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### Purpose

The *Work Health and Safety (WHS) Act 2012 (SA)* requires the University, so far as is reasonably practicable, to consult with relevant [workers](#) (as defined in the WHS Act 2012) who carry out work for the University and who are (or are likely to be) directly affected by safety and wellbeing matters. The requirement to consult is based on the recognition that the input and participation of workers improves decision-making about safety and wellbeing matters and assists in reducing work-related injuries and illnesses. For the purpose of this Procedure, the term worker will be used in lieu of staff or staff member as the requirement to consult is beyond just staff. If a section of this Procedure is specific to University Staff, the term staff or staff members will be used.

In line with the University's legislative obligations and the University's [Health Safety and Injury Management Policy C- 6.4](#), this Procedure commits to consulting and communicating with relevant workers, Research Degree Students (RDS), and others (including other stakeholders who have a responsibility in relation to the same matter) in a manner that is easy to understand and considers cultural and linguistic diversity.

This Procedure sets out the University's approach to facilitating effective and open [consultation](#) and communication on work health and safety matters.

### Responsibilities

#### University Council, Enterprise Leadership Team (ELT) and Audit, Finance and Risk Committee (AFRC)

Members of Council, ELT, and AFRC are the defined [Officers](#) of the University under the *WHS Act 2012*, therefore their responsibilities in relation to consultation and communication include:

- a. Ensuring mechanisms are in place for consulting and communicating with relevant workers and other [duty holders](#) ensuring that feedback is demonstrably considered prior to decisions being made.
- b. Monitoring effectiveness of consultation and communication mechanisms.
- c. Providing resources to facilitate effective consultation and communication.
- d. Communicating with relevant workers on University and wellbeing matters.

#### Executive Deans, Deans of Programs, Deans of Research, Pro Vice Chancellors, Executive Directors/Directors of Units or Research Institutes, and General Managers are responsible for:

- a. Ensuring this Procedure is implemented within their area of responsibility.
- b. Consulting with relevant workers, RDS, and others under their supervision on issues that may affect their safety and wellbeing.
- c. Communicating safety and wellbeing information effectively to appropriate and relevant workers and RDS.
- d. Encouraging participation in the implementation of safety and wellbeing system management, identification of safety issues and taking responsibility for ensuring the resolution of issues arising/identified.
- e. Supporting elected Health and Safety Representatives (HSRs) to fulfil their obligations.

- f. Consulting with other relevant duty holders (see definition for duty holders) where applicable, to the extent where they can influence and control a safety and wellbeing matter.

**All workers and RDS are responsible for:**

- a. Taking reasonable care for their own safety and wellbeing.
- b. Not placing others at risk of ill health or injury.
- c. Participating in, and contributing to, discussions on safety and wellbeing matters to eliminate or minimise risk.
- d. Complying with the requirements of this Procedure.

## Confidentiality

All personal information about individuals will be managed in accordance with to the University's [Privacy Policy](#), and legal and reporting obligations.

## Procedure

### 1. When to consult with relevant workers and RDS

Consultation is required when (list not exhaustive):

- a. Identifying hazards and assessing risks from the work carried out or to be carried out.
- b. Making decisions about ways to eliminate or minimise those risks.
- c. Making decisions about the adequacy of facilities for the welfare of workers (e.g., kitchen and lunch facilities, number, and quality of toilets).
- d. Making decisions about moving University staff to a new location (e.g., building or Campus).
- e. Proposing changes that may affect the safety and wellbeing of workers.
- f. Reviewing and/or developing safe systems of work (e.g., Risk Assessments, Safe Operating Procedures etc).
- g. Undertaking upgrades to buildings or facilities where the welfare of workers needs to be considered.
- h. Resolving safety and wellbeing issues.
- i. Monitoring health and workplace conditions (e.g., exposure to noise or dust).
- j. Providing information and training relevant to safety and wellbeing.

### 2. Effective Consultation

The purpose of sharing information is to increase awareness and understanding of safety and wellbeing matters and potential implications on people and/or the way they work and study. This provides a genuine opportunity to consult regarding identified issues with the ability to contribute to decision making.

