Queensland Health

Health, safety and wellbeing consultation standard

QH-IMP-401-2:2020

1. Statement

Queensland Health is committed to ensuring and improving the health, safety and wellbeing of its ***workers***.

This Standard establishes the requirements for work health and safety (WHS) consultation, cooperation and coordination.

2. Application

This Standard applies to all ***accountability areas*** within Queensland Health.

3. Roles and responsibilities

Under the ***safety legislation*** the accountability areas have duties in relation to consultation, cooperation and coordination with workers and ***shared duty holders***, so far as is reasonably practicable.

The ***Executive Leader*** of the accountability area is responsible for ensuring the implementation of this Standard within their accountability area. This includes ensuring mechanisms are established, communicated, implemented and maintained within the accountability area for workers and shared duty holders to participate, be represented, communicated with and consulted with regarding WHS. The mechanisms must be consistent with the requirements of safety legislation and support consultative processes outlined in QH-IMP-401-6:2020 Health, safety and wellbeing governance standard.

4. Consultation, cooperation and coordination

Each accountability area must establish, implement, maintain and actively promote mechanisms and processes that:

- enable consultation with workers and shared duty holders regarding matters that are likely to affect their WHS
- enable the provision of clear information regarding the ***safety management system*** and associated requirements
- allow for the establishment of ***work groups*** and where requested in accordance with the provisions of safety legislation, the election of ***Health and Safety Representatives*** (HSRs)
- allow the establishment of ***Health and Safety Committees*** (HSCs) where requested in accordance with the provisions of safety legislation

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- include HSRs, where elected, to represent the workers or work groups
- enable sharing of relevant information with HSRs and workers
- support and encourage HSRs and workers to participate in managing risks and addressing opportunities
- include arrangements for issue resolution and dispute management of unresolved WHS issues, refer to Attachment 1: issue resolution and disputes management process
- comply with privacy and safety legislation
- inform its workers and shared duty holders about the safety management system including via induction and training programs and providing access to the safety management system
- enable the exchange of WHS related information between accountability areas, workers and shared duty holders, the Department of Health ***Executive Leadership Team*** (ELT) (amongst others)
- provide for distribution of information on safety-related hazards and incidents via the Safety Alert Broadcast System, with approved broadcasts published on Queensland Health's intranet, refer to Attachment 2: Safety Alert Broadcast System.

5. Health and safety representatives

Each accountability area must have a process to facilitate election of an HSR if requested by a worker or group of workers.

The accountability area must ensure that in work areas where no HSR is elected, there is a process to ensure the principles of the Work Health Safety Consultation Cooperation and Coordination Code of Practice 2011 are applied including that workers must be consulted when:

- decisions about managing risks are being made
- changes are being proposed that may affect the WHS of workers
- resolving WHS issues

In addition, each accountability area must ensure compliance with safety legislation relating to engagement, consultation and assistance of HSRs to perform their roles. This includes:

- consulting on WHS matters with HSRs representing the relevant work group/s in the accountability area
- providing resources, facilities and assistance to enable HSRs to carry out their functions
- ensuring HSRs undertake the relevant approved training course within three months of their election, unless a training course is not reasonably available within this period
- allowing HSRs to exercise their entitlements during their ordinary working hours
- paying all reasonable costs for relevant courses HSRs are required to attend
- keeping a current list of HSRs and displaying a copy at the workplace
- providing copies of the HSR list to the WHS Regulator through the prescribed mechanism.

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6. Health and safety committees

Consultation may be undertaken through various means including via HSRs and HSC, an HSC may assist with consultation, cooperation and coordination regarding WHS between the Executive Leader and workers within the accountability area.

Each accountability area is required to have a process to establish an HSC if requested by an HSR or five or more workers. This process should:

- ensure that at least half of the members of an HSC are workers that have not been nominated to represent the Executive Leader.
- ensure workers are represented from across the accountability area service delivery areas to ensure solutions developed are appropriate to all types of environments. HSCs may also refer to subject experts as guests for discussion on specific issues.
- ensure effective communication and consultation for:
  - relevant WHS information
  - workplace changes that affect or are likely to affect WHS of workers and others
  - other issues affecting or likely to affect the WHS of workers and others
  - set WHS strategies, and if appropriate, local WHS procedures and other local documentation relevant to the accountability area
  - advise the Executive Leader on WHS risk management, issues resolution and dispute management, WHS performance and WHS improvement opportunities
- In the event a WHS issue tabled with an HSC cannot be resolved within the accountability area it is required to be referred to the Chair of the Queensland Health Work Health and Safety Advisory Committee.

