

NUMBER	P15/2	VERSION	1.0
CATEGORY	Policy	SUBJECT	Work Health & Safety
ISSUED BY	Human Resources	APPROVAL DATE	05/08/2015
AUTHORISED BY	Trust	ISSUED DATE	10/08/2015
DISTRIBUTION	External	REVIEW DATE	10/08/2018

WHS Consultation

Purpose

This policy affirms Sydney Living Museums' (SLM) commitment to effective consultation as a means to protect the health and safety of all workers and visitors. It defines the mechanisms through which workers will be consulted as well as providing information about how WHS issues can be brought to the attention of Managers so they can be resolved quickly and efficiently.

Background

Effective consultation with workers on matters affecting their work health or safety is a requirement under the *Work Health and Safety Act 2011* (WHS Act) and lies at the foundation of SLM's WHS Framework. It is closely aligned with SLM'S Risk Management & Assessment Procedure (under development).

Meaningful and effective consultation involves drawing on the knowledge, experience and ideas of workers, and encouraging their participation to improve the systems and processes in place for managing health and safety.

This policy aims to achieve best practice as set out in the Work Health and Safety Consultation, Cooperation and Coordination Code or Practice developed by Safe Work Australia, while recognising the resource limitations and part-time workforce in many work groups.

It has been developed through a consultation process with the WHS Committee, Team Management as well as key staff with specific responsibilities in building and facilities, gardens and exhibitions and programs. It has also been endorsed by the Public Service Association Joint Consultative Committee (JCC).

Scope

This policy applies to:

- employees, contractors, volunteers, students, interns and other unpaid workers ('workers'), and
- all activities conducted by and on behalf of SLM

POLICY

1. Consultation Statement

At Sydney Living Museums, nothing is more important than the safety and health of our workers and visitors. SLM recognises that worker input and participation improves decision-making about health and safety matters and assists in reducing work-related injuries and disease.

SLM is committed to ensuring all legislative requirements are met by enabling effective WHS consultation with workers and by consulting, cooperating and coordinating with other duty holders.

The primary mechanism for consultation on health and safety matters is direct dialogue between supervisors/managers and workers acting under their instruction. All workers are responsible for health and safety and cannot assume that someone else is going to take action because they are more senior or more directly involved. If more than one worker or duty holder is involved in an activity that could involve a risk to health and safety, they will consult, cooperate and coordinate activities with each other.

Each Manager and supervisor will consult with workers acting under their instruction whenever they are:

- identifying and assessing hazards and risks and deciding on actions to eliminate or minimise risks;

- determining adequate facilities for workers;
- proposing changes that may affect the WHS of workers;
- deciding upon policies and procedures relating to WHS, including monitoring of conditions or health or workers; and
- providing information and training to workers.

Other mechanisms for facilitating effective consultation with workers include the WHS Committee and ensuring the involvement of a work group's Health and Safety Representative (HSR) in relevant consultations.

2. What is consultation?

Consultation requires that:

- relevant information about a health and safety matter is shared with workers;
- workers are able to express their views and raise WHS issues;
- workers can contribute to the decision-making process relating to the matter and be confident their views will be taken into account; and
- will be advised about the outcome of the consultation, in a timely manner.

Effective consultation requires workers be given sufficient time to consider and discuss WHS information and to provide feedback. Information includes WHS policies and procedures, technical guidance, hazard reports and risk assessments, data on incidents, illnesses or injuries (but in a way that protects the confidentiality of personal information).

3. Work groups

The WHS Act enables workers to be grouped into work groups for the purpose of electing Health and Safety Representatives (HSRs). By facilitating worker representation, work groups are central to WHS consultation. HSRs are elected or appointed from each work group (see section 4) and the HSRs also represent their work group on the WHS Committee (see section 5).

