

# WHSMP07: WHS Consultation, Communication and Participation Procedure

## Section 1 - Purpose and Scope

(1) The purpose of this procedure is to ensure the process for consultation, effective communication, and participation in workplace health and safety (WHS) aspects at Southern Cross University (SCU) are appropriately managed and controlled.

(2) The purpose of this procedure is to ensure Southern Cross University's management, employees, contractors, students, visitors and others are aware of the process for consultation, effective communication, and participation in workplace health and safety (WHS) aspects, management strategies and to provide advice on appropriate controls.

(3) The processes in this procedure are to be followed at such a time when all open avenues for issue resolution have been exhausted. This includes, but is not limited to:

- a. Submission of Event Reports (i.e., hazard, incident etc. reports).
- b. Discussions and WHS Committee meetings.
- c. WHS meetings.

(4) All employees, students and others including both independent contractors and contractors under SCU control are to be made aware of and follow this procedure.

(5) This Procedure applies to all SCU Work Units and sites. The procedure aligns with WHS legislation in the relevant jurisdictions SCU operates in.

## Section 2 - Definitions

Communication	The exchanging of information by speaking, writing or another form of medium
Consultation	The process of seeking views before deciding.
Continual improvement	A recurring activity to enhance performance.
Contractor	The external organisation providing services to the organisation in accordance with agreed specifications, terms and conditions.
Corrective action	Action to eliminate the cause of a non-conformity or an incident to prevent re-occurrence.
Documented information	Information is required to be controlled and maintained by an organisation and the medium on which it is contained.
Workplace Health & Safety Committee	A consultative body established under the WHS Act whose function is to facilitate the operation between employees and their employer to ensure health and safety at work.
Health Safety Representative (HSR)	A employee who has been elected by a work group under the model WHS Act to represent them on health and safety issues.

Interested party	Is a person or organisation that can affect, be affected by, or perceive itself to be affected by a decision or activity. Synonymous with stakeholders.
Participation	The involvement in decision-making

## Section 3 - General Principles

### Background

(6) SCU is required to communicate and consult with employees at all levels (and including contractors, subcontractors, labour hire or temporary employees, work experience staff, students on placement, volunteers, and other duty holders).

(7) According to the WHS Act (2011), consultation with employees is required in the following situations:

- a. Identifying hazards and assessing risks, and deciding on appropriate control measures.
- b. Making decisions on the provision and adequacy of facilities to ensure the welfare of employees.
- c. Proposing changes to a workplace, a work process, a policy, or procedure that may affect employees' health and safety.

(8) Consultation with employees is important because a safe and productive workplace is more easily achieved when they are consulted during decision making. At times, managers and other supervisors may not fully understand the risks involved with undertaking the university's frontline work activities. Asking employees to share their views, experiences, and suggestions provides a direct way of shaping better decisions and also more accurately determining the WHS impact and risks of workplace changes. Consultation is especially important when there are multiple duty holders (e.g., building management and a building tenant) and where the roles and responsibilities for WHS could become unclear or assumed.

### Consultation

(9) Consultation provides an opportunity to use the knowledge and experience of SCU employees to achieve a safer and healthier workplace. Consultation on WHS is a two-way process between SCU and its employees and other interested parties. Effective consultation enables all parties to approach, talk, listen, share, discuss and consider each other about decisions being made.

(10) An employer must consult with their employees and other relevant interested parties when their health and safety is likely to be or is affected by a situation.

(11) SCU shall consult with its employees and relevant interested parties when:

- a. Identifying hazards and assessing risks.
- b. Determining controls to eliminate or mitigate risk.
- c. There are proposed changes to the workplace, work practises or aspects that may affect the health and safety of employees.
- d. When making decisions about the adequacy of facilities for the welfare of employees
- e. Developing policies, systems, procedures and setting of objectives and targets.
- f. Making decisions regarding the consulting procedures, resolving WHS issues, monitoring an employee's health, and providing information and training or when carrying out any other activity prescribed by the regulations for this section.

