



Version	Approved by	Approval date	Effective date	Next full review
5.0	Director, Safety and Wellbeing	14 August 2020	14 August 2020	August 2023
Procedure Statement				
Purpose	To outline the process for consultation and resolution of health and safety issues at UNSW.			
Scope	This procedure applies to all workers in UNSW Faculties and Divisions in NSW and the ACT.			
Are Local Documents on this subject permitted?	<input checked="" type="checkbox"/> Yes, however Local Documents must be consistent with this University-wide Document			<input type="checkbox"/> No
Procedure Processes and Actions				

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1. Introduction

Consultation is a legal requirement and an essential part of managing health and safety risks. A safe workplace is more easily achieved when everyone involved in the work communicates with each other to identify hazards and risks, talks about health and safety concerns and works together to find solutions.

2. Health and Safety Consultation

2.1. Health and Safety Committees / Health and Safety Representatives

UNSW has established consultation mechanisms through Health and Safety Committees (HSCs) and/or Health and Safety representatives (HSRs).

There are three levels of HSCs:

- **Level 3** is a consultation HSC as outlined in the [Work Health and Safety Act 2011](#) (NSW) (the [WHS Act](#)). It is a local School or unit consultation committee made up of HSR's, management representatives or other representatives of workgroups in the area.

Where there is no Level 3 HSC, the area may be represented by one or more HSRs or by Other Agreed Arrangements.

- **Level 2** is a Faculty/Division-level Executive Management Committee.
- **Level 1** is a Health and Safety Strategic Planning Committee, chaired by the Vice-Chancellor and attended by Deans and Divisional heads.

2.2. Other Agreed Arrangements

Where there are no established HSRs or HSCs, or where it is not practicable to have such, the area may choose to have Other Agreed Arrangements for health and safety consultation.

These arrangements may be suitable for workers such as contractors, volunteers or small or low risk workgroups. Refer to [WHS consultation](#) for further information.

3. Health and Safety Issue Resolution

If a health and safety matter cannot be resolved using your current consultation mechanisms, then the procedure below should be followed (refer to [Appendix 1](#)):