Consultation requires a two-way process between management and workers, RDS and/or other University stakeholders to:

- Discuss safety and wellbeing matters.
- Listen to and raise concerns.
- Seek and share views and information.

- Consider all information before deciding appropriate action.

Consultation requires that:

- Relevant safety and wellbeing information is shared with workers and RDS.
- Workers are given a reasonable opportunity to contribute to the decision-making process relating to safety and wellbeing matters.
- Views of workers are considered.
- Workers are advised of the outcomes of any consultation in a timely manner.
- If workers are represented by a HSR, consultation must include that representative.

To support informed and constructive consultation, the University must make available information relating to safety and wellbeing. This information may include:

- Safety and Wellbeing Policy and procedures.
- Technical guidance about identified hazards, risks, and control measures.
- Hazard reports and risk assessments.
- Proposed changes to the workplace, systems of work, plant, and substances.
- Data on incidents, illness, or injury (in a way that protects the confidentiality of personal information).

Information should be presented in accessible and respectful formats for people with disability, and/or with consideration for workers who speak English as a second language.

### 3. How to Consult

The methods of consultation may differ depending on the complexity of the safety and wellbeing matter. Examples of consultation mechanisms include, but are not limited to:

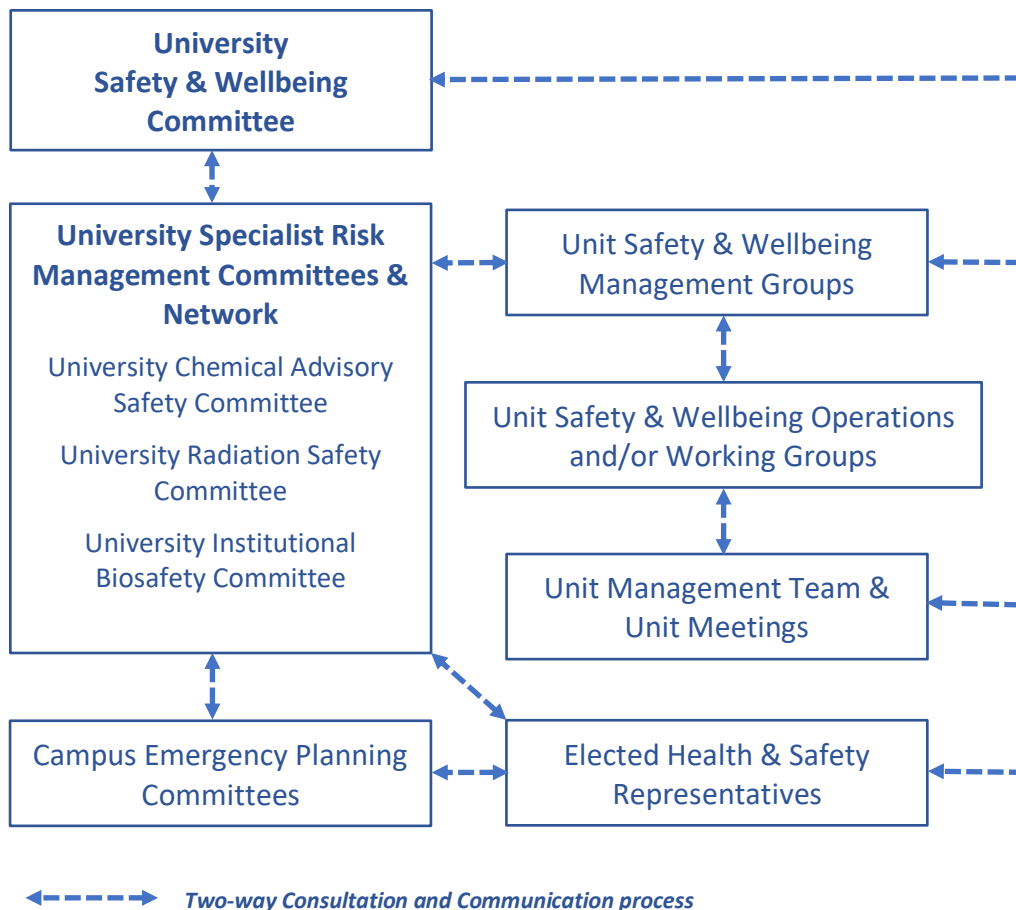
- University Safety and Wellbeing Committee meetings
- Unit Safety and Wellbeing Management/Operations Groups
- Safety and wellbeing reports (University and/or Unit level reports)
- Unit/Team meeting
- Email (Unit or Team)
- Staff announcements
- Unit Newsletters
- Safety and wellbeing workshops
- Incident/hazard investigations
- Safety and wellbeing system review (e.g., safety and wellbeing procedures, risk assessments, safe operation procedures)
- Focus Groups
- Staff surveys
- HSR's.