## Identification of Workgroups

(12) The Head of Work Unit will identify all relevant workgroups within their area of responsibility through consultation with employees. More than one workgroup may be present in a Work Unit, due to factors such as:

- a. The nature of the hazards and risks of the work being carried out,
- b. The areas where work is carried out, and,
- c. The times when work is carried out.
- d. At least one HSR must be elected per workgroup.
- e. Health & Safety Representatives (HSRs)

(13) SCU will encourage the election of HSRs from each workgroup within each campus. The process for establishing workgroups, electing HSRs, training them on their responsibilities, and holding WHS Committee meetings is outlined on the relevant state regulator websites with links to the varying bodies listed in the reference section of this Procedure.

(14) It is the responsibility of each workgroup to review the applicable requirements for electing HSRs in a fair and transparent manner, and formalise the HSRs' role through the provision of appropriate training and support.

(15) All records relating to the communication requesting HSR nominations, holding elections, and communication of elected members to workgroups shall be saved in RiskWare. In both Queensland and New South Wales, the WHS legislation specifies that the university must notify the respective regulators (via an online portal: <https://onlineservices.oir.qld.gov.au/hsr-web/> and <https://hsr.safework.nsw.gov.au/>) of all elected HSRs. The SCU WHS Team will perform this notification on advice from the relevant Head of Work Unit.

(16) Once the HSRs are elected, they are entitled to attend approved HSR training courses to understand and fulfil their roles and responsibilities. Once trained, it is the Head of Work Unit responsibility, with the support of the SCU WHS Team, to ensure HSRs are provided with the relevant information regarding hazards and risks affecting their workgroups and allowed time and access to partake in inspections, incident investigations and consult with their fellow employees and interested parties on WHS matters and issues that may arise.

## HSR Training & Refreshers

(17) In Queensland, it is a legal requirement for all HSRs to receive an initial 5-day HSR training program from an approved registered training organisation (see: <https://www.worksafe.qld.gov.au/licensing-and-registrations/work-health-and-safety-training/health-and-safety-representative-training>) within 28 days of being elected (unless such a program is not reasonably available). If the employee refuses or is unable to attend within 28 days of election, then they must be replaced.

(18) In Queensland, all HSRs must attend a mandatory one-day refresher course at least every 12 months, starting from the date of the initial training participation.

(19) Note that in New South Wales, HSRs are entitled to attend an initial 5-day course and annual refreshers, but this is not a mandatory obligation.

(20) The SCU WHS Team, in conjunction with the Heads of Units, will coordinate HSR training programs with a suitable provider.

## Supporting HSRs

(21) Heads of Work Unit will ensure that HSRs are given the support and resources needed to perform their role effectively, including the following as a minimum:

- a. Giving them time at normal pay, and any necessary facilities and assistance, to enable them to fulfil their role.
- b. Talking with them about health and safety issues.
- c. Giving them access to information regarding hazards and risks affecting the work group.
- d. Allowing a person assisting the HSR to enter the workplace, if that assistance is necessary.
- e. Permitting HSRs to accompany an inspector on an inspection of areas where the employees they represent work.

### **HSR Committee (HSRC)**

(22) In addition to the Workplace Health & Safety Committee, SCU shall also establish a HSRC to formally discuss relevant WHS issues and matters. The SCU Management and the elected HSRs and employee representative members shall sign the HSC Constitution (WHSMP07 – GUI – 02) to formalise the commitment to the continual improvement of the university’s performance. The HSC Constitution outlines the process and roles and responsibilities of each member as agreed between all parties.

(23) It is expected that SCU will hold regular HSR Committee meetings, no less than every quarter. HSR Committees are to be made up of employee representatives and guests/SCU Management representatives. During HSR meetings the Committee should consult on all relevant WHS issues, including but not limited to, the following aspects:

- a. Unplanned events including but not limited to personal injuries, illnesses, occupational health, well-being and psychosocial and their subsequent investigation findings and corrective actions.
- b. Statistics and performance for the University relating to their objectives and targets.
- c. Inspection outcomes from the work unit including those from interested parties such as tenants, contractors, union or the regulator.
- d. Emergency drills undertaken and the lessons learnt or actions to be taken away.
- e. Alerts and Lessons Learnt from other work units, campuses, tenants and sites.
- f. Proposed changes to faculty or campus documents and the effect/changes.
- g. Other changes to the workplace that impact the WHS of the employees and other interested parties.

(24) The WHSMP07 – FOR – 01 - HSR Meeting Minutes template is to be used to formally record the minutes from HSR meetings.