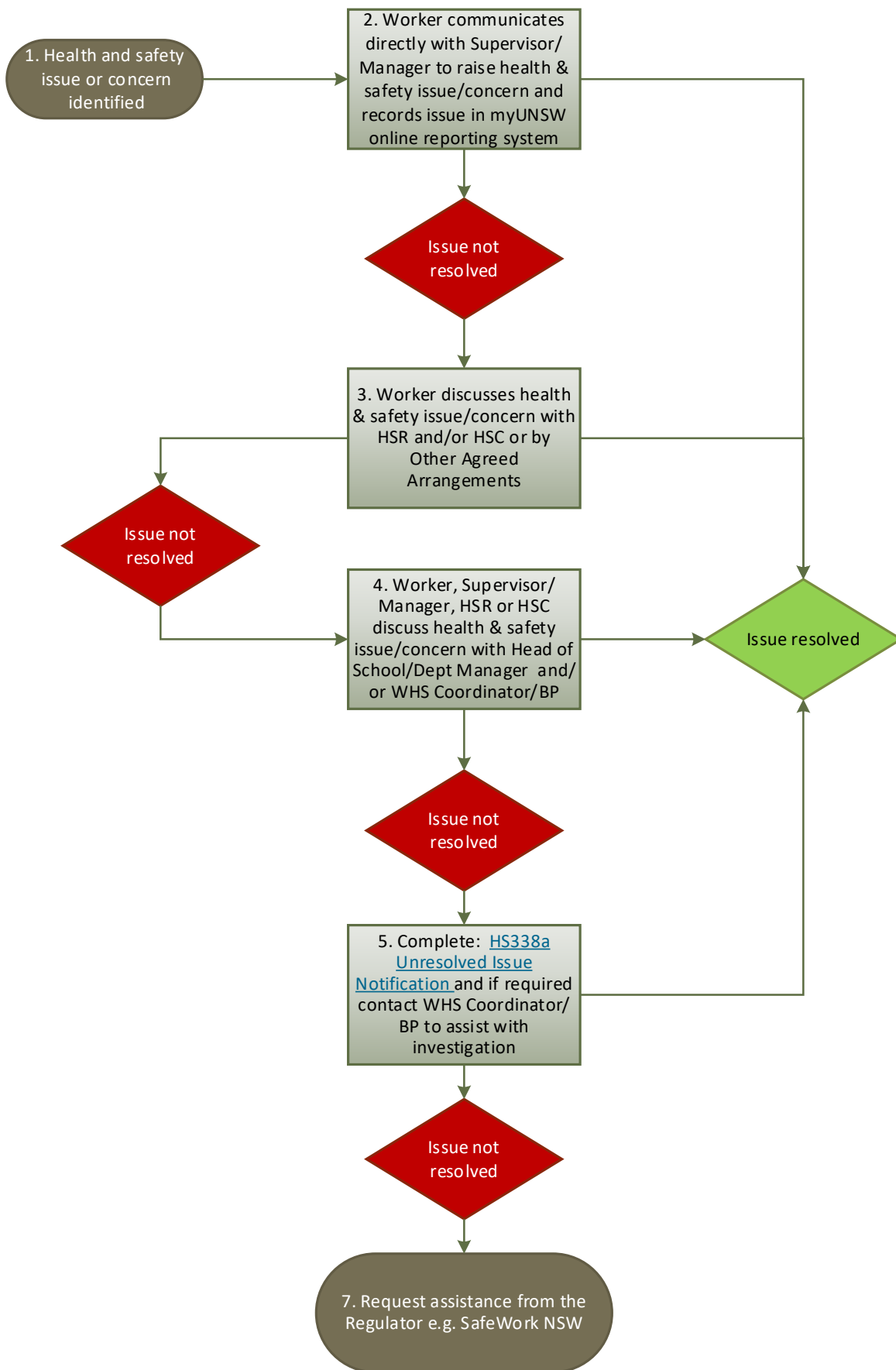
1. A worker identifies a health and safety issue or concern in the workplace.
2. The worker reports the health and safety issue or concern to their supervisor/manager and they attempt to resolve the matter. In addition, the worker should record any health and safety incidents, hazards or concerns in the workplace on UNSW's online reporting system. For more information on reporting hazards and incidents, refer to the [HS307 Hazard & Incident Reporting Procedure](#).
3. If the health and safety issue or concern remains unresolved, the worker then consults with the HSR and/or HSC, or applies Other Agreed Arrangements to attempt to resolve the matter.
4. If the health and safety issue or concern still remains unresolved, the worker, their supervisor/manager, the HSR or HSC raises the matter with the Head of School/Department Manager and/or WHS Coordinator/Business Partner to attempt to resolve.
5. If the health and safety issue or concern still remains unresolved, the worker completes a [HS338a Unresolved Issue Notification Form](#). As soon as the relevant parties are informed of the issue, they will organise to either meet or communicate with each other to attempt to resolve the matter. The receiving party will acknowledge by email they have received the matter in writing, and they will conduct an investigation. If necessary, the WHS Coordinator/Business Partner can assist with the investigation process and this should be documented on [HS003 Incident Issue Investigation Report](#). At the end of the investigation, the receiving party will communicate the findings of their investigation and possible measures to resolve the matter with the party that raised the issue.
6. If reasonable efforts have been made to resolve the health and safety issue or concern and it remains unresolved, any party to the issue can ask the Regulator ([WorkCover](#) or [SafeWork NSW](#)) to appoint an inspector to assist at the workplace. The inspector's role is to assist in resolving the matter. An inspector could exercise any of their compliance powers under [WHS Act](#), including providing advice, investigating contraventions or issuing an improvement notice.

Note: At any time, a worker can raise a health and safety issue or concern with their HSR or the WHS regulator within their jurisdiction.