Consultation may not always require a formal process and may include talking to workers and others, to consider their views when making safety and wellbeing related decisions. However, as consultation is an integral part of the University's risk/hazard management process, local action planning, hazard register review, workplace inspections, and induction and training, where formal processes exist, evidence of consultation undertaken should be documented and retained.

Workers are encouraged to discuss any safety and wellbeing concerns with their supervisor in the first instance. If there are barriers to raising safety and wellbeing concerns through these mechanisms the [Safety and Wellbeing Team](#) are available to assist.

The University’s Safety and Wellbeing Consultation and Communication structure aims to promote the sharing of information on matters that may affect the safety and wellbeing of workers. **Figure 1** outlines how information flows to and from established committees, groups, and networks to enhance awareness, participation, and positive working relationships across the University.

**Figure 1: University Safety & Wellbeing Consultation & Communication Structure**



**University Safety & Wellbeing Committee**

The [University Safety & Wellbeing Committee](#) facilitates effective consultation on the development, implementation and review of strategic initiatives, systems and processes to eliminate or mitigate risk, and promotes continuous improvement in safety and wellbeing management. The Committee includes members from across the University who have a strong interest in safety and wellbeing, are enthusiastic towards continuous improvement strategies and experienced through their involvement on Unit Safety and Wellbeing related management or working groups. Members communicate and collaborate with other University specialist risk management committees, networks and management groups and may invite specialists to attend meetings to discuss the management of specific hazard where necessary.

**University Specialist Risk Management Committees/Networks**

Specialist risk management committees (as shown in Figure 1 above) focus on the management of specific risks associated with university business and continuous improvement strategies. These committees communicate and collaborate with relevant Units and the University Safety and Wellbeing Committee as required.

### **Academic Unit/Research Institute Safety & Wellbeing Management Group**

Individual Units are required to ensure safety and wellbeing matters, within the Unit, are consulted and communicated to relevant workers and HSRs. An effective way of managing this is the formation of a Safety and Wellbeing Management Group (SWMG). The SWMG oversees the implementation of key components of the University's Safety Management System (SMS) as they apply to their Unit. The SWMG assists to ensure that due diligence obligations of '[Officers](#)' of the University are being met as they apply to their area. The SWMG contribute to the progress of the University's strategic initiatives, including the implementation and monitoring of Unit Safety and Wellbeing Local Action Plans (LAP). It is not mandatory for a Unit to form a SWMG if it is determined by senior managers within the Unit, in consultation with relevant workers, that suitable forums to effectively consult and communicate safety and wellbeing matters are in place.

### **Academic Unit/Research Institute Safety & Wellbeing Operations Group and/or Working Groups**

At the discretion of a Unit SWMG (or other forum), a S&W Operations Group (SWOG) and/or Working Group may be established to implement, monitor, and review safety and wellbeing activities that the SWMG deems necessary, based on the risk profile of the Unit (e.g., chemical safety, plant safety, workplace monitoring, management of hazardous tasks, licensing, and accreditation). The SWOG or Working Group will report on progress to the SWMG.

### **Professional Units**

Units considered low risk due to the nature of their location and activities, such as Professional Units, a dedicated SWMG may not be required. Where this is determined, safety and wellbeing must be included as a standard agenda item at management and Unit meetings to provide relevant workers with a genuine opportunity to contribute their views on safety and wellbeing matters that may affect them.

