

JOINT WORKING WITH TRADE UNIONS FOR HEALTHIER AND SAFER WORKPLACES

**The benefits of partner working
for good standards of health
and safety in Higher Education
Institutions**

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INTRODUCTION

Partnership working between key stakeholders within the Higher Education sector is absolutely critical in achieving high standards of health and safety. Effective engagement between institutions, employees and trade unions is the bedrock of good safety. A high level of engagement between institutions, employees and trade unions is particularly effective if it is happening regularly, as this allows early intervention to tackle emerging problems before they escalate.

In fact, world-class health and safety standards can ONLY be achieved through high levels of engagement. In many cases early informal engagement with the health and safety department or trade union safety representative can mean that issues are resolved, and formal escalation of an issue is avoided.

However, a key element of this effective engagement is ensuring clarity over how more substantive concerns regarding workplace hazards, including physical or psychological well-being risks should be raised and resolved in a timely manner. The early identification and resolution of an issue is sometimes the difference between a state of safety and harm occurring.

Institutions are encouraged to consider this approach and in consultation with union colleagues agree on a methodology which meets the same aims and reflects the needs of the institution and which, where appropriate, integrates with their existing arrangements (e.g. incident and near miss reporting, grievance and whistleblowing arrangements etc.).

This guidance is intended for Vice-Chancellors and their Executive Colleagues, Senior Managers and Health and Safety Professionals, and aims to outline best practice in the management of health and safety consultations with Trade Unions and their nominated Health and Safety Representatives and Representatives of Employee Safety for non-unionised organisations and non-union represented employees.

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Chair, Universities Safety and Health Association

September 2026

supporting partners



WHAT DO TRADE UNION HEALTH AND SAFETY REPRESENTATIVES DO?

This guidance sets out the legal framework and best practice approaches to working with trade unions on health and safety matters in Higher Education Institutions. It is not intended to replace the current guidance on trade union consultation or go into detail on any statutory duties identified in The Safety Representatives and Safety Committees' Regulations 1997. It does, however, aim to contextualize the existing guidance into a Higher Education setting.

The entire intent of this guidance is to develop a culture of cooperation between Health and Safety professionals and Trade Union Health and Safety Representatives, working towards the same outcome, good standards of health and safety management, and a safe and healthy workplace.

This guidance also aims to explain and signpost to the relevant legislation and guidance on how to consult and involve your employees and their representatives on health and safety matters at work under the Safety Representatives and Safety Committees Regulations 1977 (as amended) and the Health and Safety (Consultation with Employees) Regulations 1996 (as amended). It explains the relationship between the two sets of regulations and how they affect you and your workforce; in some workplaces you may have to consult under both sets of regulations, whilst in others trade unions may act for employees who are not members of a trade union. For simplicity this guidance refers to both sets of legislation and collectively refers to the safety representatives as **"Trade Union and Employee Safety Representatives"** unless there are specific duties for trade union representatives when the term **"Trade Union Safety Representatives"** is used.

Section 2(6) of the Health and Safety at Work Act 1974 obliges employers to make and maintain arrangements that will enable employer and employees "to cooperate effectively in promoting and developing measures to ensure the health and safety at work of the employees" and thereafter checking these measures work. So, the arrangements for cooperation are an indicator of employer commitment: the priority given to protecting people's lives.

Selling the Benefits

The consequence of a culture of cooperation is usually a win-win outcome, Trade Union and Employee Safety Representatives, Health and Safety Professionals, Executive Leaders and Senior Managers all desire the same outcome, good standards of health and safety. Working together to resolve issues at a local level, involving those affected by any risks can often lead to a satisfactory resolution and may not need to be escalated to a formal stage. However, when more serious issues are raised, they should still be escalated but it would be considered best practice to involve the central health and safety team in the escalation. A culture of cooperation will additionally;

- Improve health and safety reporting thereby advancing proactive safety improvements
- Increase routine collaboration between Health and Safety Professionals and Trade Union and Employee Safety Representatives
- Foster a culture of genuine care for employees' health and wellbeing at all levels from senior management
- Support the early reporting of safety concerns and near misses to reduce likelihood of further incidents, accidents and dangerous occurrences.

