	WHS CONSULTATION AND COMMUNICATION PROCEDURE	Version No: 4.1
		Issued: 28/04/2022
		Next Review: April 2026

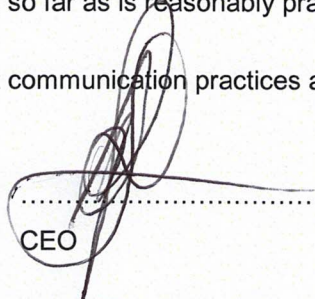
1. Overview

The District Council of Peterborough (**organisation**) recognises its obligation to consult and communicate with its workers (and/or their representatives) who are (or are likely to be) directly affected by a matter relating to Work Health and Safety (**WHS**).

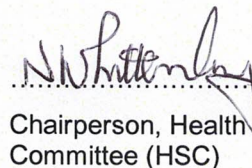
This procedure aims to:

- Ensure that the organisation's WHS Management System (**WHSMS**) conforms with legislative requirements and ReturnToWorkSA's Performance Standards for Self-Insurers (**PSSI**);
- Provide a system that enables, so far as is reasonably practicable, workers and/or their representatives to be consulted about decisions that directly affect, or are likely to directly affect, WHS;
- Provide a mechanism that enables consultation to take place with other Persons Conducting a Business or Undertaking (**PCBU**), so far as is reasonably practicable, where the organisation's WHS duties overlap with theirs; and
- Make sure consistent communication practices are in place for WHS matters.

SIGNED:


CEO

Date: 31 / 05 / 2022


Chairperson, Health and Safety
Committee (HSC)

Date: 31 / 05 / 22

2. Core components

The core components of the organisation's Communication and Consultation Procedure aim to:

- Identify and document the information and types of information that need to be communicated to enable effective implementation of the organisation's WHSMS, including:
 - Internal, for example: policies, procedures, performance indicators, changes to the workplace; or
 - External, for example: mandatory notifications (to SafeWork SA and Office of the Technical Regulator), Local Government Association Workers Compensation Scheme (**LGAWCS**) advice, legislative changes;
- Apply consultation mechanisms in line with agreed processes as determined from consultation with workers and their representatives;
- Provide workers and/or their representatives with a genuine opportunity to express their views in order to contribute to decision making about WHS matters;
- Require an up to date list of Health and Safety Representatives (**HSRs**) and deputy HSRs to be maintained and displayed at the workplace in a central location that is readily accessible to all relevant work groups;
- Require that HSRs attend the prescribed days for HSR training (if requested);
- Define the role of the Health and Safety Committee (**HSC**) and ensure that it meets at least once every three months;
- Implement a system for:
 - Communicating relevant information in a timely, useable and accessible manner;
 - Ensuring confidentiality of personal and medical information;
 - Retention of communication and consultation documentation (e.g. HSC, management, team meeting minutes etc.) in a way that makes it easily accessible.

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3. Definitions

Agreed procedure	<p>An agreed process or outline of the steps involved in resolving WHS issues in the workplace.</p> <p>[Work Health and Safety Regulations 2012 (WHS Regulations), Chapter 2, Part 2, Section 22 and 23 describes the minimum requirements for an agreed procedure and the default procedure]</p>
Communication	<p>The imparting or exchange of information by speaking, writing or using some other medium [Oxford Dictionary 2012]</p>
Consultation	<p>(1) Consultation under the Work Health and Safety Act 2012 (SA) (WHS Act) requires:</p> <ul style="list-style-type: none"> (a) that relevant information about the matter is shared with workers; and (b) that workers be given a reasonable opportunity— <ul style="list-style-type: none"> i. to express their views and to raise work health or safety issues in relation to the matter; and ii. to contribute to the decision-making process relating to the matter; and (c) that the views of workers are taken into account by the PCBU; and (d) that the workers consulted are advised of the outcome of the consultation in a timely manner. <p>(2) If the workers are represented by a HSR, the consultation must involve that HSR.</p> <p>[as defined by the WHS Act, Section 48]</p> <p>-----</p> <p>Consultation involves the sharing of information and the exchange of views between employers and the persons or bodies that must be consulted and allowing the genuine opportunity for them to contribute effectively to any decision-making process to eliminate or control risks to health or safety. The extent and nature of the consultation will vary between workplaces and the different situations.</p> <p>[as defined by the ReturnToWorkSA Work health and safety standards for self-insured employers, which includes the PSSI]</p>
Health and Safety Committee (HSC)	<p>The functions of a HSC are:</p> <ul style="list-style-type: none"> a) to facilitate co-operation between the organisation and workers in instigating, developing and carrying out measures designed to ensure the workers' health and safety at work; b) to assist in developing standards, rules and procedures relating to health and safety that are to be followed at the workplace; and c) any other functions prescribed by the regulations or agreed between the organisation and the committee. <p>[WHS Act, Section 77]</p>
Health and Safety Representative (HSR)	<p>In relation to a worker, means the health and safety representative elected for the work group of which the worker is a member</p> <p>[as defined by the WHS Act, Section 4]</p>
Issue	<p>Any concern about WHS that remains unresolved after discussion between affected workers and a PCBU has taken place [as defined on the SafeWork SA Issue Resolution Webpage]</p> <p>[WHS Regulations, Chapter 2, Part 2, describes the requirements for issue resolution]</p>

