



OHS CONSULTATION PROCEDURE

1. Purpose

The purpose of the OHS Consultation procedure is to:

- Facilitate effective consultation with workers and students whenever decisions are made that impact on their health and safety in order to reduce the incidence of injury and illness;
- Define the OHS consultation arrangement that management is required to implement in their area of responsibility; and
- Fulfill the OHS legislative requirements to record the Universities consultation arrangements and publicize those arrangements among existing and new workers.

2. Scope

This procedure applies to OHS consultation in all USP campuses and workplaces.

3. Procedure

3.1 Establish and review OHS Consultation Arrangements for USP

In consultation with workers, a three-tiered OHS Consultation structure, which combines both OHS Representatives and OHS Committees has been established and documented. The USP OHS Consultation Arrangements (**Appendix 1**) are subject to ongoing review and consultation to ensure that the arrangements continue to be meaningful and effective at all levels of the organization (**see also 3.8**)

3.2 OHS Consultations in Schools/Centers/Units

Management must establish and maintain effective OHS consultation in their School/Center/Unit as described in the USP OHS Consultation arrangements (**Appendix 1**)

3.2.1 Determine Local OHS Consultation Arrangements

Management must consult with employees on OHS consultation arrangements. Decisions include: the workgroups to be represented, number of worker OHS representatives to be elected, and whether a Level 3 OHS Committee should be formed.

The number of worker OHS representatives must:

- Be able to represent the workers in the workgroup effectively
- Take into account the diversity of the workers and their work (nature of OHS hazards), hours of work, geographic location, needs and attributes of workers.

Management should contact the OHS Unit for advice on appropriate OHS Consultation arrangements for their area of responsibility.

3.2.2 Elect Worker OHS Representatives

Management must ensure that election of worker OHS Representative is conducted in a manner consistent with recognized democratic principles.

New elections must be held every two years. Worker representatives are eligible for re-election

Management must inform all workers of the outcomes of elections.

3.2.3 Form Level 3 OHS Committee (if applicable)

Where a Level 3 OHS Committee is formed:

- Management must ensure employer representation and participation in committee meetings and activities;
- The number of appointed management representatives must not exceed the number of elected worker representatives;
- The Chairperson must be elected from the worker representatives;
- A constitution document, describing the specific Committees consultation structure and mechanism, must be developed using the Level 3 OHS Committee Constitution template.

3.2.4 Provide Training

Management must ensure that all elected OHS representatives and members of Level 3 OHS Committees complete an accredited OHS Training course.

3.2.5 Perform the Functions of OHS Representatives and OHS Committees

Elected OHS Representatives and Level 3 OHS Committees must perform the functions described in the relevant OHS Legislation.

3.3 Faculty/ Sections OHS Program Implementation Committees

Management must establish and maintain an effective Level 2 OHS Committee for their Faculty/Sections as described in the USP OHS Consultation Arrangements (**Appendix 1**)

Membership of Level 2 OHS Committees is comprised of elected employee OHS Representatives and management representatives co-opted from Schools/Centers/Units.

The Chairperson is the executive manager (i.e. Dean/Section Head) or delegate with authority to act on their behalf on OHS matters. (Note: Responsibility, authority and accountability must be documented in accordance with the OHS Responsibility Procedure)

A Constitution document, describing the specific Committees role, function and composition, must be developed using the Level 2 OHS Committee Constitution template.

3.4 USP OHS Strategic Planning Committee

The Vice Chancellor must establish and maintain an effective Level 1 OHS Committee as described in the USP OHS Consultation Arrangements (**Appendix 1**).

Committee membership should be representatives of key stakeholder groups within the University and may include elected OHS Representatives and management representatives co-opted from Faculties and Sections.

The Chairperson is the Vice-Chancellor or delegate with authority to act on their behalf in OHS matters. (Note: Responsibility, authority and accountability must be documented in accordance with the OHS Responsibility Procedure)

The roles of the Level 1 OHS Committee are to provide strategic direction for managing OHS risks and to resolve OHS issues with university-wide impact.

