



Safety Consultation and Representation in Health and Social Care

The purpose of this information sheet is to highlight the importance of consultation between employers and employees in the Health and Social Care sector on workplace health and safety matters. It explains the legal requirements and outlines good practice for consultation.

The Health and Social Care sector is one of the largest employment sectors in Ireland, with more than 370,000 people working in it (CSO, Q2 2024). Workplaces in this sector are diverse, including acute hospitals, nursing homes, dental clinics, residential care facilities and community-based health and social care services.

Consultation

Consultation with employees involves listening to their views and taking them into account as part of the decision-making process. Consultation means both (1) providing your workers with information, and (2) obtaining feedback and input before making decisions affecting worker health and safety.

Representation is the action of speaking or acting on behalf of employees to their employer or management.

Employer Responsibilities for Consultation

The Safety, Health and Welfare at Work Act 2005 places a duty on employers to consult with employees about safety, health, and welfare arrangements in the workplace. This consultation is designed to prevent accidents and ill-health, highlight potential hazards, and develop strategies to address these risks.

Key areas of consultation, as outlined in Section 26 of the Safety, Health and Welfare at Work Act 2005 include, but are not limited to:

- ✓ preparation of the safety statement,
- ✓ hazard identification,
- ✓ risk assessment and management, and
- ✓ provision of information and training.

Consultation must occur in advance and in good time to ensure that employees have the opportunity to consider, discuss, and provide feedback on these matters before managerial decisions are made.

Consultation arrangements should be tailored to the size and nature of the workplace and should be agreed between the employer and employees.

For example:

- ✓ In smaller services, informal staff meetings may be sufficient.
- ✓ In larger services, a more structured approach to consultation may be required.

Safety Representatives

As part of the consultation process, employees have the right to select a Safety Representative or, by agreement with their employer, more than one, as outlined in Section 25 of the Safety, Health and Welfare at Work Act 2005. A Safety Representative may consult with, and make representations to, the employer on safety, health and welfare matters relating to the employees in the workplace. The Safety Representative is a responsible role, but it does not come with duties under the Safety, Health and Welfare at Work Act 2005. The Safety Representative is not a Safety Officer or a Safety Advisor. Safety Representatives may consult and liaise with other Safety Representatives in their organisation regardless of whether they work in the same place of work or not.



Safety Representatives must receive adequate training, paid for by the employer, to support them in their role as outlined in the Safety, Health and Welfare at Work Act 2005. The level of training should match the complexity of the workplace hazards and the representative's duties. Training should be a minimum of three days.

Safety Committees

A Safety Committee is a group within an organisation that is tasked with promoting, maintaining, and improving workplace health and safety. The Safety Committee provides a structured forum for consultation. Where a Safety Committee is established, it should operate in compliance with Schedule 4 of the Safety, Health and Welfare at Work Act 2005 with regards to how the committee is made up, how often it meets, how long meetings last, and how many people need to attend. Where there are Safety Representatives in a workplace, at least one must be selected and appointed to the Safety Committee by the employees.

Resources and Support

A range of resources is available from the **Health and Safety Authority (HSA)** to assist employers and employees in the Health and Social Care sector in complying with occupational health and safety legislation and best practices.

Safety Representatives Section on HSA Website

https://www.hsa.ie/eng/enterprise_and_employee_supports/safety_representatives/

Health and Social Care Section on HSA Website

https://www.hsa.ie/eng/your_industry/health_and_social_care_sector/



A wide range of free courses specific to Health and Social Care and Safety Representatives is available on [hsalearning.ie](https://www.hsalearning.ie).

Contact our HelpDesk:

Email: contactus@hsa.ie

Phone: 0818 289 389

HSA

An tÚdarás Sláinte agus Sábháilteachta
Health and Safety Authority