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Parties to an issue	<p>(1) Parties, in relation to an issue, means the following:</p> <ul style="list-style-type: none"> (a) the PCBU or its representative; (b) if the issue involves more than one PCBU, the person conducting each business or undertaking or the PCBU's representative; (c) if the worker or workers affected by the issue are in a work group, the HSR for that work group or the HSR's representative; (d) if the worker or workers affected by the issue are not in a work group, the worker or workers or their representative. <p>(2) A PCBU must ensure that it's representative (if any):</p> <ul style="list-style-type: none"> (a) is not a HSR; and (b) has an appropriate level of seniority, and is sufficiently competent, to act as the PCBU's representative. <p>[as defined by the WHS Act, Section 80]</p>
PCBU	<p>Person Conducting a Business or Undertaking</p> <p>[as defined in the WHS Act, Section 5]</p>
Policy	<p>Statement by the organisation of its intentions and principles in relation to its overall health and safety performance. The policy provides a framework for action and for the setting of health and safety objectives and targets.</p> <p>[as defined by the ReturnToWorkSA Work health and safety standards for self-insured employers, which includes the PSSI]</p>
Procedure	<p>Written, detailed way to action/perform in conformance with policy objectives.</p> <p>[as defined by the ReturnToWorkSA Work health and safety standards for self-insured employers, which includes the WHS PSSI]</p>
Provisional Improvement Notice (PIN)	<p>Trained HSRs may issue a PIN when, in their opinion, WHS laws are being contravened. They must have completed an approved HSR training course, or previously completed that training when acting as an HSR of another work group.</p> <p>[WHS Act, Part 5, Division 7 details the requirements for the issuing of PINs]</p>
PSSI	<p>ReturnToWorkSA Work health and safety standards for self-insured employers include the PSSI.</p> <p>These standards are one component of the requirements that self-insured employers must meet in South Australia. They must be read in conjunction with other administrative and legislative requirements, including the Code of Conduct for Self-insured Employers (the Code), the Return to Work Act 2014 (RTWA) and the requirements of the third schedule to the Regulations.</p> <p>[as specified by the ReturnToWorkSA Work health and safety standards for self-insured employers]</p>
Work group	<p>Means a group of workers (at one or more workplaces) determined under Part 5 of the WHS Act to facilitate the representation of workers in the work group by one or more HSRs.</p> <p>[as defined by the WHS Act, Section 5]</p>
WHS information	<p>Includes:</p> <ul style="list-style-type: none"> (a) Health and safety policies and procedures; (b) Technical guidance about hazards, risks and risk control measures; (c) Hazard reports and risk assessments; (d) Proposed changes to the workplace, systems of work, plant or substances; and

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	(e) Data on incidents, illnesses or injuries (in a way that protects the confidentiality of personal information).
Work Health (and) Safety Management System (WHSMS)	An orderly arrangement of interdependent activities and related procedures that drives an organisation's WHS performance [ReturnToWorkSA Work health and safety standards for self-insured employers which includes the PSSI].

4. Procedure

4.1. Management - Nominated Person

The organisation's Senior Leadership Team will nominate a person to oversee the organisation's consultation and communication arrangements.

4.2. Consultation overview

4.2.1. As part of business operations, consultation will take place with workers and their representatives 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 minimise those risks. For example, when:
 - i. Reviewing WHS audit findings;
 - ii. Developing, implementing and reviewing corrective and preventative action plans; and
 - iii. Reviewing and evaluating the WHS management system;
- c) Making decisions about the adequacy of facilities for the welfare of workers;
- d) Proposing changes that may affect the health or safety of workers. For example, when:
 - i. The issue resolution procedure is commenced; or
 - ii. Formulating WHS plans (before they are finalised);

[Note: Depending upon the planning processes within the organisation, this may include strategic plans, departmental plans and the WHS plan, as relevant]
- e) Making decisions about (including the development, review or evaluation of) the procedures/processes for:
 - i. Consultation with workers;
 - ii. Resolving WHS issues;
 - iii. Monitoring the health of the workforce;
 - iv. Monitoring the conditions at the organisation's workplaces; and
 - v. Providing information and training for workers.

4.2.2. The consultative process may include:

- a) E-mail to all or selected workers;
- b) Hard copy communication to all or selected workers;
- c) Discussion with HSRs;
- d) A working group of representative workers;
- e) Discussion with the HSC and/or sub-committees;
- f) Individual and location forums or discussions;
- g) Workers being invited to attend HSC meetings to address specific issues;
- h) Discussion with other PCBU's whose workers are undertaking work for the organisation, when relevant; and/or

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- i) Facilitating the attendance by workers and/ or their representatives to external forums and/or seminars, where appropriate.

4.2.3. All supervisors, in consultation with their Manager, will make sure that:

- a) Workers are provided with information about the organisation's consultation and communication processes during induction;
- b) WHS information is presented and communicated in a way that can be easily understood by workers and takes into account any language and literacy needs of the worker/s;
- c) The outcomes of the consultation process are communicated to the worker or workers directly affected by the WHS matter, as soon as reasonably practicable; and
- d) Documented evidence of consultation and communication activities is retained (refer to section 6 for some examples).

4.3. Consultation will occur, in the first instance, by managers and supervisors consulting with the worker or workers directly affected by a WHS matter and/or the relevant HSR for the work group (if elected), as far as is reasonably practicable.

4.4. Managers / supervisors will:

- 4.4.1. Identify meetings (e.g. regular tool box, work group meetings) where WHS is a standard agenda item and make sure all workers are given information about these meetings during the induction; and
- 4.4.2. Make sure the meetings where WHS is a standard agenda item are held regularly usually monthly and all WHS matters discussed are documented and retained.