3.5 Consult on Decisions Affecting Health and Safety

Management must use the established OHS consultation agreements to enable workers to contribute to the making of decisions affecting their health and safety.

3.5.1 Circumstances When Consultation is required

Management must ensure that consultation is undertaken in the following circumstances:

- When changes that may affect health and safety are proposed to premises, systems of work, or plant or substances used;
- When OHS risks are assessed or when risk assessment is reviewed;
- When decisions are made about the measure to be taken to eliminate or control risks;
- When introducing or altering the procedures for monitoring risks; and
- When decisions are made about the adequacy of facilities for the welfare of workers.

3.5.2 Facilitate Effective OHS Consultation

Management must facilitate the OHS consultation process by providing adequate resources for OHS Representatives and OHS Committees. This should include: venue and facilities for meetings, time to fulfill duties, access to workplaces and workgroups and funding for OHS initiatives. References should be made to the Effective OHS Consultation Checklist (**Appendix 2**).

Management must meet regularly with the OHS Representative(s) or OHS Committees for their specific area of responsibility, in order to decide on OHS matters.

3.5.3 OHS Committee Agenda and Minutes

To facilitate effective OHS Consultation, Committee Chairpersons must use the OHS Committee Agenda template relevant to their committee. Minutes of the OHS Committee meetings must be documented and communicated to constituents (**see also 3.8**).

3.6 Resolve OHS Problems

Managers and workers must use the established OHS Consultation arrangements in attempts to resolve the OHS problem. The steps to resolution of OHS problems are outlined below:

Step 1: Problem reported to supervisor or manager by a worker.

Step 2: If not resolved, the worker reports the problem to their OHS Representative or Chairperson of Level 3 OHS Committee who has discussions with the relevant supervisor/manager.

Step 3: If not resolved, the OHS Representative or Chairperson of the Level 3 OHS Committee refers the issue to either their Level 2 OHS Committee or to Level 1 OHS Committee if the issue has university-wide impact.

Step 4: If not resolved, the OHS Representative or Chairperson of the Level 3 OHS Committee can invite a Ministry of Labour inspector to attend the workplace to assist in the resolution of the case.

Advice on OHS problem resolution should be sought from the OHS Unit.

Managers and workers must work cooperatively to resolve OHS problems and should notify the OHS Unit prior to requesting assistance from the Ministry of Labour.

3.7 Communicating and Reporting Requirements

OHS Representatives and OHS Committee Chairpersons must ensure the effective and timely communication of consultation outcomes, and submission of reports as outlined in **Appendix 3**.

3.8 Evaluate Effectiveness of OHS Consultations

3.8.1 Management Review

Management must review the effectiveness of the OHS Consultation process in their area of responsibility in accordance with the OHS Management System Review Procedure. Reference should be made to the Effective OHS Consultation Checklist (Appendix 2). As part of this review, management may request that OHS Committees and OHS Representatives evaluate and comment on their contribution to the OHS consultation process.

3.8.2 Audit of USP OHSMS

The effectiveness of the OHS consultation must be audited in accordance with the USP OHSMS Audit Procedure.

3.9 Maintain OHS Consultation Records

All records pertaining to OHS Consultation must be maintained in accordance with the USP OHS Document and Record Control Procedure.

4. Associated Documents

- Level 2 OHS Committee Constitution template
- Level 2 OHS Committee Agenda Template
- Level 3 OHS Committee Constitution template
- Level 3 OHS Committee Agenda Template
- Level 3 OHS Committee Evaluation Checklist

5. Evaluation & History

Review of this procedure will occur in accordance with the USP OHS Management System Review Procedure in order to address changes in legislation or any changes within the University that impact on OHS regulatory requirements.

