



UNIVERSITY
OF WOLLONGONG
AUSTRALIA

UOW SAFE@WORK

WORK HEALTH & SAFETY CONSULTATION STATEMENT

Contents

1 Introduction 3

2 Background..... 3

3 Legislative Requirements 3

When Consultation is Required..... 3

4 Consulting with UOW Workers 3

Informal Consultation 4

Formal Consultation 4

Safe@Work Representatives..... 5

Consulting With Others 5

5 Training and Resources 6

6 Resolving a WHS Issue 6

7 Review 6

8 Related Documents..... 6

9 Version Control Table 7

Appendix 1: Resolving a WHS Issue 8

Appendix 2: WHS Committee Consultation 9

1 Introduction

Effective consultation is critical in the effective management of Work Health and Safety (WHS). The University's WHS Management System (WHSMS) incorporates a systematic approach to WHS consultation to ensure that:

- relevant WHS information is shared with workers
- workers are given a reasonable opportunity to express their views and to raise health or safety issues
- workers are given a reasonable opportunity to contribute to the decision-making process relating to the WHS matter
- the views of workers are taken into account, and workers are advised of the outcome of any consultation in a timely manner.

2 Background

The University WHS Committee, campus community and union-appointed representatives were originally consulted in 2003 on this proposed consultation arrangement via meetings and information sessions. Agreement was established in February 2004 on an otherwise agreed arrangement under the WHS Act 2000. The arrangement was periodically reviewed with changes as required.

The consultation agreement was agreed upon again by the WHS Committee in 2012 following changes to the WHS Act 2011. The consultation arrangement was further reviewed and agreed upon by the WHS Committee in {insert date of meeting} to ensure appropriate mechanisms of consultation of all portfolios of the University.

3 Legislative Requirements

The University must consult, so far as is reasonably practicable, with workers who carry out work for the University and who are (or are likely to be) directly affected by a health and safety matter. In instances where a duty in relation to a safety matter is shared, the University must, so far as is reasonably practicable, consult, co-operate and co-ordinate activities with all other persons who have a duty in relation to the same matter.

When Consultation is Required

Consultation is required when:

- a) identifying hazards and assessing risks arising from the work carried out or to be carried out
- b) making decisions about ways to eliminate or minimize those risks
- c) making decisions on the adequacy of facilities for the welfare of workers
- d) proposing changes that may affect the health and safety of workers. This may include any changes to the workplace such as building renovations maintenance work, or minor works.
- e) making decisions about procedures for consulting with workers; resolving health or safety issues; monitoring health of your workers; monitoring the conditions at the workplace and providing information and training for your workers
- f) changing workgroups or consultation arrangements.

4 Consulting with UOW Workers

The University and its workers have agreed to the established consultation procedures as outlined in this Consultation Statement and related documents listed in section 10. The University will, in consultation with workers, determine the number of worker representatives required to effectively represent all work groups and make arrangements to allow workers to select those who will represent them on health and safety matters. Consultation arrangements are communicated to workers through a variety of methods including the Universe and other available communication channels eg induction, team meetings, WHS website.

4.1 Informal Consultation

Informal consultation is the process whereby consultation on WHS matters occurs through local line management outside of the formal consultation arrangement outlined in section 4.2. This includes instances where the University and workers are required to consult on WHS matters including but not limited to:

- health and safety hazards
- risk assessments and the determination or implementation of risk controls
- training requirements, and
- incident reporting.

The worker's supervisor should be the first contact person for reporting any health and safety incidents, hazards or issues. In addition, all workers are encouraged to report any health and safety incidents, hazards or concerns in the workplace using UOW's online reporting system.

The supervisor will communicate with the workers, and ensure that appropriate corrective actions are put in place to resolve the health and safety concern.

The worker or supervisor may choose to escalate a health or safety issue or concern using the formal consultation mechanisms outlined in subsequent sections.

Supervisors should also use informal consultation to communicate WHS messages. This includes having WHS as a standing item for operational meetings to ensure both workers and managers have an opportunity to discuss health and safety matters.

4.2 Formal Consultation

The University's WHS formal consultation arrangement consists of:

- University WHS Committee
- Safe@Work Committees
- School/Unit Safety Committee where the need is identified
- Safe@Work Representatives.

University WHS Committee

The University WHS Committee is the peak committee for consultation on WHS matters. Membership consists of representation from Safe@Work Committees (SWC), Safe@Work Representatives (SWR), union representatives and management representatives. Details regarding the composition of the University WHS Committee are outlined in the [WHS Committee Constitution](#).

