

Health and Safety - OHS Consultation Procedure

Section 1 - Purpose / Objectives

- (1) The University recognises that consultation with employees about health and safety is an important part of the commitment to engage with staff.
- (2) VU's Occupational Health and Safety (OHS) legislated obligation includes:
- Consultation mechanisms which enable communication flow across the University to consult with employees and contractors, so far as reasonably practicable on OHS issues and changes in their workplace that may affect their health and safety.
 - Consultation with other people including students, visitors, neighbours and others conducting businesses or undertakings that may be affected by Victoria University's activities.

Section 2 - Scope / Application

- (3) This procedure applies across the University.

Section 3 - Definitions

- (4) Designated Work Group — (DWG) is a group of employees who share similar workplace health and safety concerns and conditions. The employees can be from one or more workplaces operated by a single or multiple employers.
- (5) Employee Health and Safety Representative — (HSR) elected by the membership of their designated workgroup to represent them. Elections and eligibility will be in direct compliance with the OHS Act 2004, Division 4 — Sections 54 to 57. All rights and powers of the Health and Safety Representative/ Deputy Health and Safety Representative are detailed in the OHS Act 2004, Division 5 — Sections 58 to 66.
- (6) OHS Committee - to provide consultative forums and where a minimum of 50% of the members of each OHS Committee must be employee representatives. Refer to Terms of Reference for the individual committees (these can be found on the [OHS intranet site](#)).

Section 4 - Policy Statement

- (7) Nil

Section 5 - Procedures

- (8) All VU workplaces must have effective systems in place to ensure that all employees (including Health and Safety Representatives) are consulted when decisions are being made that may affect health and safety.

Part A - Consultation

What is Consultation?

(9) Consultation - a two-way exchange between employers and employees that involves:

- a. sharing information about health and safety;
- b. giving employees a reasonable opportunity to express their views; and
- c. taking those views into account.

(10) Refer to section 36 of the OHS Act 2004.

When is Consultation required?

(11) Consultation is required when:

- a. Identifying or assessing hazards or risks;
- b. Making decisions on how to control risk;
- c. Making decisions about the adequacy of facilities for employee welfare;
- d. Making decisions about procedures to consult, resolve OHS issues, monitor employee's health and safety and provision of training and information;
- e. Determining membership of OHS Committees;
- f. Proposing changes to the workplace, plant, substances, processes and other equipment in use in the workplace and the work performed that may affect the health and safety of employees.

(12) Refer to Section 35 of the OHS Act 2004 for more detail if required.

(13) There should be trust and mutual respect in the approach between people involved in the consultation of OHS concerns and conditions.

How is the Consultation to occur at VU?

(14) VU has a framework of Designated Work Groups (DWG) in compliance to the OHS Act. VU has determined via consultation with employees a structure of DWG based on Colleges and Divisions. Refer to OHS Act for how to negotiate and establish designated workgroups. The framework of DWG's and associated committee can be found on the [OHS intranet site](#).

(15) Each DWG has an elected Health and Safety Representative. Where the DWG requires it there may be deputy HSR's. Elections are held in compliance with Legislation to appoint HSR's and Deputy HSR's for each of those DWG's. The current list of HSR's and OHS Committee members can be found on the [OHS intranet pages](#).

(16) Where the employees have an elected Health and Safety Representative then consultation must include that person as required by the Legislation. HSR's are requested to inform their DWG's of OHS information and provide feedback to management from their DWG's.

(17) Where the DWG does not have an elected HSR then consultation must be carried out with the employees within the DWG. Consultation can occur by provision of information by a number of communication media i.e. documents such as emails, face to face such as meetings i.e Team meetings, Discipline Group meetings.

(18) Consultation may be carried out by various means (emails, meetings, noticeboards) but must ensure the sharing of information with employees, give them reasonable opportunity to express views and then take those views into account. The consultation needs to be documented with any feedback received and how considered.

(19) Consultation must occur with contractors and any other persons that may be affected by Victoria University activities. The VU contact should include as many others affected by planned changes as far as reasonable. VU will consult with a representative of the Students (i.e representative of the Student Union) via the OHS Committee framework.

Part B - OHS Committees

(20) OHS Committees have been established to incorporate each of those DWG's, within the structure reflecting those DWG's with similar OHS concerns and conditions. OHS Committees meet at least 4 times a year, with formal agendas and documented minutes being available to all in the DWG. Each Committee has a "terms of reference" that covers the membership and function of the meeting. OHS issues that cannot be addressed at local level may be tabled at the OHS Committee. OHS information to be distributed to a VU wide audience will be tables at the OHS Committee. The expectation is that HSR's then relay that information to their colleagues.

Part C - OHS Documents

(21) University wide implementation guidance material and OHS procedures will be maintained by the OHS team. Procedures will be reviewed at least every 3 years and involve consultation with affected staff and HSR's. The consultation will occur via email to HSR email distribution list, OHS Committees, other specific working groups and VU policy bulletin board.

Part D - Roles and Responsibilities

Roles	Responsibility
Deans, Directors, Managers, Supervisors and Heads of Units	<p>Ensure compliance with this procedure and the requirements for consultation with all affected parties when planning changes to facilities, plant & equipment, work procedures etc.</p> <p>Make OHS information available and disseminate to staff to facilitate compliance and improve safety standards within their relevant business units.</p> <p>Ensure staff, students, contractors and visitors are adequately provided with occupational health and safety information that takes into account their communication requirements; and provide an opportunity for cooperative and enhanced decision making.</p> <p>Ensuring elected Health and Safety Representatives are trained and have adequate time and resources allocated to fulfil their role.</p> <p>Share OHS information with other interested parties, in consultation with the OHS Team.</p>
Health and Safety Representatives	<p>Participate in discussions relating to OHS matters within their DWG.</p> <p>Represent the employees of their DWG when OHS issues arise.</p> <p>Assist with the enactment of consultation and issue resolution procedures.</p>
Employees	<p>To be proactive and suggest ideas when advised of decisions being made that may affect their health and safety.</p> <p>Follow requirements as communicated to them, for example requirements contained in VU Health Safety and Wellbeing procedures, safe work procedures and workplace signage.</p> <p>Provide feedback to VU on the effectiveness of consultation and communication arrangements.</p> <p>Report to their supervisor instances where they or other persons, for example employees/visitors, have difficulty understanding health and safety information.</p>

Roles	Responsibility
OHS Team	<p>Promote and support the consultative framework, maintenance of DWG, Committees and the election process for HSR's.</p> <p>Assist Victoria University to comply with the legislation.</p> <p>Engage with external stakeholders including WorkSafe as required to facilitate communication, consultation and cooperation.</p>

Section 6 - Guidelines

(22) Nil

Section 7 - References

(23) The following documents have been referenced in this procedure:

- a. [Health and Safety Policy](#)
- b. [Health and Safety - Issue Resolution Procedure](#)
- c. OHS Committees Web Page
- d. [Health and Safety Representatives Web Page](#)

Status and Details

Status	Historic
Effective Date	24th August 2016
Review Date	24th April 2019
Approval Authority	Vice-Chancellor
Approval Date	22nd August 2016
Expiry Date	14th May 2019
Accountable Officer	Lisa Line Deputy Vice-Chancellor Enterprise and Digital Lisa.Line@vu.edu.au
Responsible Officer	Simone Wright Chief Human Resources Officer 9919 5447
Enquiries Contact	Muhammad Nofal Senior Health and Safety Advisor 9919 5593 <hr/> Workplace Relations and Safety