



WHS-PRO-006

Consultation and Communication Procedure

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Table of Contents

PURPOSE	3
SCOPE	3
REFERENCES	3
DEFINITIONS	3
FORMS	3
ACTIONS AND RESPONSIBILITIES	4
Consultation	4
Types of Consultation	4
Consultation Arrangements - Management Meetings.....	4
Consultation Arrangements - Toolbox Talks	4
Consultation Arrangements – WHS Committee	5
Literacy and Language Considerations	5
Issue Resolution	5

PURPOSE

The purpose of this procedure is to establish an appropriate communications and consultative forum to assist in the development and implementation of the Work Health and Safety (WHS) Management System and to ensure all employees and volunteers in the workplace can participate in the development and implementation of the Work Health and Safety (WHS) Management System.

The purpose of this procedure is to establish a consultation arrangement of a WHS Committee and appropriate communications as defined in the WHS Act 2011 and is also to ensure that all issues arising in the workplace are resolved in the most effective and efficient manner thereby ensuring the continued

SCOPE

This procedure applies to the procedures which identifies how Sydney Harbour Federation Trust manage and implement the appropriate communications and consultative forums and includes Internal information transfer and External communication and consultation to contractors and where required the community.

This procedure also includes issue resolution process when a WHS matter is not progressed to resolution or to a satisfactory standard of the employee reporting the safety matter.

REFERENCES

- AS/NZS 4801:2001 Occupational health and safety management systems – 4.4.3 Consultation, communication and reporting, 4.4.3.1 Consultation, 4.4.3.2 Communication
- WHS Act 2011 - Part 5 Consultation, representation and participation
- WHS Regulation 2011 - Chapter 2 Representation and participation,
- Code of Practice – Work health and safety consultation, coordination and cooperation.

DEFINITIONS

Consultation

Consultation with other duty holders enables everyone associated with the work to have a shared understanding of what the risks are, which employees or volunteers are affected, how risks will be controlled, and how duty holders will work together to plan and manage health and safety.

Issue Resolution

The provisions outline how a WHS or environmental issue can be resolved, with the aim of resolving issues as soon as can reasonably be achieved to avoid further dispute or a recurrence of the issue or a similar issue.

FORMS

- [WHS-FOR-006.1 Toolbox Talks](#)

ACTIONS AND RESPONSIBILITIES

Consultation

- Sydney Harbour Federation Trust shall ensure:
 - that relevant Work Health and Safety information is shared with workers,
 - that workers be given a reasonable opportunity to express their views and to raise issues and to contribute to the decision-making process
 - that the views of workers are considered by Sydney Harbour Federation Trust
 - that the workers consulted are advised of the outcome of the consultation in a timely manner.

Types of Consultation

- Sydney Harbour Federation Trust consultation shall be conducted when;
 - identifying hazards and assessing the risks impacts arising from the work carried out or to be carried out,
 - making decisions about ways to eliminate or minimise those risks and impacts
 - making decisions about the adequacy of facilities for the welfare of workers,
 - proposing changes that may affect the health or safety of workers,
 - making decisions about the procedures for:
 - consulting with workers, or
 - resolving Work Health and Safety issues at the workplace, or
 - monitoring the health of workers, or
 - monitoring the conditions at any workplace under the management or control of the person conducting the business or undertaking, or
 - providing information and training for workers, or
 - carrying out any other activity prescribed by the regulations for the purposes of this section.

Consultation Arrangements - Management Meetings

- Sydney Harbour Federation Trust shall conduct Management and worker meetings that includes Work Health and Safety (WHS) issues to ensure that relevant Work Health and Safety information is shared with workers, and that workers be given a reasonable opportunity to express their views and to raise issues and to contribute to the decision-making process.
- Minutes and records of Management Meeting shall be maintained.

