Procedure: Work health and safety committees and representatives

Purpose

This procedure describes how Australian National University (ANU) coordinates the Work Health and Safety (WHS) Committees and Health Safety Representatives (HSRs), and cooperates on health, safety, rehabilitation and claims matters. WHS Committees and Representatives are established at the University to meet the consultation requirement of the *Work Health and Safety Act 2011* (Cth) (WHS Act), *the Work Health and Safety Regulations 2011* (Cth) (WHS Regulation), and *the Safety and Rehabilitation Compensation Act 1998* (Cth). This procedure also aligns with the Work Health and Safety Consultation, Co-operation and Co-ordination Code of Practice. This procedure is linked to the University’s Work Health and Safety Policy and is one of the WHS Management System Procedures.

Definitions

**Advisory groups** are groups of specialists who are appointed by the University’s WHS Committee to provide specialist advice on WHS topics across the University, but do not vote on decisions on WHS matters.

**Consultation** is a two-way process between an organisation and its stakeholders on an issue prior to making a decision or determining a direction on that issue (Refer [ISO Guide 73:2009, definition 3.2.1]).

**Chair / Co-Chair** are the nominated roles within the WHS committee, sub-committee or Advisory Groups to lead the respective meetings. The roles are detailed in the relevant University Committee Charters with a term as decided within their charter.

**Health and Safety Representative (HSR)** is a nominated or an elected member of a workgroup with obligations as per the WHS Act. This role of a HSR is to represent workers on safety and health matters.

**Secretariat** supports the record keeping for the WHS Committees and Advisory Groups.

**WHS Committee** is a group of workers and management to review and make
recommendations on WHS policies, procedures and programs across the University.

**WHS Governance structure** is the University framework showing reporting and communication flow between workers and managers on WHS matters. It comprises WHS Committees, Advisory Groups and Senior Management.

**Worker** is anyone who carries out work for the University. A worker includes staff, volunteers, contractors and students gaining work experience at the University.

**Procedure**

**Scope**

1. This procedure applies to establishing and coordinating the activities of the WHS Committees and HSRs for the purpose of formal consultation on health and safety matters. This procedure describes the processes for:
   - establishing the WHS Governance structure;
   - responsibilities of the WHS Committees;
   - selecting HSRs; and
   - responsibilities of HSRs.

2. The [WHS Communication and consultation procedure](#) includes the processes for consultation on WHS matters at the University and resolving WHS complaints and other issues.

**WHS Governance structure**

*Establishing the WHS Governance Structure at the University*

3. The University has established a WHS Governance structure, available on the [WEG website](#), for workers representatives and management for consultation on WHS, and review of WHS issues and matters. This structure was developed in consultation with the University’s management and workers in 2016 and is approved by the University Council.

4. A WHS Secretariat will distribute agendas and papers, take minutes and keep records for the WHS Committees using the WHS committees agenda.

5. The purpose of the advisory groups and committees in the WHS Governance structure are summarised as follows:
   - the University WHS Committee is responsible for reporting to the University Council, through the Vice-Chancellor, on WHS performance, the effectiveness of the WHS management systems and for making
recommendations for decisions with a University wide impact on WHS matters.

- the next tier of WHS committees are responsible for consultation on hazards, implementation of WHS system policies and procedures, and making decisions at that level and providing reports to the next level up.
- the last tier of WHS Advisory Groups are responsible for consulting on hazards, implementation of WHS system policies and procedures, and making decisions at that lower level and providing reports to the next level up.
- the Specialist Advisory Groups are responsible for providing expert advice on nominated WHS matters to the University WHS Committee only.

Establishing new WHS Committees

6. Any HSR or worker may request in writing that the University facilitates the election of a new committee as per the WHS Act. The University WHS Committee will initiate negotiations with the requestors for the new workgroup within two months. Workers will be notified in writing of the outcomes of the negotiation as soon as it is reasonably practical.

7. The new WHS Committee members will consist of at least half workers who are not nominated by management.

8. HSRs may choose to be members of their WHS Committee.

9. Established WHS Committees may at any time initiate an Advisory Group that reports directly to the WHS Committee. Any new advisory group must have an approved charter, standard agenda and minutes, and documented reporting to the WHS committee.

Changes to WHS Committees

10. Where there is insufficient representation on a WHS Committee, Table 1 lists the actions to be taken.

Table 1 Recommendations when WHS Committee composition changes

<table>
<thead>
<tr>
<th>Action</th>
<th>Recommended actions</th>
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<tr>
<td>HSR vacates their position</td>
<td>An HSR shall resign in writing. The WHS Committee shall appoint additional roles if needed to meet composition requirements.</td>
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<tr>
<td>Chair vacates</td>
<td>The Chair shall inform the committee in writing and the co-</td>
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Responsibilities of WHS Committees

11. All WHS Committees will decide the composition and roles to be filled as follows:
   - Chair (most senior member of the workgroup, or for the University WHS Committee, is appointed by the Vice-Chancellor);
   - Co-Chair (elected from the members of the workgroup);
   - HSR (elected or deemed elected where nominations from the workgroup do not exceed vacancies as per the Act – see the section below on electing HSRs); and
   - Management Representatives (nominated by the WHS Committee).