The function of safety representatives appointed by recognised trade unions, as set out in Safety Representatives and Safety Committees Regulations 1977 (as amended), include representing employees in consultations with employers about workplace health, safety and welfare matters

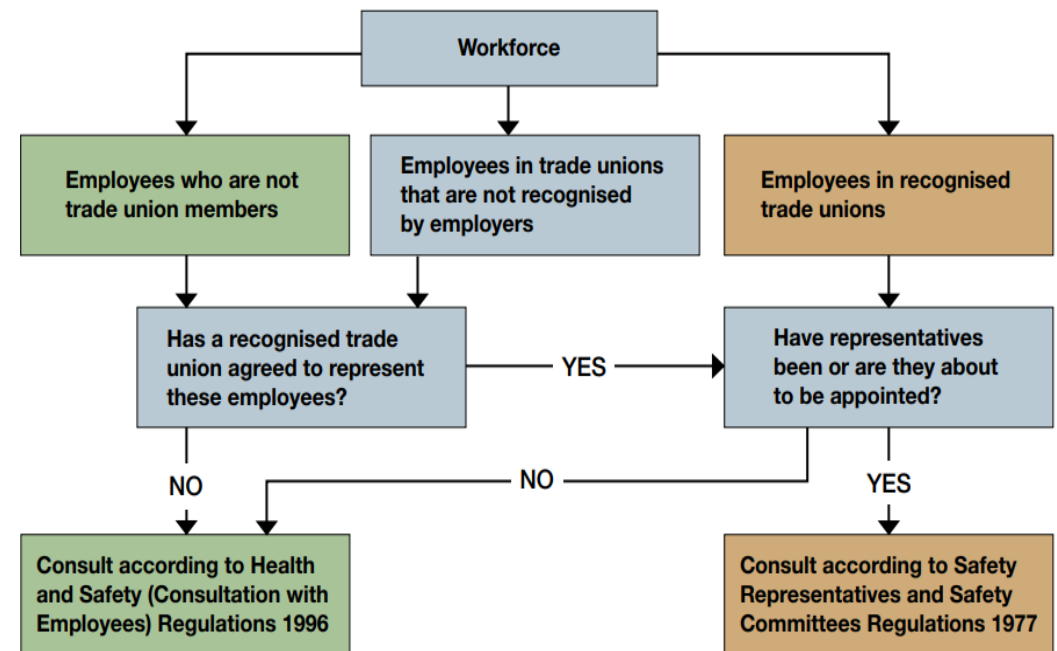
The Safety Representatives and Safety Committees Regulations 1977 (as amended) prescribes the functions of safety representatives appointed under those Regulations; employers are required to allow safety representatives such paid time off during working hours as is necessary to perform their statutory functions. In agreeing paid time off, employers should give consideration to the time that is needed for safety representatives to perform their statutory functions.

In addition, the employer is required to allow safety representatives such paid time as is necessary to receive training in aspects of their statutory functions that is reasonable in all circumstances.

As soon as possible after their appointment, safety representatives should be permitted time off with pay to attend basic training facilities approved by the Trades Union Congress (TUC) or by the independent union or unions which appointed the safety representatives.

Further approved training should be undertaken where the safety representative has specific responsibilities or where it is necessary to meet changes in circumstances or relevant legislation. The length of training cannot be rigidly prescribed. Whilst basic training should be sufficient to enable safety representatives to carry out the functions placed on them by the Regulations, employers may wish to consider the benefits of training which goes beyond what is strictly necessary.

In particular, basic training should provide an understanding of the role of safety representatives, of safety committees, and of trade unions' policies.



In some workplaces you may have to consult under both sets of regulations (see paragraphs 34–36)

Key to colour-coded material

References to the regulations are colour-coded to help you find the parts that are most relevant to you:

For workplaces where the Safety Representatives and Safety Committees Regulations 1977 apply.

For workplaces where the Health and Safety (Consultation with Employees) Regulations 1996 apply.

For workplaces where both the Safety Representatives and Safety Committees Regulations 1977 and the Health and Safety (Consultation with Employees) Regulations 1996 apply.

