Procedure: Work health and safety communication and consultation

Purpose

This procedure describes how Australian National University (ANU) manages Work Health and Safety (WHS) communication and consultation processes for the health, safety rehabilitation and claims management systems. WHS communication and consultation is a requirement of the *Work Health and Safety Act 2011* (Cth) (WHS Act), *Work Health and Safety Regulations 2011* (Cth) (WHS Regulations) and the Safety, Rehabilitation and Compensation Act 1988 (Cth)

This procedure also aligns with the National Work Health and Safety consultation, co-operation and co-ordination Code of Practice. This document is linked to the University's Work Health and Safety Policy and is one of the WHS Management System Procedures.

Definitions

Communication is a one way process of conveying intended meanings from one entity or group to another.

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, according to the International Standards Organisation (ISO) Guide 73:2009.

Local area refers to the College, Research School or Service Division at the University.

Person conducting business or undertaking (PCBU) is the same meaning as prescribed under WHS Act 2011 (Cth) Subdivision 2 Section 5. The University is a PCBU.

WHS programs are annual improvement programs (initiatives) as part of the overall WHS plan, designed for the purpose of addressing an area of deficiency in the WHS management systems and clearly indicate the intentions in respect to continuous improvement of the University. WHS programs are the specific actions of a WHS plan that an organisation identifies to improve targets and Key Performance Indicators (KPIs).

WHS Issues mean unresolved work health and safety matters and/or disagreement between management and workers on the management of work health and safety matters.

Worker is anyone who carries out work for the University. A worker includes staff, volunteers, contractors, academic visitors who conduct work for the University, and

students gaining work experience at the University. Higher degree by research students (HDR) may be workers of the University.

Procedure

Scope

1.   This procedure applies to all WHS communication and consultation activities conducted on or on behalf of the University with the potential to impact on work health and safety. This procedure should be read in conjunction with the Staff Consultation Policy and the Staff Representation Procedure.

2.   This procedure aligns with the intent of the Staff Consultation Policy and provides additional instruction for managing WHS specific communication and consultation to meet the requirements of the WHS Act. The key activities in this procedure for complying with the Act include:

- communicating and consulting on WHS specific matters such as policies, procedures, guidelines, forms, plans, programs and other matters;

- managing and resolving WHS complaints and concerns ;

- agreed WHS issue resolution process; and

- communicating with external parties on WHS matters.

WHS policies, procedures, programs and other matters

3.   All relevant stakeholders are involved and consulted, so far as reasonably practicable, in the development, implementation and review of WHS policies, procedures and programs.

4.   Relevant WHS stakeholders include WHS Managers, WHS Consultants, WHS Officers, Health and Safety Representatives (HSRs) and WHS Committees. Other stakeholder groups are included based on relevance and are engaged as required, including School Managers, Directors and Service Division Directors, College General Managers and College Deans,.

5.   The Associate Director, Work Environment Group (WEG), in conjunction with Chairpersons of the WHS committees, ensures that any new or major amendments to WHS documentation are amended and communicated as per the WHS documentation and WHS committees and representatives procedure.

6.   Feedback from the consultation process is captured in a consultation log. The Associate Director WEG, in consultation with Chairpersons of the WHS committees, ensures that outcomes of any consultation process are communicated to all relevant persons (see Table 1).

Table 1 Examples of type, availability, visibility and location of WHS information

Type of WHS information	Availability	Visibility	Where it is located
Policies and procedures	As policy review occurs	University wide	Policy Library
WHSMS Handbook	Continuous and as per review occurs	University wide	Designated webpage
WHS Programs	As policy review occurs	University wide	Designated webpage
WHS Committee Agenda and Minutes	Quarterly	University wide	Designated webpage and WHS Notice Boards
WHS Audit Reports and WHS Audit program	As required	WHS Committees Auditors Relevant officers of the University	Figtree
WHS Inspections Reports	As required	Local areas Relevant officers of the University	Figtree
WHS Inspection program	Annually	University wide	Designated webpage
WHS Management Reviews	Annually	University-wide Relevant officers of the University	Designated webpage

WHS Noticeboards	Continuous	Local Areas	Within Local area buildings
University WHS Hazard register	Continuous – updated as required	University wide	Designated webpage
WHS Training Matrix	Every 3 years	University-wide	Designated webpage
WHS Incident notifications and investigations	Continuous	University wide depending on severity	Figtree
Safety Bulletins	As required	University-wide	Designated webpage
Safety Alerts	As required	University-wide	Designated webpage
WHS Complaints/Concerns	As required	Parties and School/Service Division involved in the complaint/concern	Figtree
WHS Issues	As required	Parties involved in the WHS Issue University WHS Committee	Figtree
Provisional Improvement Notices (PINS) and Improvement Notices	As required	University-wide	Local area webpage Local area WHS

