

# MANAGEMENT PROCESS DESCRIPTION MPD355/2.1

## Health Safety & Wellbeing Consultation

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*This Management Process Description replaces*

*MPD355/2*

**Copy Number**

Effective

**15/04/19**

### ***Summary of Significant Changes***

Change of title to include wellbeing, clarify position of chair for national HS&W committee, update functions of national HS&W committee and add provision for fire safety and infection prevention and control consultation

### ***Policy***

It is the policy of NHS Blood and Transplant (NHSBT) to effectively consult colleagues on issues that affect their health safety and wellbeing.

### ***Purpose***

The purpose of this procedure is state how NHSBT will consult with colleagues on issues of health, safety and wellbeing.

### ***Responsibilities***

Management Side is responsible for engaging in meaningful consultation and providing adequate resources for all members of health safety and wellbeing committees to undertake their roles effectively.

Union colleagues are responsible for engaging in meaningful consultation.

Management Side Secretary is responsible for communicating with management side and the union secretary and the maintenance of a list of Health and Safety Representatives.

The Union colleague Secretary is responsible for communicating with the union and the management side secretary.

Health Safety and Wellbeing Advisors are responsible for the provision of health safety and wellbeing advice.

The SPC is responsible for ensuring that an effective National Health Safety and Wellbeing Committee is constituted.

The Organisation and Workforce Development Department is responsible for providing group training and development to committees when requested.

### ***Definitions***

***Must.*** This is the minimum criteria that is to be met. Any standard below this is not acceptable

***Should.*** Where reasonably practicable this criterion is to be met.

***Union colleagues.*** Member of staff who has been appointed as a Health and Safety Representative, or a Full Time Officer with a recognised union organisation and has been appointed as a member of a health and safety committee.

***Management Side.*** Member of NHSBT management who represents management at a health safety and wellbeing committee.

***SPC.*** Staff Partnership Committee, comprising of representatives from the five recognised union organisations (British Medical Association BMA, GMB, Royal College of Nursing RCN, Unison and Unite) and NHSBT managers.

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*Health and Safety Representative.* A member of union who has been appointed as a Health and Safety Representative under the Health and Safety Representatives and Committee Regulations. Representatives must be appointed from recognised union organisations. However, they must represent the interests of colleagues, including those who do not belong to union organisations.

As the unions have agreed to represent all employees under the Safety Representatives and Safety Committees Regulations 1977, the Health and Safety (Consultation with Employees) Regulations 1996 do not apply.

### ***Applicable Documents***

The legislation applicable to health and safety consultation is the Health and Safety at Work Act, and the following regulations and codes of practice:

Regulations and Health and Safety Executive (HSE) guidance:

- Safety Representatives and Safety Committees Regulations 1977
- Consulting Employees on Health and Safety: A guide to the law, HSE Publication IND(G)232
- A Guide to the Health and Safety (Consultation with Employees) Regulations 1996, HSE Publication L95

### **NHSBT Documents**

- Human Resources Policies and Procedures – Recognition Agreement UCD/HRO/RECOG/012
- NHSBT Education and Support Policy UCD/HRO/EducationSupport/014
- Health and Safety Policy Statement of Intent [POL39](#)

### ***Process Description***

#### National Health Safety and Wellbeing Committee

*Constitution of the National Health Safety and Wellbeing Committee.* A National Health Safety and Wellbeing Committee must be constituted. Union representation should reflect the ratios of the SPC. Management side representation should reflect the major operational directorates plus **People directorate**.

*Appointment of Secretaries.* Union and management side must each appoint a secretary. The function of the secretary includes: agreeing to and arranging meetings; acting as a communication point within each side and to the other secretary and to notify the other secretary of changes to membership.

*Meetings.* National Health Safety and Wellbeing Committee meetings must be held at least **four** times a year. Additional committee meetings must be held if agreed jointly agreed between the management and union secretaries. Committee meetings should be held at NHSBT Centres.

