

Procedure for the appointment of safety representatives, their functions, facilities and training

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 Owner: **Assistant Director, Health, Safety and Wellbeing**
 Responsible work team: **Health, Safety and Wellbeing**

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1 Scope

- 1.1 This policy describes how Safety Representatives (SR) are recognised within the London Fire Brigade, what their functions are and the facilities that will be made available to them in order to fulfil these functions and the training that they are entitled to receive.

2 References

- 2.1 The Health and Safety at Work etc Act 1974, Sections 2(3), 2(4), 2(6), 7 and 8.
- 2.2 The Management of Health and Safety at Work Regulations 1999 and, The Management of Health and Safety at Work Regulations 1999 Approved Code of Practice and Guidance L21.
- 2.3 The Workplace (Health, Safety and Welfare) Regulations 1992, as amended by The Quarries, Miscellaneous Health and Safety Provisions Regulations 1995 and The Workplace (Health, Safety and Welfare) Regulations 1992 Approved Code of Practice and Guidance 12th Edition 1998 (reprinted 2001) L24.
- 2.4 The Safety Representatives and Safety Committees Regulations 1977 and, the Safety Representatives and Safety Committees Regulations 1977 Approved Code of Practice and Guidance 3rd edition 1996 L87.
- 2.5 The Health and Safety (Consultation with employees) Regulations 1996 and, the Health and Safety (Consultation with employees) Regulations 1996 Approved Code and Guidance 3rd edition 1996 L87.
- 2.6 [Policy Number 369](#) - Reporting of injuries, diseases and dangerous occurrences Regulations 2013 policy (RIDDOR 13).
- 2.7 [Policy Number 368](#) - Health, safety and environment event investigation policy (Personal injuries, near misses and traffic accidents).
- 2.8 [Policy Number 427](#) - Development and Maintenance of Operational Professionalism.
- 2.9 [Policy number 1008](#) - Trade union time off and facilities policy.
- 2.10 [Policy Number 534](#) - Procedure for providing health and safety information to safety representatives and others.

3 Definitions

- 3.1 **Safety Representative (SR):** for the purposes of this policy a safety representative will refer to a safety representative appointed by a recognised Trade Union or Association to undertake tasks specified within the provisions of the Safety Representatives and Safety Committees Regulations 1977 or a representative of employee safety appointed by management to undertake tasks specified within the Health and Safety (Consultation with employees) Regulations 1996.

4 Procedure

- 4.1 Legislation

This policy takes account of all legislation mentioned in section 2 above.

- 4.2 **Appointment of Safety Representatives**

- (a) Persons appointed by a Trade Union or Association as a SR must be notified by their Trade Union or Association in writing to the Brigade (reference 2.4). This must be done annually at the relevant safety committee. The names of all SRs notified to safety committees must be

forwarded by the Management Joint Secretary to the Employee Relations Officer, People Services, at Brigade Headquarters to ensure there is no difficulty with the approval of facilities.

- (b) At this time the Trades Unions and Associations within LFB have agreed to represent all employees at a workplace irrespective of their union affiliation or not (reference 2.5). Provided that these arrangements work satisfactorily the London Fire Commissioner will not appoint Representatives of Employee Safety to represent the interests of employees who do not belong to a Trade Union or Association.
- (c) Facilities for SRs must be agreed in accordance with London Fire Brigade instructions for Trade Union facilities. However, it must be recognised that this activity differs from usual facilities granted for Trade Union purposes as these are facilities granted by law (reference 2.4 and 2.5).

4.3 Training of Safety Representatives

- (a) The training of SRs to perform their functions is usually undertaken by the Trade Union or Association by which they are appointed. A SR is entitled to attend these courses in work time with full pay. The total number of SRs, including those on courses, should not exceed the total number recognised by the Brigade (reference 2.9).
- (b) In the case of Representatives of Employee Safety, the London Fire Commissioner is responsible for determining what training is required by these SRs. These appointed SRs are entitled to attend any course or training in work time with full pay (reference 2.5).