The following work groups have been formed in consultation with SLM workers:

- City Portfolio
- Macquarie Street Portfolio
- House Museums Portfolio
- Horticulture team
- Exhibitions
- Programs, and
- Venues

4. Health and Safety Representatives (HSRs)

HSRs represent the workers of a work group regarding health and safety matters. At least one HSR will be elected from each work group. As SLM has an obligation to consult with HSRs about WHS matters affecting their work group, HSRs have an important role in SLM consultation.

In representing their work group HSRs regularly consult with managers and workers about health and safety matters. In their capacity as WHS Committee members, HSRs will raise health and safety matters affecting their work group with the WHS Committee as required. The HSR will also provide feedback to the Manager and affected staff of the outcomes of the matter after it has been considered by the WHS Committee.

HSR duties and responsibilities extend beyond consultation and are detailed in the WHS Committee and Health and Safety Representatives Policy.

5. WHS Committee

One of SLM's main mechanisms of worker consultation is through the WHS Committee. The WHS Committee is a consultative committee that brings employee and management representatives from across the SLM to identify, discuss and make recommendations to Management about health and safety.

The functions of the WHS Committee include: assisting in the development of WHS policies/procedures and action plans, arranging and monitoring property risk assessments, taking action to eliminate or reduce WHS risks, reporting and making recommendations to management, recommending training and promoting WHS to staff.

The WHS Committee terms of reference are detailed in the WHS Committee and Health and Safety Representatives Policy.

6. Other SLM consultation methods

6.1 Induction processes

The induction of workers will be used as an opportunity to consult on WHS matters. This includes site and job specific elements of the work such as emergency procedures, site and job specific hazards and their controls. The outcomes of the consultation should be taken into account and action taken where considered appropriate.

Where those workers are contractors, the SLM Procedure: Contractor Induction: Site Conditions and Safety and related documents will be followed.

6.2 Project planning processes

During the planning phase of a project, program or exhibition, the managers and workers responsible will ensure that any other involved parties (such as contractors and volunteers) are consulted on matters affecting the health and safety of workers.

Consultation includes Job Safety Analysis and Safe Work Method Statements, which allow for location and job specific consultation.

Further information on these processes will be set out in the WHS Risk Management Policy (under development).

6.3 Safety observation

Workers are encouraged to make 'safety observations' to provide a brief but formal notification of non-critical issues where health and safety could be improved. Safety observations additional to the reporting of incidents or near misses and are intended to promote consultation and ensure safety remains a high profile issue across the organisation. They are not a replacement for consultation between workers and supervisors.

Workers are encouraged to make safety observations through the SLM intranet "Quick links". These notifications will be sent to the WHS Coordinator for review.

6.4 WHS property inspections

The WHS property inspection process provides a valuable opportunity to interact and consult with workers who have more experience and knowledge of issues at specific sites. Consultation is both informal (during the site inspection walk-around, talking with workers) and formal (by ensuring a senior property-based worker such as the BFO or Manager is involved in conducting the inspection).

6.5 SLM Training & Development Plan

SLM prepares an annual Training & Development Plan which incorporates training needs identified by managers and workers during the annual Performance Development Planning (PDP) process. The Training & Development Plan prioritises training that meets compliance and WHS requirements.

6.6 WHS agenda item at meetings

In addition to the WHS Committee mechanisms above, SLM promotes awareness and provides avenues for consultation through the following regular meetings.

- Board of Trustees – the Audit & Risk Committee (ARC) is the primary mechanism of Trust oversight of WHS. The ARC receives a quarterly WHS report on incidents, workers compensation claims and training conducted. It also is involved in management of high-level WHS risks via review of SLM's audit program.
- Executive – WHS is a standing agenda item for all Executive meetings. Heads of Portfolios to report to the Executive in writing monthly on WHS incidents, training undertaken by workers, other initiatives or preventative work undertaken. Heads of Portfolios also use this avenue to identify potential hazards that require further investigation.

- Property portfolio meetings – WHS is a standing agenda for meetings and Head of Portfolios are encouraged to regularly discuss WHS issues with their workers to assist in identifying potential hazards or areas of improvement and requirement for a risk assessment for each major event to be held on site.
- Team meetings – Team managers are encouraged to regularly discuss WHS issues with their workers to assist in identifying potential hazards or areas for improvement.

