northern Ireland) 1989 (remaining parts)<sup>35</sup>***

Training in the operation of a circular saw (or similar type).

***Construction (Design and Management) Regulations (Northern Ireland) 1995<sup>25</sup>***

Principal contractors are responsible for ensuring (as far as is reasonably practicable) that contractors comply with the Management of Health and Safety at Work Regulations (Northern Ireland) 1992 (see above).

### Help with holding elections

Three organisations are specified by the Department of Economic Development under industrial relations legislation to undertake independent scrutiny of trade union elections. All three will assist employers who want advice on the election of representatives of employee safety, and will run the election for you if you wish:

#### **Electoral Reform Ballot Services Ltd**

Independence House  
33 Clarendon Road  
London N8 0NW

tel 0181 365 8909

fax 0181 365 8587

#### **The Industrial Society**

Robert Hyde House  
48 Bryanston Square  
London W1H 7LN

tel 0171 262 2401

fax 0171 706 1096

#### **Unity Security Balloting Services Ltd**

130 Minories  
London EC3N 1NT

tel 0171 702 3244

fax 0171 702 2928

If all you need is an independent scrutineer, you may like to contact a practising solicitor, a qualified auditor or someone else of similar standing, independent of your business, who will ensure that the election has been run properly.

### HOW TO OBTAIN PUBLICATIONS

Each of the publications listed in the following pages is identified by one of the publishers "HMSO", "HSA" or "HSE Books". An explanation of the nature of the publication is given below, together with the source of copies.

"HMSO"            These include Northern Ireland health and safety Regulations, and Northern Ireland Approved Codes of Practice and/or Guidance prepared by the Health and Safety Agency for Northern Ireland. They can be obtained from:

Stationery Office Bookshop  
16 Arthur Street  
Belfast  
BT1 4GD  
Telephone: 01232 238451  
Fax:            01232 235401

"HSA"            Free Northern Ireland publications, obtainable from:

The Health and Safety Agency for Northern Ireland  
83 Ladas Drive  
Belfast  
BT6 9FJ  
Telephone: 01232 243249  
Fax:            01232 235383

"HSE Books"    These are publications of the Great Britain Health and Safety Commission/Executive. Although written in the Great Britain context, the guidance provided is fully applicable to Northern Ireland. The publications are available from:

HSE Books  
PO Box 1999  
Sudbury  
Suffolk  
CO10 6FS  
Telephone: 01787 881165  
Fax:            01787 313995

## References

1. HSA 61 *Management of Health and Safety at Work Regulations (Northern Ireland) 1992*. Approved Code of Practice HMSO. ISBN 0 337 1 184 7
2. HSA 59 *First aid at work. Health and Safety (First Aid) Regulations (Northern Ireland) 1982*. Approved Code of Practice and Guidance HMSO ISBN 0 337 1 177 4
3. L64 *Safety Signs and Signals: Guidance on Regulations* HSE Books ISBN 0 7176 0870 0
4. HSA 56A Poster - Health and Safety Law (Northern Ireland): What You Should Know HMSO ISBN 0 337 09360 1
5. HSA 91 *A guide to the Health and Safety (Consultation with Employees) Regulations (Northern Ireland) 1996* The Stationery Office Ltd ISBN 0 337 112452
6. HSA Safety representatives and safety committees (Northern Ireland) 1997 HSA 6 (Rev)
7. 84 HSA 96 *General COSHH (NI) A COP (Control of substances hazardous to health) Carcinogens A COP (Control of carcinogenic substances) and Biological agents A COP (Control of biological agents) Control of Substances Hazardous to Health. Approved Code of Practice 1996* HMSO ISBN 0 337 09424 1
8. L62 *Safety data sheets for substances and preparations dangerous for supply (second edition) Guidance on regulation 6 of the CHIP Regulations 1994. Approved Code of Practice* HSE Books 1995 ISBN 0 7176 0859 X  
L63 *Approved guide to the classification and labelling of substances dangerous for supply - CHIP 2*. HSE Books 1995 ISBN 0 7176 0860 3
9. HSA 68 *Manual Handling. Manual Handling Operations Regulations (Northern Ireland) 1992. Guidance on regulations* HMSO ISBN 0 337 1 193 6  
IND(G) 143L leaflet: *Getting to grips with manual handling* HSE Books ISBN 0 7176 0966 9
10. HSA 67 *Display screen equipment work. Health and Safety (Display Screen Equipment) Regulations (Northern Ireland) 1992. Guidance on Regulations* HMSO ISBN 0 337 11192 8
11. HSA 46 leaflet: *Noise at work: introducing the Noise at Work Regulations (Northern Ireland) 1990*. HSA  
IND(G)99L leaflet: *Noise at work: advice for employees* HSE Books 1995 ISBN 0 7176 0962 6  
IND(G) 193L leaflet: *Health surveillance in noisy industries* HSE Books 1995 ISBN 0 7176 0933 2  
IND(G)200L leaflet: *Ear protection in noisy firms - employers duties explained* HSE Books 1995 ISBN 07176 0924 3  
  