4.4 Facilities and Payments Provided to Safety Representatives

- (a) In order to carry out their functions SRs will be granted facilities with pay within normal working hours to carry out their functions. There is no facility in law for a SR to claim overtime payments or time off in lieu for discharging their functions outside normal working hours. These facilities will be granted within the provisions of the extant facilities for Trade Union facilities.
- (b) However, there may be occasions when, in order to expedite the carrying out of their functions, a SR may be granted overtime or time off in lieu. These occasions can only be agreed by Employee Relations Section of People Services and agreement must be secured before the SRs carry out their functions outside normal working hours.
- (c) Facilities for Representatives of Employee Safety will be granted in line with the facilities granted to SRs appointed by a Trades Union or Association.
- (d) The London Fire Commissioner has agreed that a SR may access Brigade photocopying facilities provided that the local management is satisfied as to the following:
 - The SR is competent to use the equipment.
 - The SR assures local management that the material being copied is in connection with Health and Safety matters relevant to the SR's area of responsibility and not of a wider industrial relations nature.
 - The number of copies is reasonable.

4.5 Functions of safety representatives

- (a) Subject to meeting the requirements of section 4.5.2 to 4.5.5 inclusive the functions of a SR where facilities may be granted are:
 - Joint inspections with management of LFB premises and outside venues intended for training (reference 2.8).

- Inspections of LFB premises following complaints or a safety event that comes under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 (reference 2.6 and 2.7).
 - Meetings with inspectors from the Health and Safety Executive.
 - Health and Safety Committee meetings (including additional meetings required as a result of the business of the committee).
 - Any meeting called at the request of either side and agreed by management to deal with a matter of health and safety outside of the formal meeting structure.
- (b) Facility will be given for a SR to inspect the site of a proposed exercise or combined drill prior to commencement and also to attend the exercise or combined drill as an observer during it being carried out, subject to the following (reference 2.8):
- All attendances by a SR must be agreed beforehand.
 - SRs observing exercises or combined drills will identify themselves at the outset to the senior manager on site.
 - If the SR wishes to go into the exercise/combined drill area during the training event they must wear full PPE with an observer tabard and be escorted.
 - Following completion of the exercise, any observations made by an observing SR may be notified in writing to the joint secretary of the relevant safety committee.
 - In the case of a major exercise or combined drill drawing resources from across the Brigade area, arrangements may be made for Brigade level SRs to carry out the pre exercise/combined drill inspections and observe the training event.
- (c) Any safety event resulting in an injury that is reportable under RIDDOR may be investigated by an accredited SR. The SR is entitled to certain information to assist in this investigation and requests for such information must be made in accordance with the procedure for the provision of information to SRs (reference 2.10).
- (d) SRs have the right to investigate complaints received from their member London Fire employees regarding issues that may affect their health and safety.
- (e) SRs may request to interview employees, whether members of their Trades Union/Association or not, on matters within these provisions. However, employees must be made aware that they have no obligation to talk to, or make a statement to a SR, if they choose not to do so.

4.6 Resignation

If a SR relinquishes their position they must notify the Employee Relations at People Services in writing.

Document history

Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

EIA	19/03/26	SDIA	L - 26/05/26	HSWIA	07/03/18	RA	NA
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Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

Page/para nos.	Brief description of change	Date
Throughout	Changes made to reflect the abolition of the London Fire and Emergency Planning Authority now replaced with the London Fire Commissioner.	04/12/2018
Page 2	References to cancelled policies PN086 and PN429 replaced with PN1008.	09/11/2023
Throughout	Reviewed as current. Changes made to reflect the new Health, Safety and Wellbeing department.	28/05/2026

Subject list

You can find this policy under the following subjects.

Safety representatives	Training

Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

Considered by: (responsible work team)	FOIA exemption	Security marking classification