



# ADVICE SHEET 2 CONSULTATION

## WHY DO YOU NEED TO CONSULT?

...because many decisions you make can have health and safety consequences for everyone.

Your workers are directly affected by your decisions and can often foresee things that you may overlook. They can provide suggestions about how to solve health and safety problems and reduce injuries that can lead to increased savings and improved productivity for your business.

Introducing a new chemical or changing work tasks, for example, can create safety risks. Your workers can help you identify these risks and decide what to do to minimise them. You can avoid unnecessary expense and downtime.

As well as being a good idea, consultation about safety issues is included in OHS law.

**Consultation** enables you to share occupational health and safety (OHS) information and to take your workers' views into account, before you make decisions. You and your workers must be alert to things that can cause harm. Through consultation, you can become more aware of hazards and OHS issues experienced by your workers, and can involve them in addressing potential problems before they escalate and affect your business.

### WHERE YOU TICKED IN THE RED ZONE...

Ensure that the consultation arrangements represent and involve all your workers, and capture all OHS issues and views.

...you are unlikely to be effectively consulting your workers and involving them in safety matters.

Ticks in the RED zone indicate that you need to take immediate action to implement formal or informal consultation arrangements and ensure that your workers have the opportunity to express their views and contribute to health and safety issues.

#### Establishing your consultation arrangements

If you have 30 workers or more, then you must appoint a trained Workplace Health and Safety Officer (WHSO). Your workers may choose to elect a Workplace Health and Safety Representative (WHSR) to cover various areas in the workplace. One of the tools you can use to encourage consultation with your workers is the establishment of a *workplace health and safety committee*. In very small workplaces all staff may be part of this committee. The times the committee meets should be negotiated with the WHSO or committee members and yourself. By law, meetings must be held at least once every 3 months.

These meetings will assist you to:

- Promote cooperation between your workers and yourself to carry out measures to ensure workplace health and safety at the workplace.
- Provide an opportunity for two way dialogue between yourself and the workers to discuss a range of issues associated with the health and safety of your workplace.

Ensure your consultation captures all OHS issues and views – eg consider how shiftwork and remote workers, trainees and apprentices, people with disabilities, and other issues such as language, literacy, gender and age will be included.

**Ensure that all your workers know about health and safety so they can comment on matters that affect them.**

**Consultation does not mean handing out papers or simply getting the views of your workers, it means valuing and acting upon your workers' ideas.**

### **Record your consultation arrangements**

Your agreed consultation arrangements should be recorded and displayed in the workplace. It is a legal requirement to display the name and contact details of the elected WHSR. Let the WHSR know they may be contacted to discuss any OHS issues.

### **Ensure you consult effectively**

At your regular workplace meeting, tell your workers about any plans you may have that could affect their health and safety – eg purchasing new equipment, changing work tasks, re-modelling the workplace. Before making a decision, seek their views on how any safety issues may be addressed.

Encourage your workers to raise their safety concerns. Make an extra effort to include young workers, those with a disability and those from a non-English speaking background.

If a WHSR has been elected, ensure they are notified of any safety issues or proposed decisions that may affect safety and discuss it with them and the committee. Before making any decisions, allow them time to inform other workers and provide feedback.

### **Recording safety decisions**

Keep records of significant safety decisions to demonstrate that you take safety issues seriously and are prompt in addressing them. It reinforces the actions that need to be taken, outlines who is responsible for undertaking them, and indicates when they need to be completed.

Provide an agenda before your regular workplace meetings to inform your workers of the issues to be discussed. It affords them an opportunity to include other topics, and enables them time to consider possible suggestions and solutions.

## WHERE YOU TICKED IN THE ORANGE ZONE...

...you have consultation arrangements in place, but they may not be working effectively or capturing your workers' input.

Ticks in the ORANGE zone indicate that you have undertaken some consultation but the arrangements may not be consistent with legal requirements or appropriate to the needs of your workers or your business.

### Are your consultation arrangements suitable for your workplace?

Your consultation arrangements may need to be changed to better suit the size, structure and nature of your workplace. Perhaps you require flexible arrangements in order to involve all your workers – eg those on different shifts and sites, transport workers and outworkers may not be able to attend regular workplace meetings. As a result, both you and your workers may be missing vital health and safety information in relation to the work tasks and work areas of these workers. Introduce regular discussions with these workers about their health and safety concerns.

Encourage your workers to become involved.

### Are your workers interested in consulting?

Most workers are keen to foster a productive and safe workplace, but they may be discouraged by the consultation process rather than consultation itself.