HEIs should be aware that whilst Trade Union and employee H&S Reps will have received training in health and safety management, they are not required to be qualified H&S professionals and are not responsible under law for implementing safety measures in the workplace, this rests solely with employers. Safety reps may need help and support from safety professionals in a collaborative way to reach resolution on a safety issue.

Existing guidance

There is existing detailed guidance for the arrangements on consulting with employees for both trade union and non-trade union representation, details and links to the exiting guidance are given below.

Safety representatives and safety committees: The Regulations, Codes of Practice and guidance relating to the Safety Representatives and Safety Committees Regulations, 1977 (The Brown Book) [BrownBook2015.pdf](#)

This is guidance published by Trade Union Congress (TUC) includes details of the regulations, Code of Practice and guidance approved by the HSE which can support employers in implementing this legislation in consultation with recognised trade unions.

Consulting workers on health and safety – L146 [Consulting workers on health and safety L146](#)

This book gives you the law and guidance on how to consult and involve your employees and their representatives on health and safety matters at work under the Safety Representatives and Safety Committees Regulations 1977 (as amended) and the Health and Safety (Consultation with Employees) Regulations 1996 (as amended). It explains the relationship between the two sets of regulations and how they affect you and your workforce; in some workplaces you may have to consult under both sets of regulations.

Involving your workforce in health and safety HSG 263 [Involving your workforce in health and safety: Guidance for all workplaces HSG65](#)

This guide is mainly aimed at medium to large employers. It will help them in their legal duty to consult and involve their employees on health and safety matters. Small businesses may find the guidance helpful, particularly the case studies. Employees, their health and safety representatives and trade unions may also find the guide useful.

Working together for the same outcome

Effective joint working involves trade union health and safety representatives working collaboratively with employers to identify and address workplace health and safety issues. This includes, for example, raising concerns, sharing employee feedback, participating in consultations, and helping to develop practical solutions to reduce risks. By maintaining open communication and adopting a constructive, problem-solving approach, Health and Safety Professionals, Trade Unions and colleagues in other services can work together to achieve the same objective – a safe and healthy workplace.

Attendance at Safety Committees

Whilst organisational Health and Safety Committees are a joint statutory forum to support consultation between employer representatives and Trade Union Safety Representatives, for effective partnership working it is considered to be best practice to invite Trade Union and Employee Safety Representatives to all University committees including; Faculty, College or School and Professional Service Committees where they exist. The culture of co-operation should extend to the operational detail of the academic and support services as this is usually where the significant risks are managed.

Joint inspections and accident investigations

Trade Union Safety representatives are entitled to inspect the workplace or a part of it having given the employer or his representative reasonable notice in writing of their intention to do so. This can be in the form of safety tours, inspections of reported hazards or surveying employees on their opinions on health and safety matters. The Health and Safety Executive (HSE) sees advantages in formal inspections being jointly carried out by the employer representatives and health and safety representatives, but this should not prevent health and safety representatives from carrying out independent investigations or private discussions with employees. The health and safety representatives ought to co-ordinate their work to avoid unnecessary duplication. There should also be co-ordination of inspections for large businesses responsible for managing multiple sites.

It is considered best practice to involve Trade Union and Employee Safety representatives in the accident investigation process where serious failures have occurred in safety management systems, even if no harm has been caused.

Access to data and information about Health and Safety

In order for Trade Union and Employee Safety Representatives to undertake their function they will need access to key health and safety data such as accident records, outcomes of investigations, results of safety inspections and audits, safety and absence data (at an appropriate anonymised and aggregated absence category level). Whilst HEIs must consider the protection of individuals data under the requirements of the General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018, it would be considered best practice to share relevant data with Trade Union and Employee Safety Representatives (where it is lawful to do so) in order to collaborate on effective safety solutions.

This requirement also extends to employers providing and sharing information on high-risk hazards such as lasers, radiation, asbestos and chemicals etc. The provision of such information ensures that Trade Union and Employee Safety Representatives make informed decisions in collaboration with Health and Safety Professionals. We should remember that Trade Union and Employee Safety Representatives are not subject matter experts and may need support in interpreting and understanding complex or technical information.