Consultation Arrangements - Toolbox Talks

- Toolbox Talks or “Prestarts” are conducted at the start of each shift on each construction site/ workshop by the Site Managers/Supervisors or delegated staff to inform workers of all possible hazards and risks associated with a job.
- Toolbox Talks shall be documented on [WHS-FOR-006.1 Toolbox Talks](#) and shall be signed by the person conducting the toolbox talk to confirm that they have tested this understanding.

Consultation Arrangements – WHS Committee

- As defined in the WHS Act 2011, Sydney Harbour Federation Trust and its employees and volunteers have agreed to the established consultation arrangement of a Work Health and Safety (WHS) Committee.
- The Work Health and Safety (WHS) Committee is established and act as the vehicle for consultation on WHS matters as well as monitoring the implementation of the Work Health and Safety (WHS) Management system in their area of responsibility.
- More information on the role, function and responsibility of the WHS Committees is in the Constitution / Terms of Reference for WHS Committee.
- Work Health and Safety (WHS) Committee Meetings are recorded and communicated to all workers.

Literacy and Language Considerations

- Sydney Harbour Federation Trust shall ensure an assessment shall be conducted to ascertain any literacy and language requirements needs of the workers.
- These needs of the workers shall be taken into consideration when providing information and promotional activities.

Issue Resolution

Reporting

- Before raising a workplace WHS issue, constructive steps should be taken to have a safety issue resolved in the workplace.
- These steps may include reporting the issue:
 - verbally to your Manager/Supervisor.
 - through the workplace's hazard reporting procedures.

Actions

- Where a worker identifies a Work Health and Safety (WHS) issue, the worker initially raises the Work Health and Safety (WHS) issue with their manager or supervisor,
- The manager/supervisor and worker may be able to develop and implement a plan, procedure or process that resolves the issue in consultation with the affected employees.

Issue Is Unresolved

- If the issue remains unresolved, the Work Health and Safety (WHS) issue should be referred to the Director or WHS Officer for further advice and assistance.
- Where a Work Health and Safety (WHS) issue remains unresolved, the issue can be referred to the Regulator (i.e. Comcare) for an inspector to investigate and assist in the resolution. The referral to Comcare can be made by any of the involved parties.
- At any point listed above, the Work Health and Safety (WHS) issue may be resolved by the involved parties coming to agreement about a plan, procedure or process that adequately addresses the identified Work Health and Safety (WHS) issue. This should be achieved in

consultation with the workers affected by the WHS concern. Subsequent steps in the resolution process are not required once a resolution agreement is achieved between the involved parties.

- Depending on the nature of the Work Health and Safety (WHS) issue, advice or assistance from a range of experts may be required to reach an appropriate and informed resolution between the involved parties.
- The Regulators expect parties to consult and make genuine efforts to resolve a Work Health and Safety (WHS) issue prior to contacting a Regulatory Inspector for assistance.
- Workers should be informed of the agreed outcomes for resolving the issue.
- Where a Work Health and Safety (WHS) issue arises that presents an immediate or serious risk to health or safety, then appropriate actions to ensure the health and safety of all persons is required in the first instance and this may include a cease to work. Such actions may be required prior to commencing any of the above steps.

Referral of Issue to Regulator for Resolution by Inspector

- If an issue has not been resolved after reasonable efforts have been made to achieve an effective resolution of the issue any party may ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue.
- A request to the regulator under this section does not prevent a worker from exercising the right under Division 6 of the Act to cease work,
- On attending a workplace under this section, an inspector may exercise any of the inspector's compliance powers under this Act in relation to the workplace.
- In order to action the request for service, Comcare will need information that allows them to:
 - find the address of the workplace and the location within that workplace where the work health and safety issues are occurring
 - identify the exact nature of the work health and safety issues/concerns (e.g. working at heights or plant safety risks)
 - identify the name and address of the organisation or individual in control of the workplace
- Inspectors will not reveal the source of the request to the workplace parties involved unless there is consent. If a person chooses to remain anonymous, it is not possible for an inspector to seek further information from you or provide feedback.