			Noticeboards
WHS Committee members, vacancies, election results			
Local WHS Plan	Annually	School/Service Division	ERMS and local website
WHS Local Training Plan	Annually	School/Service Division	ERMS and local website
Local Static Risk Assessment Register	Continuous	School/Service Division	ERMS and local website
Local Hazard Register	Annually	School/Service Division	Local website

Managing and resolving WHS complaints and concerns

7. When external parties have a complaint or concern on health and safety in relation to the University's business and undertaking, they are to notify their University contacts, or Work Environment Group (WEG), as soon as practicable. The University will accept both formal and informal complaints. The University contact or WEG will record any external complaints in Figtree.

8. When internal parties have a complaint or concern on health and safety in relation to the University's business and undertaking, they are to report it in writing to their supervisors or course coordinators and local WHS Officers or equivalent who raise this as a complaint in Figtree.

9.   All parties involved with the complaint or concern meet as soon as reasonably practicable, with assistance from WHS Officers or equivalent for internal complaints or from WEG representatives for external complaints, to resolve the complaints or concerns. Where the complaint or concern is raised internally, the elected Health and Safety Representatives are also involved.

10.   For external complaints, if agreement cannot be reached in the meeting, further investigation occurs and a final decision is made based on the investigation outcome.

11.   For internal complaints, if agreement cannot be reached in the meeting, the complaint is escalated to follow the Agreed WHS Issue Resolution Process, or, in case the complaint is raised by a coursework student, investigated further for a final decision based on the investigation outcome.

12.   All resolutions, including corrective action plans, are documented and copies are made available to relevant parties as required.

13.   The University WHS Committee in consultation with local WHS committees monitors the progress of all WHS complaints and concerns. School and Service Division Directors ensure all resolutions are completed as soon as reasonably practicable.

14. This procedure is further explained and supplemented by WHSMS Handbook Chapter 3.17 - Raising and Resolving WHS Issues and Managing Complaints.

Agreed WHS Issue Resolution Process

15. Both the workers and their representatives and the management representatives of the University at local level (i.e. managers and supervisors) can raise WHS issues with each other.

16. When workers identify a WHS issue, they raise it in writing with their immediate supervisor or line manager, the Health and Safety Representative (HSR) in their designated Work Group, if elected, and the WHS Officer or equivalent.

17. When supervisors or managers identify a WHS issue of a worker/s, they raise the issue with the corresponding worker/s in writing and notify the HSR of the Work Group, if elected, and the WHS Officer or equivalent.

18.   The WHS Officers or equivalent document the issue in Figtree.

19. The worker is to cease or can be directed to cease unsafe work by the elected HSR of the Work Group and/or the supervisor is to cease the worker's unsafe work practices, if there are serious and immediate or imminent risk to the health and safety of the worker or co-workers.

20. Within 2 business days of receiving the written notification of the issue, the supervisor and the worker involved in the issue, including the HSR, meet to try to resolve the

issue. All parties involved in the issue seek advice from local WHS Officers or equivalent and/or WEG WHS Consultants if further advice if required.

21. Within 5 business days of the meeting (including on the day of the meeting), if agreement has been reached between the supervisor, the worker and the HSR, on the means to deal with the issues raised, the matter is regarded as satisfactorily resolved at the local level.

22. If satisfactory agreement cannot be reached between the supervisor, the worker and the HSR, the matters is to be escalated. The supervisor and HSR refer the issue immediately in writing to the School/Service Division Director. The Directors arrange a meeting with these parties within 2 business days of receiving the written notification.

23. The Director of School/Service Division and the supervisor and the elected HSR involved in the issue seek advice from WEG to try to resolve the issue at the School/Service Division level and to achieve agreement within 5 business days. The Director is to call the meeting of the Local WHS Committee within this timeframe to try to reach agreement. Once agreement has been reached, the matter is regarded as satisfactorily resolved at the School/Division level.

24. If satisfactory agreement cannot be reached between the Director, the supervisor and the HSR within the timeframe , the matter is escalated by the Directors and the HSR in writing to College Deans for WHS issues in Schools or Human Resources Director for WHS issues in Service Divisions as soon as practicable.

25. College Deans or the Human Resources Director meet with the HSR and the Director involved in the issue within 2 business days of receiving the written notification, in the presence of the Associate Director, WEG, to try to reach satisfactory agreement between the parties within 5 business days. The College Deans or the Human Resources Director are to call a University WHS Committee meeting within this timeframe to make efforts to resolve the issue. If agreement is reached, the matter is then regarded as satisfactorily resolved at the University level.

