

Consultation and Communication for effective management of WHS

Introduction

This document sets out guidelines and principles for improved work health and safety (WHS) in the workplace through effective consultation and communication. A safe workplace is more easily achieved when everyone talks openly about WHS issues and concerns and by collaborating to identify and mitigate hazards and risks.

For the safe and efficient delivery of Across Government Facilities Management Arrangements (AGFMA), consultation and communication of WHS matters is imperative, and in some instances, may be a contractual obligation. Notwithstanding responsibilities under WHS legislation where there is a duty to consult, it is an essential element in the proactive management of WHS in any workplace.

Specific Duties requiring a Participating Agency to Consult

With Workers

Participating Agencies (hereafter Agency/s) must ensure appropriate and timely consultation with workers, including Contracted Workers, who are or who are likely to be directly affected by a WHS matter. This duty to consult is based on the recognition that worker input and participation improves decision-making about WHS matters and assists in reducing work-related injuries. Workers are entitled to take part in consultation processes and to be represented in consultations by an elected health and safety representative.

With concurrent Duty Holders

WHS legislation requires a Participating Agency to consult, cooperate and coordinate activities with all other persons who have a WHS duty in relation to the same matter, known as **concurrent duty holders**. As duty holders, participants under the AGFMA may have responsibility for the same WHS matter, either because they are involved in the same activities or share the same workplace. Each duty holder must comply with the WHS Laws to the extent that they can reasonably manage or control a particular WHS matter.

Concurrent duty holders' work activities may overlap and interact at particular times. When an Agency and the FMSP share a duty, for example a duty in relation to the WHS of the same contracted worker or workers, or are involved in the same work, they will be required to consult, cooperate and coordinate activities with each other so far as is reasonably practicable. In such circumstances each duty holder should exchange information to find out who is doing what and work together in a cooperative and coordinated way so risks are eliminated or minimised.

What a Participating Agency should consult on

Participating Agencies of the AGFMA must develop, implement and maintain procedures which prescribe what they will consult with workers on, particularly in relation to:

- Identifying hazards and assessing the potential risks of the work to be carried out
- Making decisions about ways to eliminate or minimise identified risks
- Monitoring workplace conditions and making decisions about the appropriateness of facilities
- Proposing changes which may affect the health or safety of workers
- Making decisions about procedures for consulting with workers
- Resolving health or safety issues in the workplace
- Monitoring the health and safety of workers
- Provision of WHS information and appropriate training for workers.

How a Participating Agency should consult with concurrent duty holders

Under the AGFMA, there is more than one business or undertaking operating at a workplace where people share responsibility for WHS to varying degrees, for example small construction projects, dual tenancy in buildings and so on.

In these situations, each person with a duty must, so far as is reasonably practicable, consult, cooperate and coordinate activities with all other persons who have a WHS duty in relation to the same matter. People often assume someone else is going to take action for WHS, simply because the other person is more directly involved in the activity. This may be more likely where there are numerous people involved in the work. This often results in no one taking the necessary action.

Each Person Conducting and Business or Undertaking (PCBU) must, so far as is reasonably practicable, eliminate or minimise risks to health and safety. For example this includes ensuring safe and appropriately maintained plant and equipment is used, that there are adequate welfare facilities for workers and that training is provided. As a PCBU you must ensure these requirements are met even if others may also have the duty to do so. You may ensure the outcomes by not necessarily taking the required action yourself, but by making sure another person is doing so. Talking to, and cooperating and coordinating activities with others who are involved in the work or things associated with the work will make the control of risks more effective and assist each duty holder to comply with their duty. It can also mean health and safety measures are more efficiently undertaken.

When must you consult, cooperate and coordinate with others?

PCBUs must start consultation, cooperation and coordinating activities with other duty holders when they become aware they are or will be involved in, or impacted by the work. This will become apparent due to the circumstances, be it through contractual arrangements, presence on site or the need for others to be involved in the work.

PCBUs should identify who else will be involved in the work, make contact with them and start discussions as soon as they are reasonably able to do so. This may occur as part of contractual negotiations, discussions when engaging others to carry out the work or when engaging another business to carry out work for the business or undertaking. An Agency may not be the first business or undertaking to be involved in the work, or may not initially be aware others are involved in it. Agencies may be contacted by another duty holder and asked to engage in consultation.

Consultation should start during the planning of the work, to ensure health and safety measures are identified and implemented from the start. A need for further consultation may arise when circumstances change over the period of the work, including the work environment and the people involved in the work. Cooperation and coordination with other duty holders should be an ongoing process throughout the time in which agencies are involved in the same work and share the same duty.

Communication of WHS information and obligations

The communication and dissemination of WHS information is an important part of the overall consultation and communication strategy to aid in preventing occupational injury and illnesses. Workers require accurate health and safety information to perform their work safely and should be informed about WHS activities and issues.

The dissemination of WHS information is important to:

- Alert others of incidents and associated corrective actions
- Provide new or updated WHS legislation and requirements
- Provide details of any changes to the workplace, including changes to plant and equipment.

The following are useful tools for making WHS information available to all workers:

- WHS internet or intranet site
- WHS committee and/or workplace advisory meeting minutes / records
- The Agency's hazard and incident reporting system
- Internal and external WHS training programs, including inductions of new workers
- Safety data sheets via Chemwatch or Chem Alert (online tools)
- Fire and emergency evacuation information
- Workplace email safety alerts, noticeboards and/or newsletters

Participating Agencies are encouraged to establish communication plans or matrices to summarise their strategy/ies for consultation and communication of WHS matters. These should include an outline of **who** to communicate with, **why** the communication is required, **what** information is to be communicated, **when** and **how** communication will occur.

The AGFMA Directorate of the Department for Infrastructure and Transport facilitates communication of WHS information through the provision of Guide Notes such as this, and also via a range of stakeholder forums such as:

- **Agency Focus Groups** – regular meetings intended to facilitate discussion between representatives of FMSPs and Participating Agencies about WHS and incident reports, new or updated WHS Laws and standards, new or updated WHS policies and/or procedures, safety alerts, etc.
- **Facilities Management Governance Group (FMGG)** – provides ongoing coordination and oversight of services and outcomes of the AGFMA. The FMGG is chaired by Executive Director, Across Government Services and all Participating Agencies of the AGFMA are represented.

Summary of Roles and Responsibilities

Role	Responsibilities
Participating Agency Chief Executives	<ul style="list-style-type: none"> • Endorse, approve and support establishment of consultation and communication strategies. • Recognise that as a concurrent duty holder, an Agency has a responsibility for all workers.
Participating Managers/Supervisors	<ul style="list-style-type: none"> • Implement and maintain strategies for consultation and communication. • Consult and communicate with FMSP/s and contracted workers engaged by the FMSP.
Facilities Management Service Providers	<ul style="list-style-type: none"> • Participate in communication and consultative processes as appropriate. • Participate in Agency Focus Group meetings in accordance with the Terms of Reference.
Contracted Workers	<ul style="list-style-type: none"> • Engage with the FMSP and Participating Agency representative/s as required.