

Guideline Title: Work Health and Safety Communication and Consultation

Guideline Owner: Chief Safety Officer

Keywords: Health, Safety, Consultation, Communication, Representative

This guideline supports the University to operationalise the Work Health and Safety Policy [PL139] and must be complied with.

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1. INTENT

The purpose of this guideline is to outline the University processes for consultation, cooperation and coordination with Workers, Students and other duty holders on work health and safety (WHS) matters where a WHS duty exists under the Work Health Safety Act (WA).

2. ORGANISATIONAL SCOPE

This guideline applies to ECU Officers, Workers and Students.

3. DEFINITIONS

The [University Glossary](#), the [WHS Definitions Register](#) and the following definitions apply to this procedure:

Term:	Definition:
Health Monitoring	The monitoring of a worker by medical specialists to identify changes in their health status because of exposure to certain substances.

4. GUIDELINE CONTENT

General Requirements

- 4.1. As a person Conducting a Business or Undertaking (PCBU), the University is required to consult, cooperate and coordinate with other Duty Holders and Workers. Refer to the

WorkSafe Western Australia [Code of Practice: Work health and safety consultation, cooperation and coordination](#) for further details on these requirements.

- 4.2. The University Executive, Deans and Directors are accountable, and Associate Deans, Managers and Supervisors responsible, for ensuring WHS consultative requirements are met where a health and safety duty exists and to ensure a safe and healthy work environment.

Communication, Consultation and Coordination with Workers

Consultation Requirements

- 4.3. The Person in Control of the Workplace must consult with the Workers impacted in relation to any WHS matter or issue that may impact on the Workers' health and safety in the Workplace so far as is reasonably practicable. This includes when:
- Identifying hazards and assessing risks to health and safety arising from work carried out or to be carried out and when making decisions about ways to eliminate or minimise these risks. Refer to the [Work Health and Safety Hazard Identification and Risk Management Guideline](#) for more information on the University's hazard identification and risk management processes.
 - Making decisions about the adequacy of facilities
 - Proposing changes that may affect Worker's health or safety including changes in work systems such as work rosters, procedures or changes to the work environment, organisational change, purchase of new equipment and use of new substances.
 - Developing procedures or processes for:
 - Consulting with Workers on WHS issues.
 - Resolving WHS issues.
 - Monitoring Worker health and Workplace conditions.
 - Providing information and training for Workers.
 - Selecting a registered medical practitioner for the purpose of Health Monitoring, as outlined in Appendix 5 of the [Code of Practice: Work health and safety consultation, cooperation and coordination](#).
- 4.4. Whilst the consultation does not require agreement by Workers, the University should ensure Workers are aware of the reasons for the decisions that are made in relation to WHS matters.

Consultation mechanisms

- 4.5. Section 3 of the [Code of Practice: Work health and safety consultation, cooperation and coordination](#) outlines the processes for effective consultation and includes the requirement for two-way communication processes where:
- Relevant WHS information is shared with Workers.
 - Workers are given reasonable opportunity to express their views, raise WHS issues and contribute to the decision-making process.
 - Views of Workers are considered.
 - Workers are advised of the outcome of consultation in a timely manner.
 - Consultation includes Health and Safety Representatives (HSRs), so far as reasonably practicable, where Workers are represented by these roles

- 4.6. Mechanisms for consultation and communication with Workers on WHS matters at ECU include:
- The appointment of and consultation with HSRs as outlined in the section below.
 - Consultative Committees including the University WHS Committee (UWHSC), Local WHS Committees and Radiation Biosafety Hazardous Substances Committee (RBHSC) as detailed in the section below.
 - Processes for consulting Workers in the development of or changes to WHS procedures as per section 4.7.
 - Providing opportunities for Workers to raise WHS issues in regular team meetings.
 - Toolbox talks and pre-start briefings with contractors.
 - Making WHS information accessible to Workers through the maintenance of a Work, Health, Safety and Wellness website and associated SharePoint sites by the Human Resources Service Centre.
 - Sharing WHS information, alerts, lessons learnt and other relevant information via Local WHS Committees, HSRs and ECU Matters newsletter.
 - Use of surveys including the Voice Survey including the review of results and implementation of plans to address identified issues.
 - Consultation with Workers as part of the development of refurbishment or building plans.
 - Where required in accordance with the consultation on workplace change provisions within the industrial instrument.
- 4.7. To ensure Workers, including HSRs, are consulted in the development or changes to WHS related policies, guidelines and procedures the following requirements apply:
- Consultation via UWHSC and Local Committees for:
 - University wide WHS documents, as outlined in the [Work Health and Safety Management System Guideline](#) and [Framework](#).
 - Schools or Centres owned documents that outline procedures to be followed by the University relating to WHS.
 - Consultation via the relevant Local WHS Committee for School/Centre specific draft WHS documentation.
- 4.8. The Document Owner is accountable for ensuring the consultation requirements outlined in section 4.7 are met prior to approval.
- 4.9. Records of consultation should be kept that include details of the matter, Workers consulted, decisions made and actions taken including completion dates. Consultative Committee meetings should be minuted in accordance with the [WHS Consultative Committees Procedure](#).