Give positive feedback to your workers – let them know why their suggestions are important (relevance), how they are helpful (benefits) and when they will be acted upon (schedule).

Encourage worker participation by:

- Scheduling safety as a priority – if you hold safety meetings at the end of a shift, you will often run out of time and your workers will feel rushed and too tired to contribute. Discuss safety issues at the beginning of your regular workplace meetings, when your workers are fresh and alert.
- Showing you value your workers' views – develop an action plan and a schedule to demonstrate to your workers that you are acting upon their concerns. Sometimes, workers are informed about safety issues but not consulted. If your workers believe their safety concerns are summarily dismissed and not afforded proper consideration, they will be reluctant to participate in the consultation process. Don't make safety decisions without regard to your workers' feedback and when your decisions are contrary to workers' views, clearly outline the reasons for your decision.
- Ensuring all your workers participate – some of your workers may be unaware of their role and responsibility with regard to health and safety. Train WHSRs and make it easy for all your workers to contribute to WHS in your workplace. Workers from non-English speaking backgrounds and those with special needs should be consulted individually to ensure their concerns are addressed.

The Workplace Health and Safety Act 1995 outlines legislative requirements for the formulation and management of safety committees and election of Workplace Health and Safety Representatives.

A copy of the Workplace Health and Safety Act 1995 can be accessed on: [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

### **Does consultation make any difference?**

To be effective, consultation needs to be consistent and inclusive, and safety issues need to be addressed in a timely way.

Conducting ad hoc safety meetings sends a strong message to your workers that consultation and safety issues are relatively unimportant. They will not feel encouraged to participate and the opportunity to identify safety issues and possible solutions will be lost.

Discuss your consultation arrangements with all your workers and ensure that their safety concerns are addressed at your regular workplace meetings.

Sometimes, your workers may have varying opinions with regard to the best possible safety solution – ultimately, it is your obligation to put in place measures that ensure health and safety at your workplace.

Also, ensure that you keep accurate safety records and complete recommended actions within the required timeframes.

## **WHERE YOU TICKED IN THE GREEN ZONE...**

### **...your regular consultation arrangements are effective and workers are involved in decisions regarding safety.**

Ticks in the GREEN zone indicate that you have implemented regular consultation arrangements that suit your workplace and that you actively encourage your workers' participation and value their views. If your consultation arrangements are working well, potential hazards and risks will be readily identified, and your workers will suggest and support timely improvements that benefit your business.

Workplace Health and Safety Queensland has a range of products and services to assist small business. Phone 1300 369 915. Industry groups also provide products and training that may assist you.

### **Review your consultation arrangements periodically with your workers and ensure the arrangements continue to work effectively.**

As your consultation process is working well, encourage your workers to contribute to broader issues, such as workplace design, organisation of work, future trends and the like.

Ensure that your vulnerable workers, young workers, those with a disability, and those with language or literacy difficulties are adequately represented in the consultation process and understand the safe work procedures, reporting measures, training systems and the like.

# EXAMPLE OF DOCUMENTATION OF CONSULTATION ARRANGEMENTS

## Consultation arrangements

The workplace health and safety committee meeting conducted every Friday morning is the agreed arrangement for discussing health and safety issues.

At this meeting, any proposals that may affect health and safety will be discussed. These include but are not limited to the:

- purchasing of new equipment or substances
- changing the work premises
- developing or changing job tasks or safety procedures.

Staff are also encouraged to raise any health and safety concerns they may have for discussion at the meeting or through their supervisor or WHSR.

Signed: \_\_\_\_\_ owner

\_\_\_\_\_ staff

\_\_\_\_\_ staff

\_\_\_\_\_ staff

\_\_\_\_\_ staff

## ANNEXURE 1

### Sample record of a safety meeting

DATE	STAFF NOT PRESENT	AGENDA ITEMS	ACTION TO BE TAKEN	PERSON RESPONSIBLE FOR ACTION	DATE ACTION COMPLETED
1.2.06	Sarah Jones	Purchase of jigsaw to be used in new woodwork craft workshop	Brand X jigsaw to be purchased	Bob Green	03.2.06
		Rubbish from craft workshops constantly left on floor	Housekeeping checklist items to be followed up and actioned	Martin Cooper	02.2.06
1.3.06	None	Items stored on shelves above shoulder height	Move items to lower shelf	Tom Anderson	05.3.06
		Lack of safety goggles for customers participating in craft workshops	Purchase additional safety goggles prior to next workshop	Bob Green	13.3.06

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