## **4. Health and Safety Representative (HSR)**

A HSR is a university staff member elected by their colleagues to help identify, communicate, and respond to safety and wellbeing issues in the workplace. A HSR is elected in accordance with the *WHS Act 2012 (SA)* following a request to management from one or more staff members from a '[Work Group](#)'. The role of a HSR is voluntary. A HSR is entitled to undertake formal training to acquire knowledge of the powers and functions of the role to enable them to effectively represent their nominated work group and contribute to Safety and Wellbeing matters.

### **Establishing a Work Group**

If one or more staff member requests the establishment of a work group, the University must take all reasonable steps to commence negotiations with staff within 14 days. The purpose of negotiations is to determine:

- The number and composition of a work group to be represented by an HSR.
- The number of HSRs to be elected.
- The workplace or workplaces to which the work group will apply.

### **Electing an HSR**

Once a work group has been established, and the outcome has been communicated to applicable staff, an election for a HSR must be undertaken. A Safety and Wellbeing Consultant will assist with the coordination of an election if one is required.

The process for electing an HSR may be informal via a show of hands or more formal using ballots. It is up to the members of the work group to determine how the election will take place. Work groups do not need to hold an election if the number of nominees is the same as the number of vacancies. Nominees are automatically elected as a HSR if this is the case.

The University must provide reasonable resources (e.g., stationery to undertake an election), facilities, and support to enable the conduct of the election and display a list of elected HSRs at the workplace.

All members of a work group are eligible to nominate a member of their work group or themselves to stand for election as an HSR. When calling for nominations, notice must be placed in a prominent location, by the staff member coordinating the election, with a reasonable closing date and ensuring equitable access if electronically distributed.

Records of notification, nomination and/or election of a HSR must be maintained in accordance with section 7 of this Procedure. Once a HSR is elected, the [Safety and Wellbeing Team](#) must be notified, and will coordinate registration of the HSR with SafeWork SA and training to be undertaken.

The term of office for a HSR is three years, unless the HSR:

- Resigns,
- Leaves the work group,
- Is disqualified, in accordance with the [WHS Act 2012, Section 65 – Disqualification of a Health and Safety Representatives](#),
- The majority of the work group sign a declaration that they should no longer represent them.

## 5. Consulting with Other Duty Holders

Some University business or undertakings involve other duty holders where there is a shared responsibility for safety and wellbeing. Other duty holders may include designers and manufacturers of plant, substances and structures, principal contractors for construction projects, landlords for multi-tenanted office buildings occupied by staff and host organisations providing work integrated learning for students. Where University staff members are undertaking work with organisations or individuals outside of the University they are required to consult, cooperate, and coordinate activities with relevant duty holders in relation to the same matter where reasonably practicable, to eliminate or minimise risks to safety and wellbeing. Such activities may include induction and training, ensuring adequate access/egress, welfare facilities, emergency plans and procedures, hazard identification and control, first aid arrangements and incident reporting and investigation, with evidence that they have been considered and documented in contractual arrangements.

Specific requirements mentioned above are detailed in the [Contractor Safety Procedure](#).

## 6. Communication Methods

Information concerning matters that may affect worker safety and wellbeing must be shared with relevant workers, RDS (as relevant) and others at the earliest opportunity concerning matters that may affect their safety and wellbeing. The methods for communicating information should be tailored to the audience and communicated where possible, be structured so that it is two-way to enable feedback or comment.

Relevant information that may be shared by Units includes, but is not limited to:

- Proposed changes to the workplace and the systems of work, e.g. changes to the way plant or chemicals are used.
- Incident data and corrective actions that may arise (ensuring the confidentiality of personal information).
- General and technical guidance about hazard, risks, and controls.
- Safety and Wellbeing policy and procedures.
- Progress of Safety and Wellbeing Local Action Plan activities.
- Wellbeing programs and initiatives.

Information may be shared through various communication methods including, but not limited to:

- [Safety and Wellbeing](#) website
- Unit websites, SharePoint Teamsites
- Minutes of meetings
- Dashboard, noticeboard
- Reports
- Emails, phone calls, or face to face discussions
- Virtual meetings.