### **Issue resolution**

(25) Resolution of health and safety issues applies if a matter about work health and safety arises at a workplace and the matter is not resolved after discussion between the parties to the issue.

(26) The parties must make reasonable efforts to achieve a timely, final and effective resolution of the issue in accordance with the relevant agreed procedure.

(27) SCU must allow all the parties to the issue to enter and remain at the workplace for the purpose of attending discussions with a view to resolving the issue.

(28) All hazards or health and safety issues are to be recorded into RiskWare.

### **Parties to an issue**

(29) The following will be involved in the issue resolution process as required:

- a. the supervisor and the employee/s, or the person’s representative.
- b. if the employee/s affected by the issue is in a workgroup, a representative from that workgroup (e.g., Health and Safety Representative (HSR)) or his or her representative.

c. if the employee/s affected by the issue are not in a workgroup, the employee or their representative.

(30) The relevant supervisor will ensure that the representative (if any):

- a. is not a HSR.
- b. has an appropriate level of seniority, and is sufficiently competent, to act as the person's representative.
- c. When a health and safety issue has been identified by an employee

(31) If an employee/s identifies a hazard or health and safety issue they have a duty, so far as they are reasonably able, to resolve it and not potentially put others within the workplace at risk. The employee/s will advise the relevant leading hand, supervisor or manager of their work group of the identified issue.

(32) The supervisor or manager of a work unit will consult with the employee/s and commence completing a WHSMP07 - FOR - 02 - Record of Consultation, Communication and Issue Resolution.

(33) A written agreement will be prepared using the above form and all management representative and employee/s to the issue will be satisfied that the agreement reflects the resolution of the issue.

(34) A copy of the written agreement will be provided to:

- a. all management representative and employee/s to the issue; and
- b. if requested, to the relevant Health and Safety Committee or group for the workplace
- c. For the avoidance of doubt, nothing in this procedure prevents an employee from bringing a work health and safety issue to the attention of the employee's HSR.
- d. All hazards or health and safety issues are to be recorded in RiskWare.

### **Completing a record of consultation and communication with employees**

(35) Completing a record of consultation and communication is to be followed at such a time when all open avenues for issue resolution have been exhausted. This includes, but is not limited to:

- a. Raising an event or issue in RiskWare ((i.e., hazard, incident etc. reports).
- b. SCU follows up on the event raised, and if employee is not satisfied with the action or outcome, the employee raises the event or issue with their HSR.

(36) Where relevant and appropriate it will be discussed at WHS Committee meetings or WHS meetings.

(37) If unresolved, a record of consultation, communication and issue resolution with employees will be recorded on WHSMP07 - FOR - 02 - Record of Consultation, Communication and Issue Resolution with employees.

### **Completing initial meeting**

(38) The supervisor or manager of the work group will complete details of the initial meeting stating - date, department, advised by employee/s, contact number, reason for consultation, consultation conducted (describing the process and management representative present) and whether a resolution had been reached.

(39) If a resolution has not been reached concerning the issue, the supervisor or manager of the work group will escalate the issue to a higher authority in management for that work unit.

(40) If a resolution has been reached, the supervisor or manager of the work unit will complete the Action Taken on Resolution of Issue Section

(41) The agreed resolution regarding the issue will be communicated by management to all persons involved within 7

days.

### **Escalated to higher authority**

(42) The supervisor or manager of the work group will complete details of the date escalated, escalated by employee/s, department, employee/s escalated to, the reason for escalation, consultation conducted (describing the process and management representative present) and whether a resolution had been reached.

(43) If a resolution has not been reached concerning the issue, the higher authority of the workgroup will repeat the process and escalate the issue to a higher authority in management for that workgroup.

(44) If a resolution has been reached, the supervisor or manager of the work group will complete the Action Taken on Resolution of Issue Section.

(45) The agreed resolution concerning the issue will be communicated by management to all persons involved within 7 days.

(46) This process is to be repeated until a resolution has been reached or a request has been made to the regulator to mediate.

(47) If a resolution has been reached, the Head of Work Unit will communicate the resolution via feedback to all relevant parties such as the Workplace Health & Safety Committee, the relevant HSR for that work group and the issue originator.

(48) The agreed resolution concerning the issue will be communicated by management to all persons involved within 7 days.

### **Referral of an issue to a regulator**

(49) If an issue has not been resolved after reasonable efforts have been made to achieve an effective resolution of the issue. A party to the issue can ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue.

