



## ADVICE SHEET 2

# CONSULTATION

### WHY DO YOU NEED TO CONSULT?

...because decisions you make can have health and safety consequences for everyone at the workplace.

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. Including workers in the decision making process shows clear management commitment to safety.

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, which can avoid you unnecessary expense and downtime.

As well as being a good idea, consultation about safety issues is included in Workplace Health and Safety (WHS) law.

---

**Consultation** enables you to share WHS 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 WHS 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...

**...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.

### Establish your consultation arrangements

Consultation is really about involving people in the decision making process rather than just “telling” them what is going to happen. The most basic form of consultation is simply having regular talks with workers. This could be having regular staff meetings where safety is discussed as a standing item, or a more formal safety committee meeting.

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 safety committee. In very small workplaces all staff may be part of this committee. The times the committee meets should be negotiated between the WHSO, committee members and yourself. By law, if there is a committee, then meetings must be held at least once every three months.

These meetings will assist you to:

- promote cooperation between your workers and yourself to make any necessary changes to ensure workplace health and safety at the workplace.
- provide an opportunity for two way communication between yourself and the workers to discuss a range of issues associated with the health and safety of your workplace.
- provide workers with a formal avenue to raise concerns.

Ensure your consultation captures all WHS issues and views—e.g. consider shiftworkers and remote workers, trainees and apprentices, people with disabilities; and other issues such as language, literacy, gender and age and how everyone can be included in the process.

### Record your consultation arrangements

Ensure that all your workers have knowledge on health and safety issues so they can comment on matters that affect them. Your agreed consultation arrangements should be recorded and displayed in the workplace. It is a legal requirement to display the name/s and contact details of any elected WHSR. The WHSR should also be made aware that they may be contacted to discuss any WHS issues.

### Consult effectively

Consultation means valuing and acting on your workers’ ideas, not simply handing out documents or asking for input just for the sake of it. At your regular workplace meeting, discuss with your workers any plans you may have that could affect their health and safety – e.g. purchasing new equipment, changing work tasks, redesigning 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 all workers and obtain their input and feedback.

### Record decisions that affect safety

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. Informal discussions are equally as beneficial in the consultation process as formal meetings. Whatever form the consultation process takes, its primary aim is for employers to talk about and resolve issues.

<p><b>WHERE YOU TICKED IN THE ORANGE ZONE...</b></p>	<p><b>...you have consultation arrangements in place, but they may not be working effectively or capturing your workers' input.</b></p> <p>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.</p>
<p><b>Implement consultation arrangements are suitable for your workplace</b></p>	<p>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—e.g. those on different shifts and sites, transport workers and those working from home 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 groups of workers about their health and safety concerns.</p>
<p><b>Encourage your workers to become involved</b></p>	<p>Most workers are keen to foster a productive and safe workplace, but they may be discouraged by the 'consultation process' rather than consultation itself. Encourage workers to get involved in the safety process in any capacity that they can. Some workplaces even reward positive worker involvement.</p>
<p><b>Gather input from workers and provide feedback to them</b></p>	<p>Encourage worker participation by:</p> <ul style="list-style-type: none"> <li>• Scheduling safety as a priority—try to avoid holding safety meetings at the end of a shift as you will often run out of time and your workers may not contribute due to their desire to go home. Discuss safety issues at the beginning of your regular workplace meetings, when your workers are fresh and alert.</li> <li>• Showing you value your workers' views—develop an action plan and a schedule (including timeframes) to demonstrate to your workers that you are acting upon their concerns. Workers can often feel that they are informed about safety issues rather than consulted. If your workers believe their safety concerns are swiftly dismissed and not afforded proper consideration, they will be reluctant to participate in the consultation process. Make your safety decisions taking into account your workers' views. When your decisions are contrary to workers' views, it is much easier for them to accept the decision if you clearly outline the reasons for your decision.</li> <li>• Giving 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).</li> <li>• Including all your workers in the process and ensuring all workers are aware 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.</li> </ul>
<p><b>Send a clear message about the importance of safety</b></p>	<p>To be effective, consultation needs to be consistent and inclusive, and safety issues need to be addressed in a timely way.</p> <p>Conducting <i>ad hoc</i> safety meetings sends a strong message to your workers that consultation and safety issues are relatively unimportant. They are less likely to feel encouraged to participate and the opportunity to identify safety issues and possible solutions may be lost.</p> <p>Discuss your consultation arrangements with all your workers and ensure that their safety concerns are addressed at your regular workplace meetings.</p> <p>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.</p> <p>Also, ensure that you keep accurate safety records and complete recommended actions within the required timeframes.</p>

## 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. Actively encourage your workers' participation and value their views. If your consultation arrangements are working well, potential issues and risks will be readily identified, and your workers will suggest and support timely improvements that benefit your business.

### Review for effectiveness

Have open and frank discussions with workers periodically to see how well the consultation process is actually working, and how it could be improved.

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

If your consultation process is working well, encourage your workers to contribute to broader issues, such as workplace design, organisation of work, future trends etc.

## 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
01.02.06	Sarah Jones	Purchase of jigsaw to be used in new woodwork craft workshop	Brand X jigsaw to be purchased	Bob Green	03.02.06
		Rubbish from craft workshops constantly left on floor	Housekeeping checklist items to be followed-up and actioned	Martin Cooper	02.02.06
01.03.06	None	Items stored on shelves above shoulder height	Move items to lower shelf	Tom Anderson	05.03.06
		Lack of safety goggles for customers participating in craft workshops	Purchase additional goggles prior to next workshop	Bob Green	13.03.06

#### DISCLAIMER:

The materials presented in this publication are distributed by the Queensland Government as an information source only.

The information and data in this publication are subject to change without notice. The Queensland Government makes no statements, representations, or warranties about the accuracy or completeness of, and you should not rely on, any information contained in this publication. This document is guidance material only and must be read in conjunction with the *Workplace Health and Safety Act 1995*, relevant Regulation and Codes of Practice.

The Queensland Government disclaims all responsibility and all liability (including without limitation liability in negligence) for all expenses, losses, damages and costs you might incur as a result of the information being inaccurate or incomplete in any way, and for any reason.