

Appendix 3: Responsibilities of Safety Representative

(Health & Safety Act, 2005)

The Duties of **safety representative** are spelled out in section 33 Health & Safety Act 2005 section 25.—(1) ... employees may, from time to time, select and appoint from amongst their number at their place of work a ...safety representative... to represent them at the place of work in consultation with their employer on matters related to safety, health and welfare at the place of work. (2) A safety representative may— (a) inspect the whole or any part of the place of work— (i) subject to *subsection (3)*, after giving reasonable notice to the employer, or (ii) immediately, in the event of an accident, dangerous occurrence or imminent danger or risk to the safety, health and welfare of any person, (b) investigate accidents and dangerous occurrences provided that he or she does not interfere with or obstruct the performance of any statutory obligation required to be performed by any person under any of the relevant statutory provisions, (c) after the giving of reasonable notice to the employer, investigate complaints relating to safety, health and welfare at work made by any employee whom he or she represents, (d) accompany an inspector who is carrying out an inspection of the place of work under *section 64* other than an inspection for the purpose of investigating an accident or dangerous occurrence, (e) at the discretion of the inspector concerned, accompany an inspector who is carrying out an inspection under *section 64* for the purpose of investigating an accident or dangerous occurrence, (f) at the discretion of the inspector concerned, where an employee is interviewed by an inspector with respect to an accident or dangerous occurrence at a place of work, attend the interview where the employee so requests, (g) make representations to the employer on any matter relating to safety, health and welfare at the place of work, (h) make oral or written representations to inspectors on matters relating to safety, health and welfare at the place of work, including the investigation of accidents or dangerous occurrences, (i) receive advice and information from inspectors on matters relating to safety, health and welfare at the place of work, or (j) consult and liaise on matters relating to safety, health and welfare at work with any other safety representatives who may be appointed in the undertaking concerned..... (3) The employer and the safety representative shall, having regard to the nature and extent of the hazards in the place of work, agree the frequency or schedule of inspections which may be carried out under *subsection (2)(a)(i)*, which agreement shall not be unreasonably withheld by the employer. (4) Every employer shall consider any representations made to him or her by the safety representative in relation to the matters specified in this section or any other matter relating to the safety, health and welfare at work of his or her employees and, so far as is reasonably practicable, take any action that he or she considers necessary or appropriate with regard to those representations. (5) An employer shall give to a safety representative such time off from his or her work as is reasonable having regard to all the circumstances, without loss of remuneration, to enable the safety representative— (a) to acquire, on an ongoing basis, the knowledge

and training necessary to discharge his or her functions as a safety representative, and
(b) to discharge those functions.

Additional information available from - Guidelines on Risk Assessments & Safety Statements downloadable for free from www.hsa.ie; A Guide to Insurance, Safety and Security in the School (Church and General) currently being updated; Safety, Health and Welfare at Work (General Application) Regulations 2007 in relation to equipment, VDUs, protective clothing, electricity, and much more are available from Government Publications.

Check INTO website also for information.