4.5. Communication overview

4.5.1. External Communication

WHS/Risk Co-ordinator will make sure that:

- a) Communication pathways are maintained with relevant external agencies (e.g. LGAWCS, SafeWork SA, Office of the Technical Regulator);
- b) Evidence of communication is retained;
- c) Incoming WHS information is communicated to the relevant internal groups in order to maintain legislative and PSSI compliance, and records of communication are retained (An example legislative update process flowchart has been provided in Appendix A) WHS information is made readily accessible to workers and relevant HSRs; and
- d) Managers and supervisors communicate, where reasonably practicable, with workers and HSRs to keep them up to date with:
 - i. WHS information, and
 - ii. The outcomes of consultation.

4.5.2. Communication may be distributed by:

- a) Newsletters,
- b) Notice boards,
- c) Email, and/or
- d) Meeting agendas, minutes, reports etc.

4.5.3. Review and verification

There should be a process for evaluating the effectiveness of the consultation and communication process. Some examples include:

- a) Focus groups;
- b) Discussion with HSRs and/or the HSC;

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c) WHS survey.

4.6. Specific consultation mechanism: HSRs when elected

4.6.1. The powers and functions of HSRs are limited to the workers they represent in the work group unless:

- a) there is a serious risk to health or safety emanating from an immediate or imminent exposure to a hazard that affects or may affect a member of another work group; or
- b) a member of another work group asks for the HSR's assistance and, in either case, the HSR and deputy HSR (if any) for that other work group is found to be unavailable after reasonable inquiry.

4.6.2. The powers and functions of HSRs include:

- a) Representing the workers in their work group in relation to WHS matters. These functions may include being involved in:
 - i. Empowering the workforce to maintain a safe work environment;
 - ii. Making recommendations to management regarding inappropriate or inadequate corrective actions;
 - iii. Modelling safety culture and encouraging safety initiatives;
 - iv. WHS issue resolution;
 - v. Issue PINs where issue resolution fails;
 - vi. Training and induction;
 - vii. WHS investigations and, where required, accompanying a SafeWork SA Inspector; and
 - viii. Workplace inspections;
- b) Monitoring the measures taken by the organisation to comply with the WHS Act in relation to workers in their work group;
- c) Investigating complaints from workers in their work group about WHS; and
- d) Inquiring into anything that appears to be a risk to the health or safety of workers in their work group arising from the conduct of the organisation.

4.6.3. The Senior Leadership Team or their nominated representative will:

- a) Consult, so far as is reasonably practicable, with HSRs on WHS matters at the workplace;
- b) Confer with a HSR, whenever reasonably requested by the HSR, for the purposes of ensuring the health and safety of the workers in the work group;
- c) Allow a HSR access to information that the organisation has relating to hazards and risks affecting the health and safety of the workers in the work group;
- d) Allow a HSR access to information relating to the health and safety of the workers in the work group (e.g. health surveillance, noise testing, air quality assessments etc.);

Note: The HSR will not be provided with personal or medical information concerning any worker without that worker's written consent.

- e) Allow HSRs to attend interviews concerning WHS between one or more workers (with their consent) and an inspector or another PCBU at the workplace (or their HSR). The HSR should be informed of any such interview and the HSR and worker may wish to consult before and/or after the interview;
- f) Provide HSRs with training, resources, facilities and assistance that are reasonably necessary to enable the HSR to exercise their powers and perform their functions under the WHS Act;
- g) Allow a person assisting a HSR to have access to the workplace if it is necessary to enable the assistance to be provided.

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Note: The organisation:

- i. *Is not required to pay for a person who provides assistance to the HSR;*
- ii. *Can refuse a person assisting the HSR access to the workplace if:*
 - *They have reasonable grounds to do so; or*
 - *The assistant has had their WHS entry permit revoked, or is currently suspended or disqualified from holding a WHS permit.*

- h) Permit the HSRs to accompany an inspector during an inspection of any part of the workplace where a member of the HSR's work group performs work;
- i) Provide any assistance to the HSR required by the WHS Regulations;
- j) Allow the HSR as much time as is reasonably necessary to perform their powers and functions under the WHS Act; and
- k) Pay HSRs performing their role the same amount they are entitled to receive when performing their normal duties.

4.6.4. Managers and supervisors will make sure that HSRs are included in any consultation that affects or is likely to affect the health and safety of members of their work group.

4.6.5. The WHS/Risk Co-ordinator will make sure that an up to date list of HSRs and deputy HSRs is maintained and is readily accessible to workers:

- a) On the organisational intranet, and/or
- b) On noticeboards when workers do not have ready access to a computer.

4.7. Specific consultation mechanism: HSC

4.7.1. A HSC is a forum for consultation on the management of WHS across the organisation.

4.7.2. A HSC must be established if a request is made by 5 or more workers or a HSR.

4.7.3. The HSC must meet at least once every 3 months or at any reasonable time at the request of at least half of the HSC members.

4.7.4. HSC functions include:

- a) Facilitating co-operation between the organisation and workers in instigating, developing and carrying out measures designed to ensure the health and safety of workers;
- b) Assisting in developing standards, rules and procedures relating to health and safety that are to be followed or complied with at the workplace; and
- c) Any other functions agreed by the Senior Leadership Team and members of the HSC.

4.7.5. The Senior Leadership Team, in consultation with workers, will make sure that the constitution of the HSC is in line with the requirements of Section 76 of the WHS Act and that procedures have been developed outlining the HSC Terms of Reference [when one has been established], which include information relating to its specific function and the planning and conduct of meetings [An example of a HSC Terms of Reference is provided in].

4.7.6. The organisation will make sure HSC members are allowed to spend time during work hours as is reasonably necessary to attend committee meetings and carry out functions as a member of the HSC, including to prepare for meetings and to report outcomes.