12. The WHS Committees will meet on a regular and planned basis of at least every three months as stated in their charter document. Each WHS Committee will prepare a charter using the WHS committee charter template available on the WEG website.

13. The WHS Committees will be responsible for documenting discussion points and decisions from every meeting into minutes. These minutes will be stored in the ERMS as per the WHS documentation procedure.

14. A listing of WHS Committee members and HSRs will be made available to workers on the WEG website.

Health and Safety Representatives

15. The University recognises that workers have a right to participate in decision making that affects their health and safety by committing to support HSRs to provide representation.

Election of HSRs

16. Any worker may request in writing that the University facilitates the election of a new HSR.

17. Certain positions and roles are excluded from becoming HSRs due to conflicts of interest. These positions include:
   - WHS managers, officers, advisors and consultants; and
• University Executives and local senior managers.

18. There will be a call for nominations followed by an election of those nominated.

19. If there is an equal number of nominees to vacant positions, no election is needed.

Responsibilities of HSRs

20. The key responsibilities of HSRs are as follows:
   • be available to workers to hear issues in relation to health and safety;
   • represent workers in a workgroup on WHS matters;
   • cease unsafe work;
   • issue Provisional Improvement Notices (PINs); and
   • give notice for workplace entry.

21. An HSR can only cease unsafe work, provide PINs and give notice for workplace entry after attending the relevant training as per the WHS Act.

Cessation of unsafe work

22. Anyone at the University has the right to cease unsafe work they are asked to perform. An HSR may give direction for a worker to cease work where there is an immediate exposure to a hazard. The HSR shall meet with the appropriate University Supervisor to resolve the issue immediately. The worker directed to cease work shall inform their immediate line manager and remain available for alternate work until the issue is resolved.

Provision of Improvement Notices (PINs)

23. An HSR may issue a PIN if they reasonably believe that a worker or process:
   • is in contravention of a provision of the WHS Act; or
   • has contravened a provision of the WHS Act in circumstances that make it likely that the contravention will continue to be repeated or the issue has not been resolved.

24. The HSR cannot issue a provisional notice to the University unless they first consult with the immediate manager and the Work Environment Group (WEG). The notice shall be in writing and meet the requirements of the WHS Act.

Workplace entry

25. An HSR shall give no less than 24 hours notice to the Chair of their
respective committee in order to inspect a part of the workplace covered by a PIN. The HSR can also inspect a workplace without providing notice in the event of an incident or situation involving an immediate and serious risk to the health of a worker.

**University WHS committees and advisory groups**

26. The University WHS Committee meets every quarter. Meetings are organised by a WEG secretariat. The COO is the Chair of the committee and the members are the Chairs of their respective local WHS committees. The local WHS committees are identified in the approved governance structure for the University.

27. The University WHS Committee will receive a quarterly WHS report from each WHS committee and advisory group. The Chair of each committee and advisory group is responsible for providing the quarterly WHS reports to the University WHS Committee. Each local WHS Report will reflect the specific WHS performance for the local area.

28. Each committee and advisory group Chair is responsible for ensuring the WHS reports are communicated, in accordance with the University Privacy Policy, to local area staff as well as discussed at the local WHS meetings.

29. Standard agenda items for each WHS committee and advisory group can be found in each Charter.

**University speciality advisory groups**

30. Each of the specialty advisory groups identified in the approved governance structure must provide a quarterly report to the University WHS Committee. It is the responsibility of the Chairperson of those specialty advisory groups to ensure the report is delivered.

31. The COO will provide direction to each of the advisory groups following Council’s review of the Annual WHS Report and discuss any WHS recommendations which may apply to the specialty function of each advisory group.

32. Each of the advisory groups should review the Annual WHS Report as an agenda item, add any applicable actions from the COO or Council to the respective corrective actions list and develop an action plan for the current year.

**Training for WHS Committee members and HSRs**

33. WHS Committee training is required for WHS committee members.

34. HSRs are entitled to attend 5 days of training in work health and safety
practices and refresher training course every year. This training shall be delivered by a provider approved by the Regulator and selected by WEG.

35. Training records will be maintained as per the WHS training procedure.

Sources

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<tr>
<td><strong>Work Health and Safety Act 2011</strong> (Cth)</td>
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<td><strong>Safety, Rehabilitation and Compensation Act 1988</strong> (Cth)</td>
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<td><strong>AS/NZ 4801:2001 Occupational health and safety management systems</strong></td>
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