*Escalation Procedures.* If either the union or management side secretaries becomes aware of any serious and immediate issues that could affect the health safety or wellbeing of colleagues, or others affected by NHSBT, they must contact their opposite number. In the first instance this must be by telephone and confirmed in writing. If the union secretary is not available, then another union Full Time Officer who sits on the National Health Safety and Wellbeing Committee must be contacted instead. If the management side secretary is not available, then the Assistant **HS&W** Director or the **People** Director.

*Constitution of Sub-committees.* The National Health Safety and Wellbeing Committee must constitute:

- Special Interest Groups
- Local Committees
- Project Teams (as required)

*Chair.* **The Chair will be an Executive Director.**

*Function.* The function of the National Health Safety and Wellbeing Committee is to:

- Oversee health safety and wellbeing policy development
- Oversee health safety and wellbeing planning activities from each of the Special Interest Groups

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- To receive and monitor reports from sub-committees on policy implementation and arrangements
- To oversee and monitor audits, inspections and other pro-active monitoring information
- To influence the direction of future audit and monitoring activities
- To receive reports on accidents and other re-active monitoring activities
- To receive report on HS&W plan progress
- To receive report on Occupational Health progress

The intention is to effectively consult in line with Health Safety and Wellbeing Policy Statement of Intent [POL39](#) and oversee the development of health safety and wellbeing policy. If necessary, the Health Safety and Wellbeing Committee can set up a Health Safety and Wellbeing Policy Project-Group. This must comply with the Project Group requirements stated below. It also seeks to check how the policy is being planned and implemented. Where additional measures are needed these will be fed back into the area where improvement is required e.g. policy, planning or implementation.

#### Consultation for Fire Safety

Consultation on fire safety matters will be undertaken at the national HS&W committee and a member of the Estates team will be a member of the committee and provide a report to each meeting.

#### Consultation for Infection, Prevention and Control (IPC)

Consultation on IPC matters will be undertaken at the national HS&W committee and the Director of IPC will be a member of the committee and provide a report to each meeting.

#### Special Interest Groups

*Groups.* At least three Special Interest Groups are constituted under the National Health Safety and Wellbeing Committee, these are:

- Blood Supply Health Safety and Wellbeing Group
- Organ Donation and Transplantation (ODT) Health Safety and Wellbeing Group
- Diagnostic and Therapeutic Services (DTS) Health Safety and Wellbeing Group

*Blood Donation Health Safety and Wellbeing Group.* This group deals with issues from the Blood Supply Chain (BD) Directorate.

*Organ Donation and Transplantation Health Safety and Wellbeing Group.* This group deals with issues from the ODT Directorate.

*DTS Health Safety and Wellbeing Group.* This group deals with issues from Diagnostic & Therapeutic (DTS) Directorate.

*Any specific M&L or Group services Health Safety and Wellbeing issues will be consulted at the national HS&W Committee.*

NB: It is appreciated that issues do not always fall neatly into the above categories. The Groups will be encouraged and trusted to work collaboratively with each other on areas of mutual interest. Given the embedded nature of the Clinical Directorate their issues will be addressed in the most appropriate Group. The National Health Safety and Wellbeing Committee can constitute additional Groups where necessary.

*Function.* The function of the Special Interest Groups is to:

- Oversee the planning of health safety and wellbeing policy
- To review applicable audits, inspections and other pro-active monitoring information
- To receive applicable reports on accidents and other re-active monitoring activities

*Meetings.* Given the differing nature and demands of Special Interest Groups they each must develop their own Terms of Reference. This must include:

- The aims and scope of the Group
- The nature and frequency of the meetings

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- Who is to Chair the meeting

As a minimum, Special Interest Groups must meet at least annually, with at least one meeting falling in the month of May.

### Local Committees

*Constitution of Local Committees.* Local Committees must be constituted. A Local Committee must be present at each main NHSBT Centre either separate to or part of the Centre Partnership Committee. Blood Donation (BD) regional committees may also be constituted that cover HS&W consultation for a BD region.