4.7.7. The organisation will allow the HSC to have access to information it has relating to hazards and the health and safety of workers at the workplace but will not provide personal or medical information that does, or could, identify any worker to the HSC without that worker's consent.

4.7.8. The WHS/Risk Co-ordinator will make sure that the following information is maintained and is readily accessible to workers on the intranet and/or on noticeboards when workers do not have ready access to a computer:

- a) The HSC structure;

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- b) An up to date list of HSC members; and
 - c) Minutes of HSC meetings.
- 4.8. The WHS/Risk Co-ordinator should make sure that, if the organisation has both HSRs and a HSC, there is a clear distinction between their roles.
- 4.9. Specific consultation mechanism: Consultation with other PCBU
 - 4.9.1. The Senior Leadership Team must, when engaging in work that involves (directly or indirectly) another PCBU, identify circumstances where there is a potential for the obligation for consultation to overlap between the parties.
 - 4.9.2. The organisation will consult, co-operate and co-ordinate activities with any PCBU whose workers undertake work for (or on the premises of) the organisation or where those workers are, or are likely to be, directly affected by a matter relating to WHS arising from the organisation's functions or activities.
 - 4.9.3. If the organisation works with another PCBU:
 - a) The processes for identifying and eliminating or, where elimination is not reasonably practicable, controlling health and safety risks will be documented in the contractual arrangements for the activity. This should include:
 - i. A documented requirement for parties to consult, co-operate and co-ordinate with the organisation on health and safety matters;
 - ii. Risk management measures, including where risks cannot be eliminated, a description of when and how control measures are to be implemented and maintained; and
 - iii. Actions to make sure control measures complement each other and remain effective;
 - b) Regular communication should occur between the parties;
 - c) The organisation will cooperate with reasonable requests from other parties to assist them in complying with their WHS duties;
 - d) The organisation will so far as is reasonably practicable, co-ordinate with other PCBUs so that each can meet their WHS duties effectively without leaving any gaps in WHS protection. Where work is not effectively co-ordinated, the parties will consult further to determine what should be changed; and
 - e) If there is disagreement between the organisation and another PCBU as to the extent of consultation, co-operation and co-ordination of activities that is required, the project manager will make sure the other PCBU(s) are aware of the contractual obligations for consultation, co-operation and co-ordination and enforce these, as necessary.
- 4.10. Issue resolution
 - 4.10.1. Agreed Procedure

The organisation must ensure that any Agreed Procedure for issue resolution that is set out in writing and is communicated to all workers to whom it applies. For a procedure to be an Agreed Procedure it must meet the following criteria:

 - a) It will be agreed (this means that it is consensual and there has been genuine consultation and agreement between the organisation, the HSRs and workers);
 - b) It will not be imposed by one party unilaterally or arise out of a flawed process for reaching agreement, for example:
 - i. If only a select group of workers is involved in developing the procedure, or
 - ii. Where agreement is reached through an unrepresentative process (i.e. not all HSRs, HSC members or relevant workers and their representatives were able to participate in the agreement process);
 - c) It will outline a process or steps for resolving issues (not just set out what the outcome should be in specified circumstances); and

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- d) It will relate to WHS issues and not a procedure that exists solely for other purposes (such as a grievance or complaint procedure) unless such a procedure is agreed to be utilised for WHS issues.

The Agreed Procedure must also be consistent with the WHS Act and Regulations and cannot remove the power of an HSR to issue a PIN or to exercise any other power that the WHS Act gives a HSR.

- 4.10.2. A worker may raise a WHS issue with their manager or supervisor. When a WHS issue is raised, the [Hazard report form] should be completed.
- 4.10.3. To avoid doubt, nothing in this procedure prevents a worker from bringing a WHS issue to the attention of the worker's HSR.
- 4.10.4. Managers and supervisors will attempt to resolve any issue internally (i.e. within their department) in the first instance:
- As soon as a manager or supervisor has been informed of a WHS issue the relevant parties must meet and communicate with each other to attempt to resolve the issue having regard to relevant matters, including:
 - The degree and immediacy of risk to workers or other persons involved in the issue;
 - The number and location of workers and other persons affected by the issue;
 - The measures (both temporary and permanent) that must be implemented to resolve the issue; and
 - Who will be responsible for implementing the resolution measures.
 - The parties to any process for the resolution of a WHS issue must include:
 - The manager or supervisor (note: a supervisor involved in issue resolution must have an appropriate level of authority and be sufficiently competent to act for and on behalf of the manager);
 - A HSR, where one exists, or
 - If a HSR has not been elected, the worker or workers affected by the issue or their representative; and
 - If other PCBU's are involved, the PCBU or its nominated representative.
- 4.10.5. The parties will make reasonable efforts to achieve a timely, final and effective resolution of the WHS issue.
- 4.10.6. The manager should make sure the WHS issue and its outcome is recorded.
- 4.10.7. The manager may consider consultation with other stakeholders external to the department to provide opportunities for resolution, including:
- External expertise;
 - HSC
 - WHS/Risk Co-ordinator; and
 - The LGAWCS.
- 4.10.8. Persons holding WHS entry permits may enter the workplace for the purposes of attending discussions with a view to resolving the WHS issue.
- 4.10.9. Escalation: issue requiring the involvement of an manager
- If a WHS issue is unable to be resolved at the department level, the parties will request the assistance of an manager.
- 4.10.10. Escalation: issue requiring escalation to the Senior Leadership Team
- If the manager determines that the WHS issue is outside of their scope or ability to manage, the matter will be referred to the Senior Leadership Team for direction.