What good consultation looks like

The following factors are examples that would demonstrate that HEIs have an effective consultation process with trade Union and Employee Safety Representatives.

- There is provision of information and training to enable staff to work in a safe and healthy manner.
- Trade Union and Employee Safety Representatives carry out their full range of functions either independently or, if agreed, jointly with management.
- Trade Union and Employee Safety Representatives are involved in risk assessment.
- Trade Union and Employee Safety Representatives are consulted in good time on matters relating to their health and safety and the results of risk assessments (e.g. systems of work including procedures).
- Trade Union Safety representatives have the opportunity to discuss issues that they have been consulted on with their members.
- Suggestions made by Trade Union and Employee Safety Representatives are considered before health and safety decisions are made with an explanation from management if suggestions are rejected.
- Trade Union and Employee Safety Representatives are comfortable and supported in reporting unsafe acts and conditions.
- The HEI has key performance indicators for worker involvement, progress against which is reviewed and reported and shared with Trade Union and Employee Safety Representatives

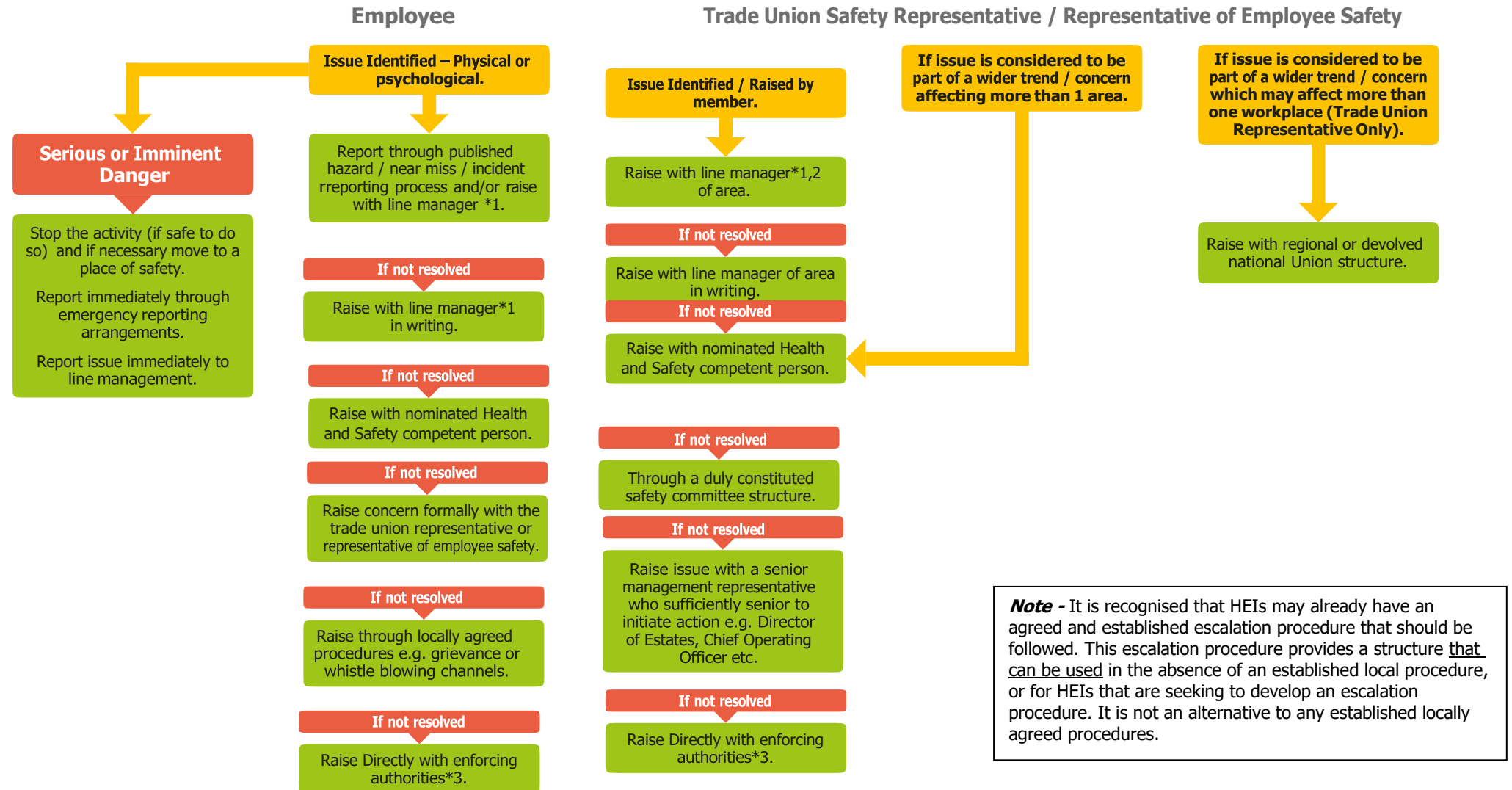
How to raise and escalate health and safety concerns