(50) A request to the regulator does not prevent:

- a. an employee from exercising the right to cease work, or
- b. a HSR from issuing a Provisional Improvement Notice
- c. On attending a workplace under this section, an inspector will exercise any of the inspector's compliance powers concerning the workplace.

### **Request to regulator to appoint an inspector to assist**

(51) The HSR, supervisor or manager can ask the regulator to appoint an inspector to attend the workplace to assist in resolving an issue arising concerning the cessation of work.

### **Methods of communication**

(52) When determining the applicable means of communication with employees and other relevant interested parties, the following methods will be considered, with the most appropriate method(s) selected based on the needs of the applicable workforce segments:

Initial Incident Notification E-Mail Significant Incident Reports Safety Bulletins Health Bulletins Legal Policy Bulletins Product Bulletins Safety Interactions Phone Face to face	Audit Reports and feedback Management Meetings Town Hall Meetings Workplace Health and Safety Committee Meeting Tenant WHS Meeting Internal/External work area reports Health surveillance assessment reports Internal Memos Noticeboards Workplace Health and Safety Bulletins Inductions Training Presentations

(53) Where it is necessary to consult employees and relevant interested parties on WHS matters, the Head of Work Unit, or other member of the SCU Management, may call a meeting for the sole purpose or adding the item to the agenda of a routine team or department meeting.

### **Methods of consultation**

(54) To balance breadth with depth of workforce consultation, the university may use multiple or specific methods. These methods can include, but are not limited to, the following:

- a. Surveys
- b. Focus groups
- c. Interviews
- d. Informal discussions
- e. Meetings
- f. Votes and checklists

### **Consulting with other duty holders**

(55) Where there is a shared duty to manage WHS, each duty holder retains their original obligations and must independently discharge them to the best of their ability. Further, each duty holder involved must consult each other, cooperate, and coordinate as required to ensure WHS risk is managed effectively. Each duty holder must clearly understand how their independent and combined activities might impact WHS for their respective workforces.

(56) Examples of consultation with other duty holders:

- a. Building management and tenants
- b. Where construction or maintenance activities are occurring onsite
- c. Where labour hire or other temporary employees are engaged
- d. Between Universities or other educational institutions and the firm, where students are engaged on placement or internships.

## **Section 4 - Roles and Responsibilities**

(57) Refer to the WHS Responsibility and Accountability Statements

## Section 5 - Records of Documentation

(58) All relevant documentation will be recorded online and kept in accordance with WHS Legislation and other legislative obligations including:

- a. All meeting minutes from HSR meetings and the relevant actions are inputted for tracking.
- b. Any inspections or incident investigations undertaken with the involvement of HSRs shall be recorded on the relevant inspection or investigation template.
- c. All other reviews of documents or evidence of communication and consultation with HSRs, employees, or relevant interested parties shall be stored in RiskWare.

## Section 6 - Revision and approval history

(59) This procedure will be reviewed as per nominated review dates or because of other events, such as:

- a. Internal and external audit outcomes.
- b. Legislative changes.
- c. Outcomes from management reviews.
- d. Incidents.

## Section 7 - References

Workplace Health and Safety Act and Regulations
Workplace Health and Safety Act
Work health and safety consultation, cooperation and coordination Code of Practice

## Section 8 - Related Documents

WHSMP08: Document and Records Management Procedure
WHSMP07 - FOR - 01 - SCU HSR Meeting Minutes Template
WHSMP07 - GUI - 02 - HSRC Constitution
WHSMP07 - GUI - 01 - HSR Election Guidance Note
WHSMP07 - FOR - 02 - Record of Consultation, Communication and Issue Resolution
WHS Responsibility and Accountability Statements



## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	9th December 2024
<b>Review Date</b>	9th December 2027
<b>Approval Authority</b>	Vice President (People and Culture)
<b>Approval Date</b>	9th December 2024
<b>Expiry Date</b>	Not Applicable
<b>Responsible Executive</b>	Kim Franks Vice President (People and Culture)
<b>Head of Work Unit</b>	Brendan Pearce Director, Workplace Relations
<b>Enquiries Contact</b>	Shaun Brown Manager, Workplace Health and Safety <hr/> Vice President (People and Culture) portfolio