Chairs of SWCs are encouraged to provide an annual report as well as complete an annual survey so that the University WHS Committee can monitor how SWCs are performing.

Safe@Work Committees

Safe@Work Committees (SWC) are established for faculties and divisions and act as the local vehicle for consultation on WHS matters as well as monitoring the implementation of the WHS system in their area of responsibility.

SWCs currently established at the University are:

- Faculty of the Arts, Social Sciences and Humanities
- Faculty of Business and Law
- Faculty of Engineering and Information Science
- Faculty of Science Medicine and Health
- Illawarra Health and Medical Research Institute
- Deputy Vice-Chancellor Education/Senior Deputy Vice Chancellor
- Accommodation Services Division
- Facilities Management Division
- Information Management and Technology Services
- Library
- AIIM
- Shoalhaven Campus

These are supported by School/Unit Safety Committees where the need identified. More information on the role, function and responsibility of SWCs are located in the [Terms of Reference for Safe@Work Committees](#).

School/Unit Safety Committees

These committees operate at a school or unit level and are made up of different workgroups which comprise the school or unit. At least half of the members of the committee must be workers who are not nominated by management.

The committee membership should also include the Head of School or Unit, or a senior manager who has been delegated to attend on behalf of the Head of School or Unit. This person must have the appropriate authority to make decisions about health and safety matters.

The purpose of a school or unit safety committee is to discuss health and safety issues/concerns raised in the local area (e.g. school/unit level). This would include discussion of any proposed changes to the workplace. Any concerns that cannot be resolved by a staff member's direct supervisor can be raised at Safe@Work Committee.

Safe@Work Representatives

Safe@Work representatives are to consult with management on the implementation of the following WHS requirements:

- raise WHS issues to management on behalf of employees and students
- improve communication and awareness of WHS requirements
- assist with the investigation of WHS issues or incidents.

The following divisions may have at least one nominated Safe@Work Representative that will be a contact person for escalating WHS issues that cannot be resolved at a local level or where an employee is unable to resolve a WHS issue with their supervisor.

- Chief Operating Officer (COO)
- Deputy Vice Chancellor Global Strategy (DVCGS)
- Deputy Vice Chancellor Research and Innovation (DVCR)
- Deputy Vice Chancellor Health and Communities (DVCHC).

Refer to the [Terms of Reference Safe@Work Representatives](#) for further information about appointment, duties and other information.

4.2 Consulting With Others

The University is required to consult, coordinate and co-operate with other Persons Conducting a Business or Undertaking (PCBU) and their workers on shared WHS matters. The method(s) of consultation used by the University with others on WHS matters vary depending on the circumstances and are to be agreed to by the parties. Options to consult in these situations include but are not limited to:

- raising the issue with the relevant University or other PCBU contact
- induction or orientation meetings
- periodic performance review meetings which include WHS as an agenda item
- toolbox talks or similar
- focus or steering groups.

Where a method of consultation has not been determined, any WHS issue or concern may be raised with the University's Manager Workplace Health & Safety who will review the matter and assist to resolve the issue with the most appropriate unit.

5 Training and Resources

Safe@Work Committee members and Safe@Work Representatives are to undertake the following training within 6 months of appointment:

- [WHS Principles](#)
- [Addressing Hazards and Risk in the Workplace.](#)

In addition anyone representing UOW workers on health and safety matters must be provided with adequate time and resources to effectively undertake their role.

Consultation structures need to be organised in such a way that enable worker representatives to meet regularly with management about health and safety issues and the minutes of their meetings are available to all workers.

6 Resolving a WHS Issue

Refer to the flow chart at Appendix 1 that outlines the process to resolve a WHS issue.

7 Review

The Consultation Statement will be reviewed every three years by the WHS Unit in consultation with the WHS Committee. Conditions which might warrant a review of the consultation statement on a more frequent basis would include:

- legislative change
- restructure of units, or
- WHS Committee or worker concern.

Following the completion of any review, the statement will be revised and updated in order to correct any deficiencies. These changes will be communicated to the University community via the WHS Committee meeting minutes, Universe and the [WHS Document Review](#) web page.