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- b) Outcomes of Senior Leadership Team considerations will be documented in Senior Leadership Team meeting minutes and be reported to the HSC. The manager will communicate these considerations to all parties to the WHS issue.

4.10.11. If the WHS issue is resolved and any party to the issue makes a request then details of the WHS issue and its resolution will be set out in writing.

- a) If a written agreement is prepared, all parties to the WHS issue must be satisfied that it reflects the agreed resolution of the issue.
- b) A copy of the written agreement will be made available to:
 - i. All parties to the WHS issue; and
 - ii. The HSC, if requested.

4.10.12. Issue not resolved

- a) If, after reasonable efforts, a WHS issue has not been resolved, a party to the issue may ask SafeWork SA to appoint an inspector to attend the workplace to assist in resolving the issue.

A party to the WHS issue will notify the other parties of an impending decision to involve a SafeWork SA Inspector before any request to SafeWork SA is made.

- b) A request to SafeWork SA does not prevent:
 - i. A worker from exercising the right to cease work; or
 - ii. A HSR from issuing a PIN or a direction to cease work.

NOTE: a flowchart for the issue resolution process is provided in **Appendix B** of this document.

4.11. Ceasing work

4.11.1. A worker may cease, or refuse to carry out, work if they have a reasonable concern that performing the work would expose them to a serious risk to their health or safety, emanating from an immediate or imminent exposure to a hazard.

- a) The worker must notify their manager or supervisor as soon as practicable that they have ceased work, if work has ceased without the direction of a HSR;
- b) The worker will remain available for suitable alternative work; and
- c) The WHS issue resolution procedure is to be commenced upon notification.

4.11.2. A HSR may direct work to cease if the HSR has a reasonable concern that performing the work would expose a worker to a serious risk to the worker's health or safety, emanating from an immediate or imminent exposure to a hazard.

A HSR may issue a PIN if they reasonably believe that a person is contravening or has contravened a provision of the WHS Act in circumstances that make it likely that the contravention will continue or be repeated.

4.11.3. The manager or supervisor will inform the Senior Manager and the manager as soon as work has ceased.

- a) The manager is responsible for communicating the situation to the Senior Leadership Team and following their directives.
- b) The WHS issue should be investigated and a permanent resolution implemented wherever possible.
- c) The manager should make sure the issue is recorded e.g. logged on the Hazard/Risk/Corrective Action Register.
- d) If a WHS issue has not been resolved to the satisfaction of the HSR or management, a SafeWork SA Inspector may be requested to attend to resolve the matter relating to cessation of work.

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4.12. Monitoring and evaluation

- 4.12.1. The WHS/Risk Co-ordinator should monitor the currency and accessibility of WHS information across the organisation.
- 4.12.2. Managers should monitor the flow of WHS information and review the effectiveness of the consultation and communication activities that occur within their department. This includes regularly checking that:
 - a) Meetings are held regularly where WHS is discussed;
 - b) Evidence demonstrates consultation has occurred where workers have been directly affected by a WHS matter;
 - c) Relevant WHS information has been communicated to relevant managers, supervisors and workers;
 - d) The roles and responsibilities for the shared management of WHS risks when working with other PCBUs have been documented and are being implemented; and
 - e) The currency of relevant WHS legislative information and system documentation is maintained within the department.
- 4.12.3. The HSC should regularly monitor and review consultation and communication processes and present a report to the Senior Leadership Team listing outstanding items requiring direction or enforcement.
- 4.12.4. The Senior Leadership Team will regularly review hazard and incident statistics, audit results, legislative changes and other information relating to the communication and consultation procedure and direct action when required. Minutes will record outcomes of discussion and actions undertaken.
- 4.12.5. The WHS Consultation and Communication Procedure should be subject to internal audit and form part of the ongoing management review process.
- 4.12.6. The Senior Leadership Team may set, monitor and review objectives, targets and performance indicators for communication and consultation, as relevant.

5. Training

- 5.1. All workers should have the Communication and Consultation Procedure explained to them during the induction process, including the role of HSRs and the HSC. This training should include how consultation and communication processes occur within the organisation.
- 5.2. The organisation will provide HSRs and deputy HSRs with the opportunity to undertake the training as prescribed in the WHS Act, Section 72 (i.e. 5 days in the first year (Level 1) as a HSR, 3 days in the second year (Level 2) and 2 days in the third year (Level 3), with this sequence repeating in subsequent terms that a HSR serves).
- 5.3. Training for HSC members may be considered to enable effective committee functioning.
- 5.4. Role specific training requirements will also need to be considered e.g. development of Agreed Procedures, WHS entry permit requirements, manager/supervisor training in consultation and communication requirements, provision of information and Agreed Procedures, development of HSC terms of reference and agendas and minutes for nominated persons etc.

6. Records

Records of consultation and communications will be maintained. Records include, but are not limited to:

- 6.1. Management, department, team, toolbox meeting minutes and agenda (as relevant);
- 6.2. Records relating to specific consultation and communication activities - emails, reports of work groups etc.;
- 6.3. Records related to HSC formation and constitution;
- 6.4. HSC agenda and minutes;

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6.5. Records related to the establishment of workgroups and election of HSRs;

6.6. Records related to shared activities with other PCBU's; and

6.7. Training records (in SkyTrust).

All records will be managed in line with the current version of General Disposal Schedule 20 for Local Government.