*Function.* The function of the Local Committee is to:

- Oversee the implementation of health safety and wellbeing policy and planning activities
- To review local audits, inspections and other pro-active monitoring information
- To receive local reports on accidents and other re-active monitoring activities

*Meetings.* Local committee meetings must be held at least four times a year.

*Chair.* The Chair should be alternated between union and management sides.

NB: It is important that proper attention is given to all aspects of health safety and wellbeing. It is the responsibility of all the Committee (and the Chair in particular) to ensure that appropriate time is given to both workplace and Blood Donation (BD) issues.

### Project Groups

Projects Groups must be set up by the National Health Safety and Wellbeing Committee. They should be set up for issues that have a defined time period and where a project overlaps the function of more than one sub-committee. The Group must be constituted by the National Health Safety and Wellbeing Committee. This must include: The Terms of Reference, management and union representation, frequency of meetings and duration of the Group. Examples where a Project Group should be constituted include: implementation of a new technology (a previous example would include Leucodepletion) and a project affecting more than one centre.

### Working with Other Groups

There will be times that the work of other NHSBT groups will have an impact on health safety and wellbeing. For example, clinical decisions relating to donors could have an effect on the health safety and wellbeing of NHSBT colleagues. Whilst members of the health safety and wellbeing committees must acknowledge the skill and expertise of other colleagues, members of other groups similarly must recognise their responsibility to effectively consult where there is an implication for health safety and wellbeing.

As a general duty, all managers must be aware of their responsibility to effectively consult where their actions could affect health safety and wellbeing of colleagues. If managers are uncertain as to the most appropriate health safety and wellbeing consultative forum they should consult either the management or union secretary.

### Training and Support for those Attending Health Safety and Wellbeing Committees

In order for a committee to be effective it is recognised that members must be suitably trained.

All committee members must have attended a level 1 Trade Union Health and Safety course (or equivalent in the case of management side). Where a person has been appointed to a committee they should receive training within six months.

Union members of Special Interest Groups should have attended a level 2 Trade Union Health and Safety course.

Union members of the National Health Safety and Wellbeing Committee are encouraged to attend a level 3 Trade Union Health and Safety course.

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Management Side Representatives are encouraged to apply, via the NHSBT Education and Support Policy (UCD/HRO/EducationSupport/014) for equivalent level 2 and 3 Trade Union Health and Safety courses.

Union and management side should be given adequate resources (both in terms of time and facilities).

Where a committee identifies a need for group development work in order to improve their effectiveness the NHSBT Resourcing Learning and Development Department will provide support and training

#### Preparation of Minutes and the Agenda

The members of the committee appoint a person to write the minutes and prepare the agenda for the following meeting. This must not be given to an ex-officio member of the committee.

#### Ex-officio People (e.g. Health Safety and Wellbeing Advisers)

The following groups of people are ex-officio:

- Health Safety and Wellbeing Advisers
- Occupational Health Advisers
- Radiation Protection Advisers/Supervisors
- Biological Safety Officers
- Union Full Time Officers who have not been appointed as full members of the committee

The role of ex-officio participants is to provide guidance and advice to the committee, but they are not members of the committee. They should not prepare agendas and minutes. The whole committee should be given reasonable advanced notification of the attendance of an ex-officio person.

#### Context of Health Safety and Wellbeing Consultation

The National Health Safety and Wellbeing Committee reports directly to the SPC. Following the consultation process unresolved issues associated with Employee Relations will be referred through the SPC framework.

#### Health and Safety Representatives

The union and management side must notify the Management Side Secretary of all new appointments (and other changes) to health and safety consultative groups. The Management Side Secretary must maintain an up-to-date list of all management and union health and safety representatives and make this list freely available.

#### Monitoring, inspection and audit

Members of all committees are encouraged to take part in health safety and wellbeing audits, inspections and other monitoring activities. Sufficient time and resources should be provided for this.

#### Respect and Trust

In order for partnership working to be effective there needs to be respect and trust. To achieve this the values in NHSBT Missions and Values need to be evident from all.

### ***Exclusions***

None.