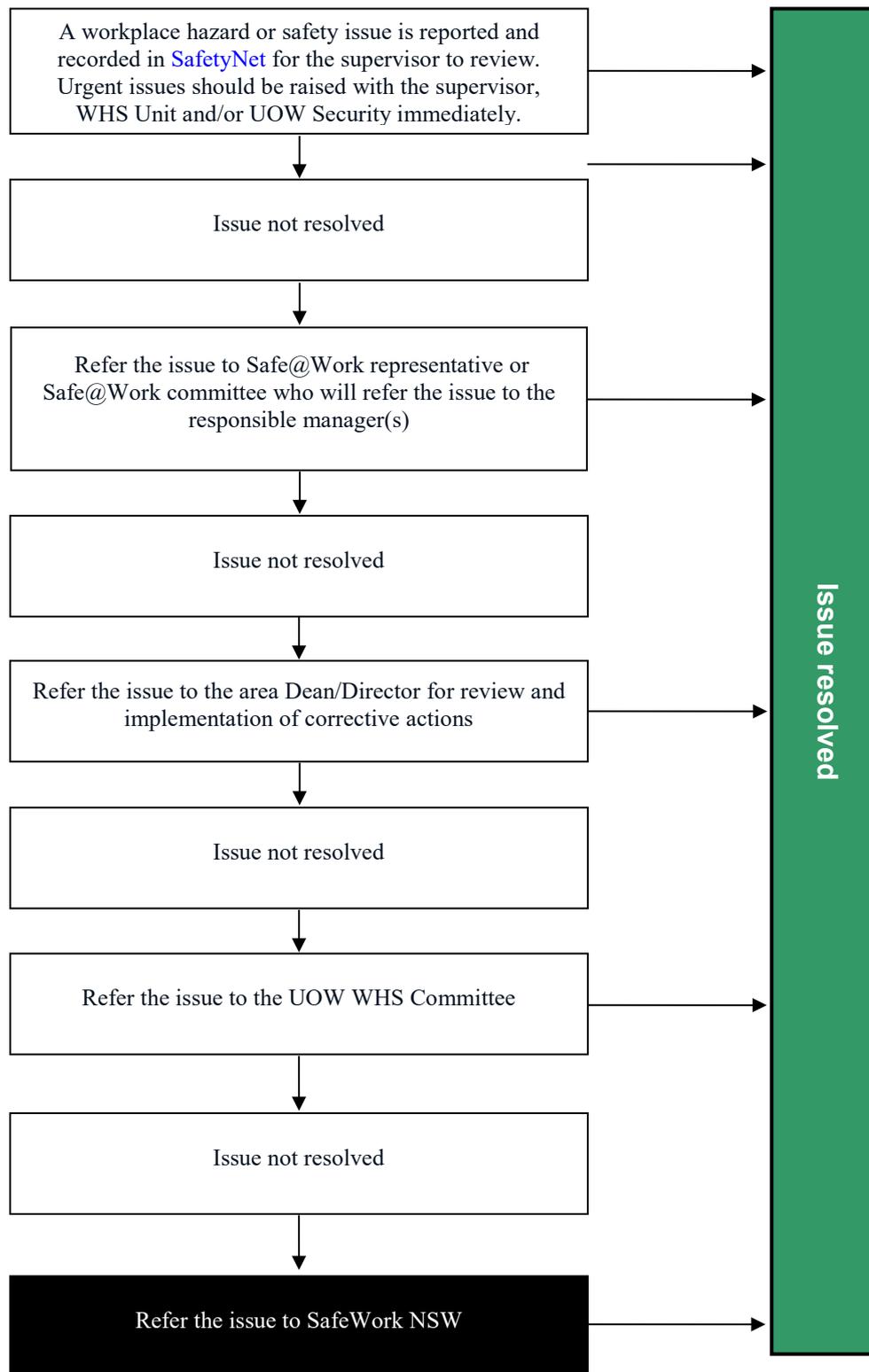
8 Related Documents

- [WHS Committee Constitution](#)
- [Terms of Reference for Safe@Work Committees](#)
- [Terms of Reference for Safe@Work Representatives](#)
- [Terms of Reference for School/Unit Safety Committees](#)
- [WHS Act 2011](#)
- [WHS Regulation 2017](#)
- [Work Health and Safety Consultation, Cooperation and Coordination Code of Practice](#)

