



## WHS Consultation

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### 1. Purpose

This procedure describes the University's approach towards effective consultation with workers and others on work health, safety and injury management (HS&IM) matters. It provides guidance for managing risks associated with multiple duty holders who share responsibility for the same health and safety matter, encouraging cooperation and coordination of activities with each other.

In accordance with the WHS Act 2012 (SA), the University, as a Person Conducting a Business or Undertaking (PCBU), must consult with all workers, including contractors, sub-contractors, labour hire workers, work experience students, students on placement, volunteers and other duty holders.

Consultation with workers is required when:

- identifying hazards and assessing risks and deciding on measures to control those risks
- making decisions on the adequacy of facilities for the welfare of workers
- proposing changes to a workplace, a work process, a policy or procedure which may affect the health and safety of workers.

### 2. Definitions

**Consultation** – 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.

**University HS&IM Committee** – comprises of representation of senior management and staff which facilitates cooperation and collaboration towards monitoring, evaluating, reviewing and improving risk management strategies within the University hazard management program.

**Local HS&IM Working Group** – is a group established by local area management to assist in the development and implementation of the HS&IM system in a collaborative manner and to provide a consultative forum where local health and safety matters can be raised, addressed, resolved and monitored.

**Health and Safety Representative** – is a staff member elected to represent a designated workgroup and who has the authority under the WHS Act 2012 (SA) to raise health and safety issues with management on behalf of their colleagues.

**Consultation with Other Duty Holders** - the objective of consultation is to make sure everyone associated with the work has a shared understanding of what the risks are, which workers are affected and how the risks will be controlled. The exchange of information will allow the duty holders to work together to plan and manage health and safety.



### 3. Roles and Responsibilities

Nominated Pro Vice Chancellors and Executive Directors are responsible for representing University management on the HS&IM Committee.

#### **Managers and supervisors are responsible for:**

- implementing this procedure in their area of responsibility and accountability
- sharing relevant work health and safety information with workers
- providing workers with a reasonable opportunity to express their views and contribute to the decision-making process
- advising workers of the outcome of any consultation in a timely manner
- consulting with other duty holders, where applicable, to the extent they have the ability to influence and control a health and safety matter.

#### **Staff are responsible for:**

- taking reasonable care for their own health and safety
- not placing others at risk of ill health or injury
- raising concerns associated with changes in the workplace with their manager/supervisor

### 4. Procedure for Consultation

Each workplace shall ensure that processes are in place to facilitate effective consultation with staff and others regarding all aspects of HS&IM. This process is defined in the [University Health & Safety Consultation Framework](#) to ensure consultation on health and safety matters occurs systematically across the University and matters raised are appropriately resolved in a timely manner.

#### **4.1 University HS&IM Committee**

The University HS&IM Committee provides input on health, safety and injury management policy, strategies, programs and procedures and recommends initiatives to promote continuous improvement.

Committee meetings occur quarterly under the specific terms of reference. Minutes of all committee meetings are made accessible to all members and staff.

The HS&IM Committee also communicate with other specialist risk management committees such as the Radiation Safety Committee, Chemicals & Nanomaterials Committee, the Institutional Biosafety Committee and may co-opt specialists (including internal and external personnel) to attend meetings where necessary.

#### **4.2 Local HS&IM Working Groups**

Local HS&IM working groups are established in schools, institutes and centres to provide a forum for staff consultation, resolution of health and safety issues and implementation and monitoring of local area health and safety action plans.

Meetings should be held at least quarterly to ensure a systematic approach to consultation occurs.

Where a dedicated HS&IM working group is not established, health and safety must be included as a standard agenda item for discussion i.e. at school board, all staff and management meetings.

Local action plans developed annually should be discussed and actioned as part of the direction of the working group. Minutes/notes of meetings are to be posted on team sites, internal websites/shared drives or communicated electronically via email to ensure all staff represented by the working group have access to information in a timely manner. Evidence of the local area implementing consultation and communication processes is measured as part of the local action plan annual performance review.



### 4.3 Health and Safety Representatives

Health and Safety Representatives (HSRs) may be elected to represent designated workgroups (schools, institutes, centres, units) on health and safety matters. The WHS Act 2012 (SA) outlines specific powers and functions that a HSR can perform. The powers and functions are intended to enable HSRs to effectively represent the interests of the members of their workgroup and to contribute to work health and safety matters. The WHS Act does not impose mandatory obligations or duties on HSRs to carry out the powers and functions of a HSR.

#### 4.3.1 HSR Elections

Where one or more members of a workgroup make a request to management to facilitate an election, the responsible manager must call for nominations to provide all staff with a genuine opportunity to nominate for the role of HSR. This can be done by issuing an all staff email. A workgroup member may nominate themselves or another member of the work group to stand for election. Should there be only one nominee for the role, they are deemed to be 'elected' and there is no need to proceed to an election.

Where more than one person nominates for the role, an election must take place. The election process may be informal, for example with a show of hands at a staff meeting or it may involve communicating the details of the nominees to all staff and allowing them to respond with their preference within a defined period. The candidate who receives the most votes is elected as the HSR for the particular workgroup. All staff must be informed of the election result and the successful member who will represent them.

The term of office for an elected HSR is three years. HSRs should be encouraged to take advantage of their training entitlement to provide them with the skills and knowledge to perform their role effectively. HSRs can issue Provisional Improvement Notices (PINs) and direct work to cease only if they have been trained. Untrained HSRs can perform all other functions. Local areas are encouraged to contact the Safety & Wellbeing team for further information on training and approved training providers.

The University maintains a current list of HSRs accessible on the [Safety & Wellbeing website](#). Further information on HSRs can be found on the [SafeWork Australia website](#).

## 5. Consulting with Other Duty Holders

Some university business or undertakings involve other 'duty holders' (as defined within the WHS Act 2012 (SA)) where there is a shared responsibility for health and safety. Examples may include multi-tenanted buildings, construction projects, student placement, work experience arrangements. Where this situation presents, each duty holder retains responsibility for their duty in relation to the activity and must discharge their duty to the extent they have the ability to influence and control a health and safety matter.

It is necessary for the responsible university representative to consult, cooperate and coordinate activities with the other duty holder to ensure each party understands how their activities may impact on health and safety; and that the action taken to control risks are complementary and not conflicting.

## 6. Performance Measures

- Local action plan performance reviews validate implementation of consultation and communication planned arrangements.

## 7. References

[Work Health and Safety Act 2012 \(SA\)](#)  
[Code of Practice – Work Health and Safety Consultation, Cooperation and Coordination](#)  
[SafeWork Australia Worker Representation and Participation Guide](#)  
[Safety & Wellbeing Website](#)