Noise at work. Noise guide No 1: Legal duties of employers to prevent damage to hearing. Noise guide No 2: Legal duties of designers, manufacturers, importers and suppliers to prevent damage to hearing. The Noise at Work Regulations 1989 (one volume) HSE Books 1989 ISBN 0 7176 0454 3
12. L27 *The Control of Asbestos at Work. Control of Asbestos at Work Regulations 1987. Approved Code of Practice* 2nd ed HSE Books 1993 ISBN 0 11 882037 0
13. HSA 29 *Control of lead at work (Northern Ireland). Approved code of practice* HMSO ISBN 0 337 11128 6.

14. Approved Codes of Practice:  
 Parts 1 and 2 (HSA28): *The protection of persons against ionising radiations arising from any work activity (Northern Ireland)* HMSO ISBN 0 337 11124 3  
 Part 3 (COP 23): *Exposure to radon: the Ionising Radiations Regulations 1985. Approved Code of Practice* HSE Books 1988 ISBN 0 11 885978 0  
 Part 4 (L7): *Dose limitation - restriction of exposure: additional guidance on regulation 6 of the Ionising Radiations Regulations 1985. Approved Code of Practice* HSE Books 1991 ISBN 0 11 885605 7
15. 86 HSA 96 *The safe use of pesticides for non-agricultural purposes. Control of Substances Hazardous to Health Regulations (Northern Ireland) 1995. Approved Code of Practice* HMSO ISBN 0 337 11229 0
16. 65 HSA 96 *Work equipment. Provision and Use of Work Equipment Regulations (Northern Ireland) 1993. Guidance on Regulations* HMSO ISBN 0 337 11190 1
17. HSA 69 *Personal Protective Equipment at Work Regulations (Northern Ireland) 1993. Guidance on Regulations* HMSO ISBN 0 337 11194 4
18. HS(R)21 *A guide to the Control of Industrial Major Accident Hazards Regulations 1984* HSE Books 1990 ISBN 0 11 885579 4  
 HS(G)25 *Control of Industrial Major Accident Hazard Regulations 1984 (CIMA H). Further guidance on emergency plans.* HSE Books 1985 ISBN 0 11 883831 8
19. Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations (Northern Ireland) 1992: S.R. 1992 No 260. HMSO
20. Road Traffic (Carriage of Dangerous Substances in Packages etc) Regulations (Northern Ireland) 1992: S.R. 1992 No 261. HMSO.
21. HSA63 Safety of Pressure Systems. Approved Code of Practice. HMSO ISBN 0 337 1 189 8  
 HS(R)30 *A guide to the Pressure Systems and Transportable Gas Containers Regulations 1989* HSE Books 1990 ISBN 0 7176 0489 6  
*An open learning course on the Pressure Systems and Transportable Gas Containers Regulations 1989* HSE Books ISBN 0 7176 0687 2
22. COP 18 *Dangerous substances in harbour areas. The Dangerous Substances in Harbour Areas Regulations 1987. Approved Code of Practice* HSE Books 1987 ISBN 0 11 883857 1  
 HS(R)27 *A guide to the Dangerous Substances in Harbour Areas Regulations 1987* HSE Books 1988 ISBN 0 11 883991 8
23. Included in 22 above.
24. HS(G)120 *Nuclear site licences: notes for applicants* HSE Books 1994 ISBN 0 7176 0795 X
25. 79 HSA 96 *Managing construction for health and safety - Construction (Design and Management) Regulations (Northern Ireland) 1995. Approved Code of Practice* HMSO ISBN 0 337 11232 0  
 80HSA96 *A guide to managing health and safety in construction in Northern Ireland* HMSO ISBN 0 337 11231 2
26. Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 1994 S.R. 1994 No 143 HMSO

27. Office and Shop Premises Act (Northern Ireland) 1966 Ch. 26 (N.I.) HMSO
28. Factories Act (Northern Ireland) 1965 Ch. 20 (N.I.) HMSO
29. *Woodworking Machinery Regulations (Northern Ireland) 1922*. S.R. & O. (N.I.) No. 72 HMSO
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