4. Consultation with other Person Conducting a Business or Undertaking (PCBUs)

UNSW will ensure that other PCBUs affected by the work of UNSW shall be included in the consultation mechanisms listed above.

Appendix 1: RESOLVING A HEALTH AND SAFETY ISSUE



Note: At any time a worker can raise a health and safety issue or concern with their HSR or WHS regulator within their jurisdiction

Accountabilities	
Responsible Officer	Director, UNSW Safety and Wellbeing
Contact Officer	Senior Manager, UNSW Health & Safety
Supporting Information	
Legislative Compliance	This Procedure supports the University's compliance with the following legislation: Work Health and Safety Act 2011 (NSW) Work Health and Safety Act 2011 (Cth) Work Health and Safety Regulation 2017 (NSW)
Parent Document (Policy)	Health and Safety Policy
Supporting Documents	WHS Consultation HS338a Unresolved Issue Notification Form
Related Documents	HS307 Hazard & Incident Reporting Procedure SafeWork Australia Workers Representation and Participation Guide SafeWork Australia Code of Practice - Work Health & Safety Consultation, Cooperation and Coordination ISO45001:2018 Occupational Health and Safety Management Systems
Superseded Documents	HS337 Health and Safety Consultation Procedure, v4.0, HS338 Health and Safety Issue Resolution Procedure, v2.0 and HS339 Health and Safety Consultation Guideline
File Number	2020/010916
Definitions and Acronyms	
Consultation	Health and safety consultation involves the sharing of relevant health and safety information between UNSW (as a PCBU) and workers, and UNSW and other PCBUs. Consultation includes giving workers the opportunity to express their views, valuing these views and allowing them to contribute to the resolution of health and safety issues.
Health & Safety Committee (HSC)	A consultative body established under the WHS Act. The committee's functions include facilitating cooperation between workers and the person conducting a business or undertaking to ensure workers' health and safety at work, and assisting to develop work health and safety standards, rules and procedures for the workplace
Health & Safety Representative (HSR)	A worker who has been elected by their work group under the WHS Act to represent them on health and safety matters
Person Conducting a Business or Undertaking (PCBU)	A PCBU is an umbrella concept which intends to capture all types of working arrangements or relationships. A PCBU includes a company, an unincorporated body or association or a sole trader or self-employed person. Individuals who are in a partnership that is conducting a business will individually and collectively be a PCBU.
Worker	Any person who carries out work for a person conducting a business or undertaking, including work as an employee, contractor or subcontractor (or their employee), self-employed person, outworker, apprentice or trainee, and person gaining work experience
Workgroup	A group of workers established to facilitate the representation of workers by one or more health and safety representatives. A workgroup may be all workers at a workplace but it may also be appropriate to split a workplace into multiple workgroups where workers share similar work conditions or are exposed to similar risks and hazards. For example, all workers on night shift.

Workplace	Any place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. This may include offices, factories, shops, construction sites, vehicles, ships, aircraft or other mobile structures on land or water.
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Revision History				
Version	Approved by	Approval date	Effective date	Sections modified
0.1	Director, Human Resources	1 November 2006	1 November 2006	New document for consultation purposes
1.0	Director, Human Resources	1 January 2007	1 January 2007	Training requirements Membership and role of Level 1
2.0	Director, Human Resources	19 November 2010	19 November 2010	Reference to time and resources added to section 3.2.4 New section added 3.8.2
3.0	Director, Human Resources	3 May 2013	3 May 2013	Revised due to new 2011 WHS Act & Regulation and Updated UNSW Branding Guidelines and now document identifier from OHS to HS
3.1	Director, UNSW Safety and Sustainability	30 April 2014	30 April 2014	Reviewed for administrative updates
4.0	Director, UNSW Safety and Sustainability	29 February 2016	29 February 2016	Administrative updates, modification of definitions and removal of hyperlinks
5.0	Director, UNSW Safety and Wellbeing	14 August 2020	14 August 2020	Full review with administrative updates, incorporation of HS338 Health and Safety Issue Resolution Procedure, insertion of flowchart and definitions aligned with Code of Practice