26. If no satisfactory resolution of the issue can be reached at the University level, and the issue is raised by workers, then the HSR should further investigate the issuance and decide the need of a formal Provisional Improvement Notice as defined in section 90 of the Work Health and Safety Act 2011 (Clth).

27. If no satisfactory resolution of the issue can be reached at the University level, and the issue is raised by supervisors towards a worker, disciplinary actions occur towards the worker if they refuse to obey reasonable instruction in relation to work health and safety.

28. If the issue remains unresolved at University level, both the University and the HSR, may choose to refer the issue to the regulator, Comcare, for issue resolution. A

representative of either the University or the workers may enter a workplace for attending discussions in aiming to resolve issues.

29. Satisfactory resolution includes immediate settlement of this and any related concerns and issues as well as an agreed plan and timetable for future corrective actions if immediate action is not possible. Corrective actions are entered into Figtree via the assistance of WHS Officers or equivalent and monitored for completion by the University management. This requirement is applicable for satisfactory issue resolution at local, school/division and University level.

30. For issues satisfactorily resolved at local, School/Division and University level, a written agreement is filed and communicated to the supervisor and the worker alongside with the corrective actions plan. The written agreement is submitted to University WHS Committee for noting via the sponsorship of Associate Director, WEG.

31. The WHS Officer or equivalent who entered the issue in Figtree ensures all documents are stored in relevant Figtree entry and closes the issue at resolution. This record is stored for at least 50 years from the date of entry.

32. This procedure is further explained in and supplemented by WHSMS Handbook Chapter 3.17 Raising and Resolving WHS Issues and Managing Complaints.

Communicating with external parties on WHS matters

33. The following WHS information is exchanged with external parties, including, but not limited to,

- notifiable incidents with relevant regulators such as Comcare, ARPANSA, OGTR;

- regular reports to relevant regulators, such as Safety Rehabilitation and Compensation Commission, ARPANSA, NICNAS, ANSO;

- regular reports to industry associations such as AHEIA, Group of Eight Universities;

- communicable diseases with ACT Health and other relevant parties;

- University WHS Policy, University WHS Management System including health and safety requirement and Permit to Work requirements with external contractors;

- hazard management requirements and incident investigation and or other relevant WHS related information from external contractors;

- WHS requirements in the tendering process and in the contract with external contractors the University will be engaging;

- WHS requirements with customers of hotel and accommodation services for their obligations;

- WHS requirements with suppliers of equipment for both for low risk areas such as offices and other high risk areas such as laboratories and workshop;

- University requirements on WHS for host PCBUs with external PCBUs, where the University have workers or HDR/Honours students occupying their space, and the host PCBU's WHS requirements;

- student incident information from external student placement PCBUs where University students are on placement at the host PCBUs;

- student incident information with external parties for School students who are on work experience placement on University campuses;

- student incident and injury information with their parents or guardians when requested; and

- concerns and complaints involving or raised by any parties external to the University.

34. All WHS incidents, concerns, complaints and matters involving and or raised by external parties are recorded in Figtree. WHS concerns, complaints and matters involving external parties are managed as per the Managing and Resolving WHS Complaints and Concerns section and WHS incidents involving external parties are managed as per WHS incident management procedure.

35. All communication on WHS matters, including notifiable incidents with external regulators is only made by the Associate Director, WEG or an approved delegate, following approval by the Director of Human Resources and/or the Chief Operating Officer (COO). All communication on WHS matters with an external party is documented and stored in ERMS or Figtree as appropriate. These communications are available and can be retrieved by a formal request from a regulator.

Training

36. There are no training requirements for this procedure.

Sources

Legal and other requirements
Work Health and Safety Act 2011 (Cth)
Work Health and Safety Regulations 2011 (Cth)

the Safety, Rehabilitation and Compensation Act 1988 (Cth)
AS/NZ 4801:2001 Occupational health and safety management systems

Document information

Title	Work health and safety communication and consultation
Document Type	Procedure
Document Number	ANUP_015809
Version	5
Purpose	This procedure describes how the Australian National University (ANU) manages Work Health and Safety communication and consultation processes for the health, safety rehabilitation and claims (WHS) management systems.
Audience	Staff
Category	Administrative
Topic	Health, Safety & Environment
Subtopic	Occupational Health & Safety
Effective Date	15 Jul 2019
Review Date	15 Jul 2024
Responsible Officer	Chief People Officer
Approved By	Chief Operating Officer (COO@anu.edu.au)
Contact Area	Human Resources Division (director.hr@anu.edu.au)
Authority	Work Health & Safety Act 2011 Work Health and Safety Regulations 2011
Printed On	9 Jun 2023

Please ensure you have the latest version of this document from the Policy Library website before referencing this.