7. Responsibilities

7.1. The Senior Leadership Team is accountable for:

- 7.1.1. Monitoring and ensuring that WHS legislative compliance is maintained;
- 7.1.2. Ensuring the requirement for WHS consultation is embedded into organisational activities;
- 7.1.3. Approving reasonably practicable expenditure necessary for effective communication and consultation;
- 7.1.4. Ensuring workers are provided with information about the organisation's communication and consultation processes during induction;
- 7.1.5. Nominating a responsible person to oversee WHS communication and consultation;
- 7.1.6. Ensuring that HSC members have documented roles and responsibilities;
- 7.1.7. Holding all persons and consultative bodies with a responsibility for WHS communication and consultation accountable for their actions;
- 7.1.8. Ensuring that WHS information is communicated to workers and their representatives directly affected by a WHS matter, any feedback is considered and decisions are communicated in a timely manner;
- 7.1.9. Ensuring that WHS is a regular meeting agenda item within each department and at Senior Leadership Team meetings;
- 7.1.10. Ensuring contractual agreements document shared WHS responsibilities when the organisation works with other PCBU's on shared jobs; and
- 7.1.11. Ensuring the requirements of the PSSSI are met.

7.2. Managers and supervisors are accountable for:

- 7.2.1. Discussing WHS as a standard item in relevant department meetings and holding regular department meetings;
- 7.2.2. Consulting with workers directly affected by a WHS matter, their representatives and/or the relevant HSR (if elected), so far as is reasonably practicable;
- 7.2.3. Providing information to workers regarding any changes to work, the workplace or other issues that may affect WHS;
- 7.2.4. Encouraging and supporting active participation in consultative and communication processes;
- 7.2.5. Ensuring that WHS information is presented and communicated in a way that can be easily understood by workers, taking into account any language and literacy needs of the workers;
- 7.2.6. Providing HSRs and HSC members with sufficient time to undertake their roles effectively;
- 7.2.7. Ensuring consultation outcomes are documented and forwarded, where appropriate, to the HSC and/or Senior Leadership Team;
- 7.2.8. Ensuring relevant information from the HSC and/or Senior Leadership Team is communicated and discussed within the department;
- 7.2.9. Advising workers and others of final outcomes of any decisions affecting WHS in a timely manner; and

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7.2.10. Ensuring the contractual agreements for shared WHS responsibilities when working with other PCBUs are complied with.

7.3. The Senior Manager is accountable for:

- 7.3.1. Overseeing the establishment of work groups, where required;
- 7.3.2. Overseeing the election and provision of training for HSRs;
- 7.3.3. Overseeing the election and maintenance of the HSC;
- 7.3.4. Assisting in the development of role, responsibility and accountability statements for the HSC members, where they exist;
- 7.3.5. Ensuring that if the organisation has both a HSC and HSRs, there is a clear distinction between their roles;
- 7.3.6. Notifying the Senior Leadership Team of outcomes from consultation and communication processes;
- 7.3.7. Maintaining the currency and distribution of WHS information across the organisation; and
- 7.3.8. Ensuring that incoming WHS information is communicated to relevant persons.

7.4. Workers are accountable for:

- 7.4.1. Participating in department meetings and other consultative forums, where required;
- 7.4.2. Providing comment/feedback when requested within the specified timeframe; and
- 7.4.3. Co-operating with the organisation's policies and procedures relating to consultation and communication.

7.5. The HSC function is to:

- 7.5.1. Comply with its Terms of Reference;
- 7.5.2. Comply with the expected functions of a HSC as outlined in Section 77 of the WHS Act, which includes participation in consultation and communication processes; and
- 7.5.3. Any other functions prescribed by the WHS Regulations or agreed between the organisation and HSC.

7.6. The HSR function is to:

- 7.6.1. Comply with their legislative functions as outlined in the WHS Act and Regulations, which includes participation in consultation and communication processes. This may include:
 - 7.6.1.1. Making representations on WHS matters affecting their work group;
 - 7.6.1.2. Consulting with managers and supervisors in relation to WHS matters affecting their work group; and
 - 7.6.1.3. Assisting in the resolution of WHS matters affecting their work group

8. Review

8.1. The WHS Communication and Consultation Procedure will be reviewed by the Senior Leadership Team, in consultation with workers or their representatives, every four (4) years or more frequently where legislation or organisational needs change. This may include a review of:

- 8.1.1. Feedback from managers, workers, HSRs, HSC members or other relevant stakeholders;
- 8.1.2. Legislative compliance;
- 8.1.3. Performance Standards for Self-Insurers (PSSI);
- 8.1.4. Internal or external audit findings; and
- 8.1.5. Any other relevant information.

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- 8.2. Results of reviews may result in preventative and/or corrective actions being implemented or revision of this document.
- 8.3. The WHS/Risk Co-ordinator shall report on the outcomes of such reviews to the HSC and Senior Leadership Team.

9. References

Work Health and Safety Act 2012

Work Health and Safety Regulations 2012

State Records Act 1997

General Disposal Schedule 40 for Local Government

ReturnToWorkSA's Performance Standards for Self-Insurers

[Code of Practice: Work Health and Safety Consultation, Co-operation and Co-ordination](#)