9 Version Control Table

Version Control	Date Released	Approved By	Amendment
1	February 2004	Manager WHS	Document created
2	January 2006	Manager WHS	Document revised for format and content
3	January 2009	Manager WHS	Alignment with OHSMS and National Audit Tool
4	April 2010	Manager WHS	Minor review no scheduled changes
5	August 2010	Manager WHS	Document updated to incorporate the Personnel Services name change to Human Resources Division
6	January 2011	Manager WHS	Inclusion of further information regarding Workplace Advisory Representatives
7	July 2011	Manager WHS	Inclusion of further information regarding the Workplace Advisory Representatives appointment and selection
8	March 2012	Manager WHS	Rebrand and document updated to incorporate the changes to legislation through the introduction of the WHS Act 2011
9	July 2012	Manager WHS	Update reflecting WHS Unit name change
10	March 2013	Manager WHS	Consultation arrangement reviewed and continues as per previous arrangement. Updated document to incorporate revised faculty structure.
11	April 2015	Manager WHS	Updated to incorporate legislative changes documented in the WHS Act 2011 NSW including shared duties arrangements. In addition relevant changes to the National Audit Tool Version 3 have been implemented into this guideline.
12	August 2017	Manager WHS	Review to include all University portfolios in consultation arrangement. Inclusion of Safe@Work Representatives. Name change of Workplace Advisory Committee to Safe@Work Committee. Inclusion of resolving a WHS issue procedure.
13	September 2020	Manager WHS	Updated hyperlinks. Updated Safe@Work Committees and Representatives due to organisational changes. Added Appendix 2.

Appendix 1: Resolving a WHS Issue



Appendix 2: WHS Committee Consultation

The legislative duty to consult by management is specifically outlined in Work Health and Safety Act 2011 No 10 (NSW), Part 5, [Division 2](#). These obligations are reflected in the UOW WHS Consultation Statement, section 3.1, and section 1 of the [WHS Committee Constitution](#).

This appendix is designed to detail and expand on specific consultation mechanisms to support ongoing and meaningful consultation occurs in UOWs systematic approach to workplace health and safety.

REQUIRED CONSULTATION	PROCEDURES/CONSIDERATIONS/TRIGGERS FOR CONSULTATIONS
<p>a. Identifying hazards and assessing risks arising from the work carried out or to be carried out</p>	<p>Emerging Hazards</p> <ul style="list-style-type: none"> Working parties can be established by the Committee to support specific emerging issues. Creation of a small working party of employee and management representatives to advise on emerging risks. Making use of Committee expertise. Regular meetings between the Chair, Deputy Chair and WHS Manager will support ongoing consultation, the identification and assessing of arising risks. The regularity of these meetings will vary, however it is expected that these occur at least twice per month. In times where there are significant hazards and risks being managed, a key management representative or delegate, as an additional member, will also participate in this regular consultation. <p>Reporting</p> <ul style="list-style-type: none"> Regular reporting item at each WHS Committee Meeting of the hazards, risks and incidents that have occurred and trends about the same to enable evaluation of context. This will include access to information about hazards and risks at the workplace, as well as information relating to the safety of workers at the workplace (excluding workers' personal or medical information without the workers' consent) and provision of additional relevant information as may be requested by committee members. Regular promotion of key resolved WHS issues to promote the positive impact of WHS resolutions in the workplace. Bi-annual reporting of highest frequency of reported hazards, risks and incidents.
<p>b. Making decisions about ways to eliminate or minimise those risks</p>	<p>Planning</p> <ul style="list-style-type: none"> When a decision is made to eliminate or minimise risks at an organisational level, Management will advise and allow the Committee input on these measures as soon as practical via written communication. Where appropriate, management will work with employee representatives to establish subgroups of the Committee to support specific emerging issues. Work plan established for the WHS Committee to examine the effectiveness of elimination and controls of identified safety risks, including provision of all WHS related audit and inspection information.
<p>c. Making decisions on the adequacy of facilities for the welfare of workers</p>	<p>Planning</p> <ul style="list-style-type: none"> Annual report on the suite of facilities for the welfare of staff to inform and support regular evaluation of their adequacy. The annual report is to be provided at the Annual Committee Planning Meeting. A mid-point update may be provided if there is significant change. Information may include employee assistance provider utilisation rates and participant satisfaction scores.