## 7. Record Keeping

Consultation and communication with workers, RDS, HSRs and other duty holders is a legal obligation; therefore, record keeping is necessary to demonstrate compliance. The University, as a self-insured employer under the *Return to Work SA (RTWSA) Code of Conduct for Self-Insured Employers* is required to meet safety and injury management standards that are periodically evaluated by RTWSA. Records of consultation and communication must be maintained on the local SharePoint, TeamSite or other shared repository that is accessible to relevant workers (including S&W Consultants) to support decisions and to demonstrate implementation of internal LAP priorities.

## Definitions

<b>Consultation</b>	Involves the sharing of information and providing reasonable opportunity for workers to express their views and contribute to the decision-making process to eliminate or effectively control any potential risks to health or safety.
<b>Duty Holder</b>	As defined in the WHS Consultation, Cooperation and Coordination Code of Practice - Any person who owes a work health and safety duty under the WHS Act including: <ul style="list-style-type: none"> <li>▪ a person conducting a business or undertaking</li> <li>▪ designer</li> <li>▪ manufacturer</li> <li>▪ importer</li> <li>▪ supplier</li> <li>▪ installer of products or plant used at work (upstream duty holder),</li> <li>▪ officer</li> <li>▪ worker</li> </ul> <p>It is possible for more than one person to simultaneously have the same duty; in which case the duty becomes shared. However, duties cannot be transferred.</p>
<b>Health and Safety Representatives (HSR)</b>	As defined in the WHS Consultation, Cooperation and Coordination Code of Practice - A worker who has been elected by their work group under the WHS Act to represent them on health and safety matters.
<b>Officer</b>	An Officer under the <i>WHS Act 2012</i> includes: <ol style="list-style-type: none"> <li>a) an officer within the meaning of section 9 of the Corporations Act 2001 of the Commonwealth other than a partner in a partnership.</li> <li>b) an officer of the Crown within the meaning of section 247; or</li> </ol>

	<p>c) an officer of a public authority within the meaning of section 252.</p> <p>other than an elected member of a local authority acting in that capacity.</p>
<b>Safety and Wellbeing Local Action Plan</b>	The Safety and Wellbeing Local Action Plan underpins the University's strategic direction in Safety and Wellbeing and is used by local areas to plan and monitor the implementation of key health and safety priorities. This plan is one of several Corporate Key Performance Indicators.
<b>Worker</b>	<p>As defined under the <i>WHS Act 2012</i>:</p> <p>A worker is anyone who carries out work for a <a href="#">person conducting a business or undertaking</a> (PCBU) regardless of whether they are full-time, part-time or casual. This can be:</p> <ul style="list-style-type: none"> <li>▪ staff</li> <li>▪ contractor or subcontractor, or an employee thereof.</li> <li>▪ outworker, such as a contractor or worker who is engaged to work from their home or at a place that would not previously have been thought of as a business premise.</li> <li>▪ apprentice or trainee</li> <li>▪ school-based work experience student</li> <li>▪ labour hire worker</li> <li>▪ volunteer.</li> </ul>
<b>Work Group</b>	A group of staff established to facilitate the representation of staff by one or more health and safety representatives. A work group may be all staff at a workplace, but it may also be appropriate to split a workplace into multiple work groups where staff share similar work conditions or are exposed to similar risks and hazards.

## Further Assistance

Further advice on consultation and communication arrangements is available on the [Safety and Wellbeing website](#) or by contacting the WHS consultants whose details can be found [here](#).

## References:

[WHS Act 2012 \(SA\)](#)

[Regulations 2012 \(SA\)](#)

[Work Health and Safety Consultation, Cooperation and Coordination Code of Practice \(SA\)](#)

[Code of Conduct for Self-Insured Employers](#)

[Health Safety and Injury Management Policy \(C6\)](#)

All University Safety and Wellbeing procedures

## Officer Responsible for Update and Review:

Executive Director: People Talent and Culture



Approved by:

TBA

Commencement Date:

Review Date:

History: June 2022, November 2016, September 2013, June 2007