10. Related documents

Hazard/ Risk/ Corrective Action Register

Hazard report form

HSC Terms of Reference

Relevant HSR Procedures, e.g. when a HSR issues a PIN

Issue Resolution Procedure

WHS Planning and Program Development Procedure

WHS Hazard Management Procedure

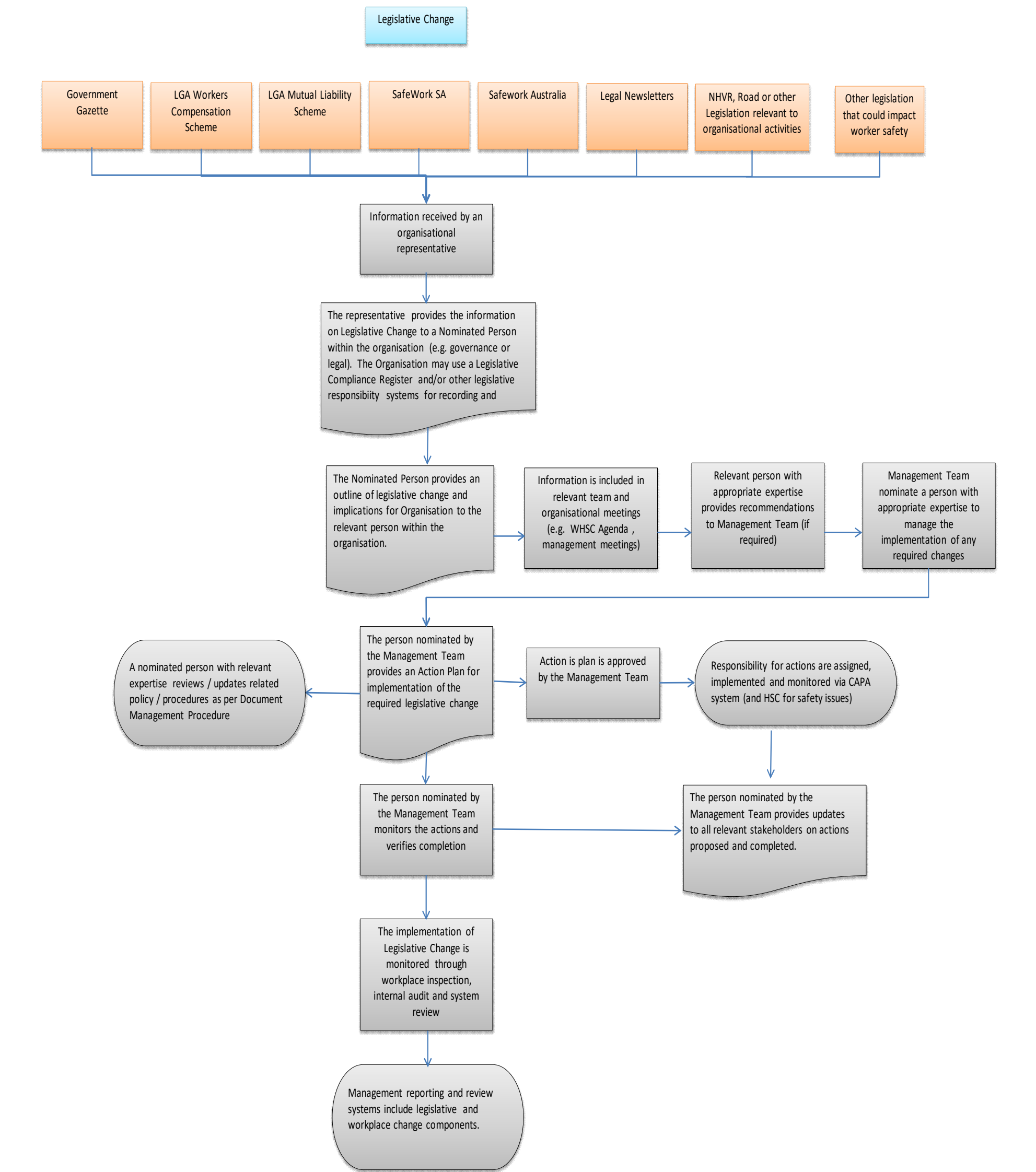
WHS Communication and Consultation Policy

WHS Contractor Management Procedure

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Document History:	Version No:	Issue Date:	Description of Change:
	1.0	Dec 2009	New Document.
	2.0	08/07/13	Terminology changes to reflect 2012 Work Health and Safety Act, Regulations and Codes of Practice. (e.g. OHS to WHS, employee to worker & employer to PCBU where appropriate. Inclusion of requirements regarding shared duties with other PCBU's for coordination, cooperation as well as consultation.
	3.0	25/04/16	References to WHS Committee (WHSC) amended to Health and Safety Committee (HSC) for consistency with Work Health and Safety Act and Codes of Practice; Removal of WSC involvement in issue resolution; addition of model HSC ToR; formatting & language
	4.0	1/11/2018	<p>Change name of procedure to Consultation & Communication. Overview added requirement to communicate. Other minor grammatical and abbreviation changes. Core components</p> <p>Minor grammatical and abbreviation changes</p> <p>Definitions: Some updated as original reference documents not published on SW Australia website anymore. Additional definitions provided from ReturnToWorkSA WH&S standards for self-insured employers.</p> <p>Procedure: Add specific references to section 75 and 76 requirements for HSCs. Removed department manager and replaced with manager and manager or supervisor.</p> <p>Minor grammatical changes</p> <p>Training Added training requirements for specific roles</p> <p>Records Added to communication to consultation</p> <p>Responsibilities Updated in line with procedural changes; inclusion of HSC functions as per sec 77 of WHS Act; minor grammatical changes; References Updated in line with current document references.</p> <p>Related documents Updated to include planning and program development.</p> <p>Updated WHS Regulation reference from 22 to 23 for Default Procedure</p> <p>Legal review – minor grammatical and format changes; replaced should with must in 4.11.1a).</p>
	4.1	28/04/2022	<p>Minor formatting & language changes: executive manager changed to manager; management team changed to Senior Leadership Team ; and training records in SkyTrust (internet based system.</p> <p>GDS 20 updated to GDS 40; document review timeframe changed from 24 months to 4 years;</p> <p>Attachment B - Issue Resolution Flowchart added</p> <p>4.10.12 reference to Attachment B</p>