REQUIRED CONSULTATION	PROCEDURES/CONSIDERATIONS/TRIGGERS FOR CONSULTATIONS
	<ul style="list-style-type: none"> • Employee representatives are to be involved in the development of KPIs for any new initiatives with safety as an element. This will include the identification of lead and lag indicators. <p>Adequacy of Hazards and Safety Response Facilities</p> <ul style="list-style-type: none"> • Relevant WHS Committee members will participate in the regular inspection and/or evaluation of the facilities in place for the welfare of workers. This will include formal membership on review panels, tender committees or other evaluation mechanisms. • Supervisors will consult with local staff and WHS representatives on the adequacy of facilities in their local work areas. • The participation of staff and WHS representatives in evaluating facilities will be reported to the WHS Committee on a regular basis.
<p>d. Proposing change that may affect the health and safety of workers. This may include any changes to the workplace such as building renovations, maintenance work, or minor works</p>	<p>Planning for change</p> <ul style="list-style-type: none"> • Management to assess the decisions made and are to identify triggers for consultation e.g. the development of strategic documents, policies and procedures that may affect the health and safety of workers. • When proposing change that affects the health and safety of workers, management will advise the Committee as soon as practical via written communication • Where appropriate, management will work with employee representatives to establish subgroups of the Committee to support specific emerging issues. • Employee representatives will be involved in the development and monitoring of key performance indicators for any new initiatives with safety as an element. • The WHS Committee will develop and maintain of a matrix of WHS Committee employee representative skills and experience so the Committee knows who is best placed to provide support and consultation on specific issues. If a particular skill/experience is missing the Committee Chair may co-opt a Safe@Work Committee member with the required experience to support the consultation process.
<p>e. Making decisions about</p> <ol style="list-style-type: none"> i. procedures for consulting with workers; ii. resolving health or safety issues; iii. monitoring health of your workers; iv. monitoring the conditions at the workplace; and v. providing information and training for your workers 	<p>Procedures</p> <ul style="list-style-type: none"> • WHS policy and procedure development <ul style="list-style-type: none"> ○ WHS Committee consulted when new p/p being considered ○ WHS Committee provided with opportunity to provide feedback on drafts prior to being approved ○ WHS Committee to be consulted on implementation plans of policy and procedures once approved ○ A consolidated formal Feedback Register will be maintained for each step of the process with annotations included on the responses to the feedback. A copy of the Feedback Register will be provided to the Committee when the relevant policy and procedure is being considered to promote transparency and support efficiency of effort in the Committee consultations. ○ The Chair or delegate will facilitate the collation of employee representative consultation to policies and procedures, including advising the WHS Manager when no consultation has been received by the due date. The Chair or delegate will be supported by the Secretary of the WHS Committee to facilitate this.

REQUIRED CONSULTATION	PROCEDURES/CONSIDERATIONS/TRIGGERS FOR CONSULTATIONS
	<ul style="list-style-type: none"> • General policy and procedure development <ul style="list-style-type: none"> ○ UOW governance to identify when a new or revised policy and/or procedure has elements that address safety issues and will advise the WHS Manager to facilitate WHS Committee consultation. <p>Resolving Health or Safety Issues</p> <ul style="list-style-type: none"> • The WHS Manager will provide ongoing advice to the Committee via the Chair of decisions or initiatives where timing did not allow for Committee consultation. • Annual de-identified reporting on the resolutions of health and safety issues to the WHS committee and the controls and facilities deployed. <p>Changes in the workplace</p> <ul style="list-style-type: none"> • Identification of the key UOW policies and processes where changes will be being proposed and insert a check for WHS consultation. For example, listing the upcoming policies for the year as provided by Governance and Legal Division as the WHS Committee Planning meeting. <p>Provision of information</p> <ul style="list-style-type: none"> • The Committee will receive adequate and timely information regarding WHS issues. This includes but is not limited to policies and procedures with a WHS element, minutes of meetings where WHS issues are discussed (excerpts may be acceptable). • Commercial in confidence information will be marked and treated accordingly by all Committee members.
f. Changing workgroups or consultation arrangements	<ul style="list-style-type: none"> • Transparent proposals will be made regarding any change to workgroups or consultation arrangements. • This appendix will be revised regularly to ensure that consultation mechanisms are sufficient and all regular triggers for consultation are documented to support transparency. • Approval of changes to the consultation arrangements including any appendices will be required by the WHS Committee.

WHS Committee Planning Cycle

In order to facilitate a forum that will allow consultation and discussion between management and employees at the University to aid in achieving a safe workplace it is suggested the following procedures be added to the Committees operations:

- An annual planning session to support and consult on the identification, prioritisation and development of WHS issues. This should include consultation on setting and amending KPIs. This should act as a conduit to consultation on the WHS strategic planning process and developments.
- Establishing a formal committee work plan to routinely examine the effectiveness of current controls, eliminations and facilities available on specific safety issues.
- Where indicated by emerging issues, reviews of such plans can be undertaken at any time throughout the year.