This section of the guidance represents a typical escalation process which allows managers and institutions to reflect and remedy issues whilst ensuring that concerns cannot be ignored and receive due attention. Trade Union Safety Reps can raise concerns/issues following inspections, investigations, concerns raised by members and organisational changes which impact on the health and safety of their members. Concerns can also be raised at Safety committees and related meetings as appropriate.

There are a few principles which may be considered when seeking to use this template:

- Line management should, wherever possible be given an opportunity to resolve an issue in a timely way, before an issue is escalated.
- No one should be put in a position where they are exposed to serious or imminent danger. If this did occur then the first urgent action must be to ensure the individual is safe.
- In cases when an individual is concerned, but is unclear about the severity or significance of the risk then individuals should be free to seek advice from an appropriate individual e.g. line manager, safety advisor or Union appointed Safety Representative.
- Issues should be recorded in existing systems (such as near miss or incident reporting systems) to ensure that trends and emerging issues can be identified.
- However, there may be circumstances where it is not appropriate to raise an issue with the line manager concerned and so an alternative more senior manager, or an alternative route through the Health and Safety team or HR may be appropriate.
- Circumstances may mean that a number of steps need to occur in rapid succession.
- Colleagues may seek support or clarification from more colleagues experienced or qualified in health and safety matters before raising a concern e.g. colleagues may wish to discuss their concerns with a more experienced trade union safety representative to ensure that they are tackling an issue in the most constructive manner.
- Similarly in some cases, it may be appropriate for union colleagues to issue advice proactively to the staff they represent who may be affected by a potential hazard. Wherever this happens it should be done in parallel with the institution's normal escalation process in the first instance or in parallel with the process described in this document where there is not an agreed local escalation process.

WHAT TO DO IF A HEALTH AND SAFETY CONCERN IS IDENTIFIED



*1 Note: If the line manager is implicated in the issue then at this point it may be appropriate to raise with a more senior manager or HR contact. Employees who are union members may also wish to talk to their union representative before raising the issue with their line manager.

Circumstances may dictate that a number of these steps may take place in rapid succession.

*2 Note: It is noted that some union representatives may wish to seek guidance from more experienced branch representatives before proceeding.

*3 Note: Raise directly with enforcing authority. This should be a last resort, once all attempts to resolve the matter internally have been exhausted.

For safety reps – <https://www.hse.gov.uk/involvement/hsrepresentatives.htm>

For others – <https://www.hse.gov.uk/contact/concerns.htm>

GETTING FURTHER HELP AND ADVICE

Further advice and guidance on working effectively with Trade Union and Employee Safety Representatives is available from the following organisations;

Trades Union Congress (TUC)

Congress House,
Great Russell Street
London
WC1B 3LS

Web: www.tuc.org.uk
Email: info@tuc.org.uk
Tel: 020 7636 4030

Universities Health and Safety Association (USHA)

Unit 6 Birch Mews Estate
Lottbridge Drove
Eastbourne
East Sussex
BN23 6PH

Web: www.usha.org.uk
Email: centralservices@usha.org.uk

Health and Safety Executive Head Office (HSE)

Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS

Web: www.hse.gov.uk

Advisory, Conciliation and Arbitration Service (ACAS)

ACAS National
14 Westfield Avenue
Stratford
London
E20 1HZ

Web: www.acas.org.uk
Tel: 0300 123 1100



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