Appendix 1: USP Consultation Arrangements

Workgroup represented	Responsible Manager	OHS Consultation Structure (see note 1)	Composition of OHS Committee	Key Role (see note 2)
School, Center or Unit	Head of School, Center Director and Director of Unit	If above 20 employees or high risk activities, then form a Level 3 Workplace OHS Committee	An agreed number of elected worker OHS Representatives and appointed management representatives	Assist management to meet OHS legislative requirements to consult with workers
		If 10 -20 workers or moderate to low risk activities, then elect one or more OHS Representatives	OHS Representative(s) meet directly with management	Perform functions described in the legislations
		If <10 workers, then direct consultation between employees and management	Workers meet directly with management	Solve OHS problems at the local level and monitor measures that have been implemented to manage health and safety
Faculty or Section	Dean and Sectional Heads	Level 2 Program Implementation Committees	Elected worker representatives and appointed management representatives co-opted from Schools/Centers/Units	Enable responses to be made to defined OHS strategies, legislative requirements and incidents occurring with Faculty/Section wide impacts
USP Community	Vice Chancellor/Registrar	Level 1 OHS Strategic Planning Committee	Members are co-opted from Faculties and Sections and are representative of key stakeholder groups The Chairperson is the Vice-Chancellor or delegate with authority to act on their behalf in OHS matters	Provide strategic direction for managing OHS risks with university-wide impact

Note 1: Arrangement described for School, Center or Unit are suggested only. Workers must be consulted on their consultation needs

Note 2: Detail of committee role, function and composition are provided in the relevant OHS Committee Consultation template

Appendix 2: Effective OHS Consultation Checklist

The information below, summarizing the differences between effective consultation and ineffective consultation is taken from Table 1 in the WorkCover NSW OHS Consultation Code of Practice 2001.

	Effective consultation	Ineffective consultation
When consultation occurs	Early, before agenda is set and decisions are made	After the agenda is set and decisions are made
Employer role	Interested in and values workers ideas	No recognition of the benefits of consultation
Employer skills needed	Interpersonal, facilitative, listening	No skills required
Worker role	Pro-active, workers encouraged to suggest ideas	Reactive, workers have no role in improving OHS
Worker skills	Training provided in communication skills and risk assessment	No training provided to enable effective participation
Interaction style	Planned, genuine and collaborative	Directionless, token or sporadic
Approach towards each other	Trust, mutual respect	Mistrust, lack of respect for differing points of view
Process	Open and receptive to worker participation	Invisible, barriers to worker participation
Information	Relevant information provided	Limited access to information
Communication	Opportunities for one-to-one communication with workers, clear and on-going feedback	No direct communication with workers, no feedback
Outcomes	Outcomes results in improvements to the systems for managing health and safety	There is no improvement in how safety is managed

Appendix 3: Communication and Reporting Requirements

OHS Consultation Structure	Communication of Minutes	Response to OHS Issues Raised	Reporting Requirements
Level 3 OHS Committees and OHS Representatives	Communicate to all School/Center/Unit personnel (e.g. via web, email, face-to-face meetings)	Address issues raised by constituents and provide outcomes Notify Level 2 of OHS issues with Faculty/Section- wide impact	Provide Level 2 with required data to enable that OHS Committee to meet its annual reporting requirement
Level 2 OHS Committee	Communicate to all Faculty/Sections personnel (e.g. via web, email, Level 3 OHS Committees or OHS Representatives)	Address issues raised by Level 3 and provide outcomes Notify Level 1 of OHS issues with university-wide impact	Annual report to Level 1 on implementation of USP OHSMS by Faculty/Section to achieve OHS KPI's in their Operational Plan
Level 1 OHS Committee	Available to University community via USP OHSMS Element 3- Consultation	Address issues raised by Level 2 or 3 via other channels and provide outcomes	Annual report to the Vice-Chancellor on the Universities performance against strategic goals.