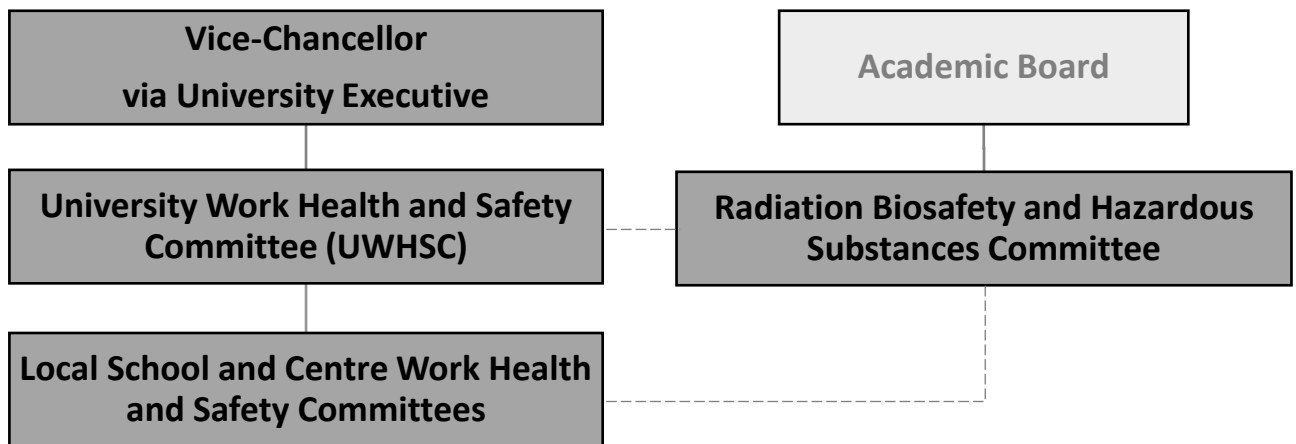
Health and Safety Representatives (HSRs)

- 4.10. The University has HSRs in each School, Centre and Teaching Area to represent the workers in that work area. Health and Safety representatives should be consulted on all health and safety matters relevant to the work area that they represent and included in Local WHS Committees.
- 4.11. The election, appointment, training and resourcing required to support HSRs to perform their functions are outlined in the Health and Safety Representative Handbook.
- 4.12. Once elected, HSRs are responsible for communicating their appointment to the Workers that they represent.

- 4.13. In addition to consulting with HSRs on WHS matters, the University Executive, Deans, and Directors are responsible for:
 - Ensuring Workers under their responsibility are adequately represented on Health and Safety matters through a sufficient number of local HSRs being elected. This may involve supporting the Local WHS Committee and Chair to find Workers willing to take on this role.
 - Ensuring HSRs are allocated adequate time to carry out their duties.
- 4.14. Where a HSR requests the assistance of a third-party external to the University, such as in relation to hazard resolution, the University may request that notice be provided in accordance with reg.20(A) of the *Work Health and Safety (General) Regulations 2022 (WA)*.
- 4.15. Where the HSR may not be the right fit to represent their work group, removal of a HSR by the majority of the work group they represent may occur in accordance with reg.20 of the *Work Health and Safety (General) Regulations 2022 (WA)*.

Work Health and Safety Committees

- 4.16. The University’s WHS Committee structure facilitates the sharing and flow of WHS information across the University, provides a forum for HSRs to consult with the PCBU on WHS matters and is an integral component of ECU’s [Hazard Resolution Procedure](#). This structure consists of two levels, reporting to the Vice-Chancellor via the University Executive. The detailed Committee structure is available on the [Human Resources web page](#).



- 4.17. The UWHSC reports to the Vice-Chancellor via the University Executive and has the prime function to provide strategic guidance and recommendations regarding WHS risks at ECU.
- 4.18. Local WHS Committees report to the UWHSC and operate in a proactive capacity to assist Schools and Service Centres in the management and control of potential and reported WHS matters. The ECU Officer with management control of the area is accountable for chairing the Local WHS Committee meeting or delegating a Chair.
- 4.19. Members of University Executive, Deans, Directors, Managers and Supervisors are responsible for managing WHS in their area of responsibility. The UWHSC and Local WHS Committees are not responsible for the management, control, final resolution or approval of WHS matters.

- 4.20. The [University Work Health and Safety Consultative Committees Procedure](#) provides details on the terms of reference, membership and operating procedures for these Committees.
- 4.21. In addition to the WHS Consultative Committee structure, ECU maintains a Radiation Biosafety and Hazardous Substances Committee (RBHSC) to provide advice and assistance to the University on applying legislation, policy and guidelines that govern radiation, biosafety and hazardous substances. The RBHSC reports to Academic Board. The [RBHSC web page](#) provides further information including membership and terms of reference.

Contractors

- 4.22. The [Contractor Work Health and Safety Management Manual](#) outlines the requirements for management of contractors at ECU including the process for consultation and communication.
- 4.23. Responsible Officers are responsible for ensuring regular meetings are held between the contractor company, it's workers (where relevant) and ECU to discuss WHS matters relevant to the scope of works undertaken.