Appendix A: Example Legislative Update Process





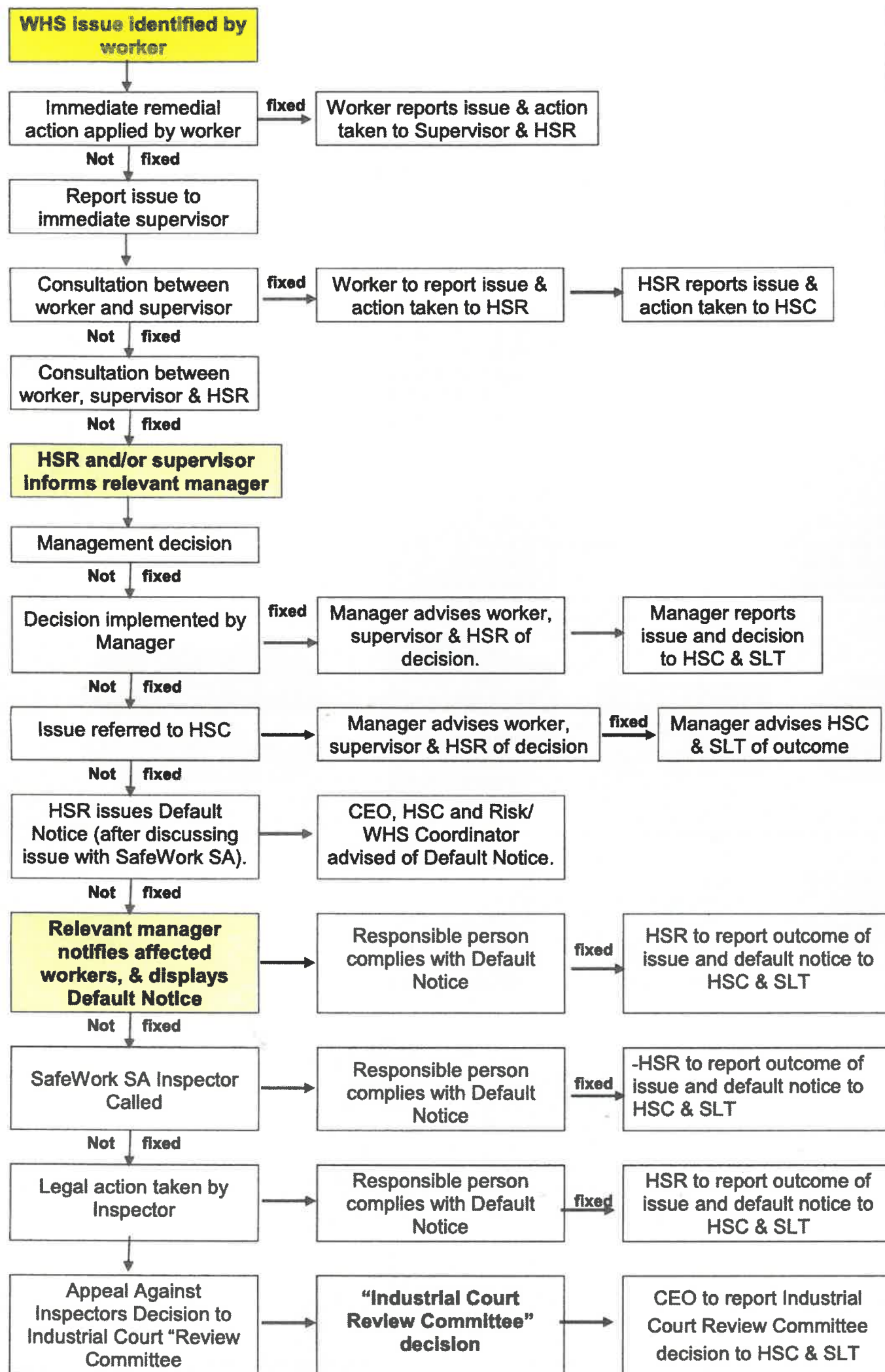
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Appendix B: ISSUE RESOLUTION CHART

DEPARTMENT :

Workplace :



Name: _____

Photo: _____

Health & Safety Rep.

Name: _____

Photo: _____

Emergency Warden

CEO Signature _____ Date: 1/6/22

Admin. HSR Signature _____ Date: 6/6/22

Depot HSR Signature _____ Date: 1/6/22

Reference: WHS Act, Division 5 – Issue Resolution, Sections 80-82.



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Document History.

Version No:	Issue Date:	Description of Change:
1.0	Dec 2009	New Consultation & Communication Procedure. The Issue Resolution Flowchart is an attachment.
1.1	08/07/15	Issue Resolution Flowchart removed from Consultation & Communication Procedure – is to be used as a stand-alone document.
2.0	26/6/2020	Document reformatted
3.0	28/4/2022	Updated words/ terminology: problem to issue; employee to worker; resolved to fixed; SMT to SLT. Added: reference to Consultation & Communication Procedure to the document Header; Department & Workplace; HSR & Emergency Warden photo and name; Decision implemented by Manager; Manager advises HSC & SLT of outcome; CEO, HSC and Risk/ WHS Coordinator advised of Default Notice; HSR to report outcome of issue and default notice to HSC & SLT; CEO to report Industrial Court Review Committee decision to HSC & SLT; CEO and HSR signature/ date panel and Document History.