7. Consulting Other Duty Holders

Where WHS duties overlap with another 'person conducting a business or undertaking' (PCBU), SLM will, as far as practicable, consult, cooperate and coordinate its activities with the other duty holders. This would include where the workplace has more than one PCBU on location and also where a common concern is identified, such as with a particular piece of equipment or workers from multiple PCBUs working on a task where a WHS concern is identified.

8. WHS issue resolution

Work should not proceed on a job if a dispute exists regarding the safety controls to be implemented. Every attempt should be made to resolve a WHS issue at a local level in the first instance. A worker should report any WHS issue to their Manager and complete a report using the SLM Form: Accident, Injury, Hazard or Near Miss.

It is the Team Manager's responsibility to review and resolve the WHS issue.

Should a WHS issue not be dealt with or adequately resolved by the Team Manager then the worker can contact their HSR, who has various options (see the WHS Committee and Health and Safety Representatives Policy) including to raise the matter with the WHS Committee and advice to the Executive, if required.

If a worker is not satisfied then the issue will be resolved in accordance with default procedure set out in section 23 of the [Work Health and Safety Regulation 2011](#).

Roles and responsibilities

- **Executive**: The Executive team must exercise due diligence to ensure SLM complies with its obligations to consult under the WHS Act, including: ensuring the WHS Framework effectively supports WHS consultation and effective consultation occurs between officers (Trustees/Executive), workers and other duty holders. See the section 2.1.1 of the WHS Framework for further detail.
- **Managers (Team & Portfolio Heads)**: have a duty to consult with workers under their management about health and safety, which includes: promptly addressing WHS issues raised in consultation with those involved or affected; referring WHS issues beyond their control to the Executive; discussing the inclusion of WHS-related performance objectives in team planning and PDPs with workers if appropriate; ensure that HSRs are involved in WHS consultations affecting the work group. See section 2.3 of the WHS Framework for further detail.
- **Supervisors**: have a duty to consult with workers under their supervision about health and safety, which includes: informing workers about WHS requirements and expectations; providing relevant guidance and training (including WHS inductions); promptly addressing WHS issues raised in consultation with those involved or affected; referring WHS issues beyond their control to the relevant manager. See section 2.4 of the WHS Framework for further detail of possible WHS consultation subjects.
- **Building & Facilities Officers**: responsible for consulting with workers and other duty holders about WHS matters, in particular contractors (including contractor induction).
- **WHS Committee members**: see section 5 and the WHS Committee and Health and Safety Representatives Policy
- **Health and Safety Representatives (HSRs)**: see section 4 and the WHS Committee and Health and Safety Representatives Policy
- **Workers**: have a duty to consult with other duty holders about WHS matters and promptly report work related hazards, injuries and incidents, including near misses.

Delegations

- None.

Legislation

- [Work Health and Safety Act 2011](#)
- [Work Health and Safety Regulation 2011](#)

Related policies

- First Aid Officers: designated positions, training and allowances
- Injury Management and Return to Work Policy (under development)
- Work Health & Safety Framework
- WHS Committee and Health and Safety Representatives Policy
- WHS Risk Management Policy (under development)

Other related documents

- [Safe Work Australia National Code of Practice for Work Health and Safety Consultation, Cooperation and Coordination](#) (December 2011)
- SLM Form: Report of Accident, Injury or Near Miss
- SLM Procedure: Contractor Induction: Site Conditions and Safety Procedure, including Information Sheet, Checklist and notification templates.
- SLM Form: Safety Observation (intranet via Quicklinks)

Definitions

- Defined in WHS Framework

Superseded documents

This policy replaces:

- WHS Consultation Statement (relevant sections of TP08, OHS / WHS Consultation Statements)

Revision history

Version	Date issued	Notes	By
1	10/08/2015	Consultation Policy Drafted	Policy and Compliance Officer

Review date

This policy will be reviewed every three years. The next review date is 10/08/2018

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