Students

- 4.24. Where students undertake learning related activities similar to workers, such as Higher Degree by Research, the Person in Control of the Workplace is accountable for consulting with them WHS matters as they would with Workers.
- 4.25. ECU provides a formal mechanism for student consultation through the membership of the ECU Student Guild on the UWHSC, and a Higher Degrees by Research Student member on the RBHSC.
- 4.26. Schools/Centres may also invite a student to participate in the Local WHS Committee a further mechanism to support consultation at the discretion of the ECU Officer and Local WHS Committee Chair.

Specific Consultation Requirements

- 4.27. There are a number of consultation requirements under the Work Health and Safety (General) Regulations WA 2022 with various parties that must be adhered to, such as construction or manufacturing/importing Plant or Structures. These are summarised in Appendix 5 of the [Code of Practice: Work health and safety consultation, cooperation and coordination](#).

Communication, Consultation and Coordination with other PCBU's

- 4.28. The University has a duty to consult, cooperate and coordinate activities with all PCBU's where there is a shared duty to workers in relation to a WHS matter.

Examples of where a shared duty may exist with another PCBU in the University context include where:

- Contractors are engaged to undertake work at University owned or leased premises or on University owned or leased equipment.
 - Labour hire companies provide workers to the University.
 - The University leases premises to a tenant or spaces from a Landlord.
 - Contracts and agreements are entered into with other organisations to share locations, facilities, activities, resources or undertake a joint project or venture.
 - Organising the delivery or collection of goods.
 - Workers move between the University and another organisation or are located at another organisation's workplace.
 - Students undertake workplace integrated learning placements at another organisation.
 - Workers or Students work collaboratively on a project, such as a research project, with another organisation or industry group.
 - The University has input, through the provision of human or financial resources, in the functioning / outcomes of another organisation.
 - Other specific consultation requirements outlined at Section 4.27.
- 4.29. Consultation with shared duty holders should be undertaken as soon as it becomes apparent that they will be involved in the work or that a shared duty exists. This may occur as part of contract or agreement negotiations, engagement discussions or project planning. A [Letter to Other Duty Holders template](#) is available to facilitate this process.
- 4.30. Where there is a contract between the Duty Holders and the activities pursuant to the contract give rise to a shared health and safety duty, advice can be sought from Legal and Integrity to determine whether standard clauses apply, or specific inclusions are required.
- 4.31. Consultation between shared duty holders on WHS matters should consider all aspects of relationship and agreement reached as to how this will be operationalised. The [ECU Checklist for Work Health and Safety Consultation with other PCBU's](#) can be used to facilitate this discussion and record the agreed outcomes. Consultation should continue throughout the life of the relationship and further consultation may be required as circumstances change.
- 4.32. It is recommended that agreed outcomes of the consultation on shared WHS matters should be documented, including responsibilities of each parties, and kept in accordance with the [Health and Safety Document and Records Management Procedure](#). In addition to those referred to in sections 4.29-4.31, documentation may take the form of memorandums, letters of agreement, meeting minutes or email communication.

WHS Issue Resolution

- 4.33. The University's [Hazard Resolution Procedure](#) outlines the process for Hazard reporting and resolution, as well as the steps to be taken where a hazard cannot be resolved to the satisfaction of the reporter.
- 4.34. ECU Workers, including HSRs, and students are required to follow the documented [Hazard Resolution Procedure](#) before requesting the attendance of a WorkSafe Western Australia Inspector or issuing a Provisional Improvement Notice.

- 4.35. The development of, and updates to, the University's procedures for resolving WHS issues will be undertaken by the Human Resources Service Centre, who will also consult with Workers on this procedure.

Record Keeping and Documentation

- 4.36. Consultation and Communication with Workers and shared duty holders should be documented and records kept in accordance with the [Health and Safety Document and Records Management Procedure](#).

5. ACCOUNTABILITIES AND RESPONSIBILITIES

The Guideline Owner is the Director Human Resources Services Centre who has overall responsibility for the content of these guidelines and their operation.

6. RELATED DOCUMENTS

Legislation

Work Health and Safety Act 2020 (WA)
 Code of Practice: Construction work (WorkSafe WA)
 Code of Practice: Work health and safety consultation, cooperation and coordination (WorkSafe WA)

Policies

Health and Safety Policy [PL139]

Operational documents and resources

[ECU Checklist for Work Health and Safety Consultation with other PCBU's](#)
[Template Letter to other Duty Holders](#)
[Health and Safety Representatives Handbook](#)
[Hazard Resolution Procedure](#)
[Health and Safety Document and Records Management Procedure](#)
[University WHS Consultative Committees Procedure](#)
[Work Health and Safety Management System Guideline](#)
[Contractor Work Health and Safety Management Manual](#)
[Riskware How to Report a Hazard information sheet](#)

7. CONTACT INFORMATION

For queries relating to this document please contact:

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8. APPROVAL HISTORY

Guideline approved by:	Chief Safety Officer
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