7. Shared duty holders

Consultation, cooperation and coordination between shared duty holders is required as per QH-IMP-401-1:2020 Health, safety and wellbeing planning standard.

8. Record retention

Records generated through the application of this Standard and associated documentation are to be retained in accordance with the General Retention and Disposal Schedule (GRDS), Queensland Government and Queensland Health Information Management policies.

9. Legislation

- Building Fire Safety Regulation 2008
- *Electrical Safety Act 2002*
- Electrical Safety Regulation 2013
- WHS Codes of practice including the electrical safety codes of practice

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- *Work Health and Safety Act 2011*
- Work Health and Safety Regulation 2011
- *Workers' Compensation and Rehabilitation Act 2003*, Workers' Compensation and Rehabilitation Regulation 2014

10. Supporting documents

- AS/NZS ISO45001:2018 Occupational health and safety management systems
- Department of Health Corporate Records Management Policy (QH-POL-467)
- Department of Health Governance Framework
- eHealth Queensland Information security Policy (QH-POL-468)
- General Retention and Disposal Schedule (Administrative Records)
- QH-IMP-401-1:2020 Health, safety and wellbeing planning standard
- QH-IMP-401-3:2020 Health, safety and wellbeing risk management standard
- QH-IMP-401-4:2020 Health, safety and wellbeing monitoring, evaluation and performance review standard
- QH-IMP-401-5:2020 Workplace rehabilitation standard
- QH-IMP-401-6:2020 Health, safety and wellbeing governance standard
- QH-IMP-401-7:2020 Health, safety and wellbeing incident response standard
- QH-POL-401:2020 Health, safety and wellbeing policy
- QH-POL-401-Att2 Health, safety and wellbeing management system framework
- Queensland Government Information security policy
- Queensland Government Records governance policy
- Queensland Health Health, Safety and Wellbeing Risk Profile

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11. Definitions

Term	Definition
Accountability area	Department of Health divisions and agencies and each HHS are accountability areas within Queensland Health.
Executive Leader	Is the most senior person of each accountability area and can include persons reporting to that position.
Executive Leadership Team (ELT)	The Executive Leadership Team (ELT) supports the Director-General to provide leadership, direction and guidance to the Department of Health and oversee its strategic function, capabilities and effective operation.
Health and Safety Committee (HCS)	A Health and Safety Committee established under the *Work Health and Safety Act 2011*
Health and Safety Representative (HSR)	A Health and Safety Representative appointed under the *Work Health and Safety Act 2011*
Hospital and health service (HHS)	Hospital and health service established under the *Hospital and Health Boards Act 2011*.
Others	Other persons as referenced in the Work Health and Safety Act, 2011. Others are people who are not workers but whose health and safety may be impacted by one or more accountability areas. Patients and visitors are examples of others.
Person Conducting a Business or Undertaking (PCBU)	Means a person conducting a business or undertaking. The Department of Health (including Health Support Queensland and eHealth) and each of the HHSs are considered to be PCBUs.
Safety legislation	The Work Health and Safety Act 2011, and the Electrical Safety Act 2002 and any associated regulations or WHS codes of practice, as amended from time to time.
Safety management system	This system consists of the WHS standards framework, procedures and operating practices that provide the framework within which workers discharge their individual health and safety accountabilities and the PCBU ultimately discharges its legislative obligations.
Shared duty holders	Persons who have a duty under safety legislation in relation to the same matter as another person.
WHS standards framework	This framework consists of QH-POL-401:2020 Health, safety and wellbeing policy, implementation standards and guidance materials.
Work groups	As per part 5 of the *Work Health and Safety Act 2011.*
Worker	Definition as per section 7 of the WHS Act, that is: A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as— (a) an employee; or (b) a contractor or subcontractor; or (c) an employee of a contractor or subcontractor; or (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or

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Term	Definition
	(e) an outworker; or (f) an apprentice or trainee; or (g) a student gaining work experience; or (h) a volunteer; or (i) a person of a prescribed class The person conducting the business or undertaking is also a worker if the person is an individual who carries out work in that business or undertaking. As per the Workers' Compensation and Rehabilitation Act, 2003 s 11(1) (as amended 2013): A person who works under a contract with Queensland Health, and in relation to the work, is an employee for the purpose of assessment for PAYG withholding under the Taxation Administration Act 1953; who has sustained a work-related personal injury or illness. (The above definition is utilised by WorkCover Queensland when determining liability/eligibility for workers' compensation entitlements).

12. Version control

Version	Date	Comments
1.0	30/04/2014	SMS review project 2013-14
2.0	1/09/2018	Scheduled document review prompting various changes
3.0	21/12/2020	Updated scope as per employer changes

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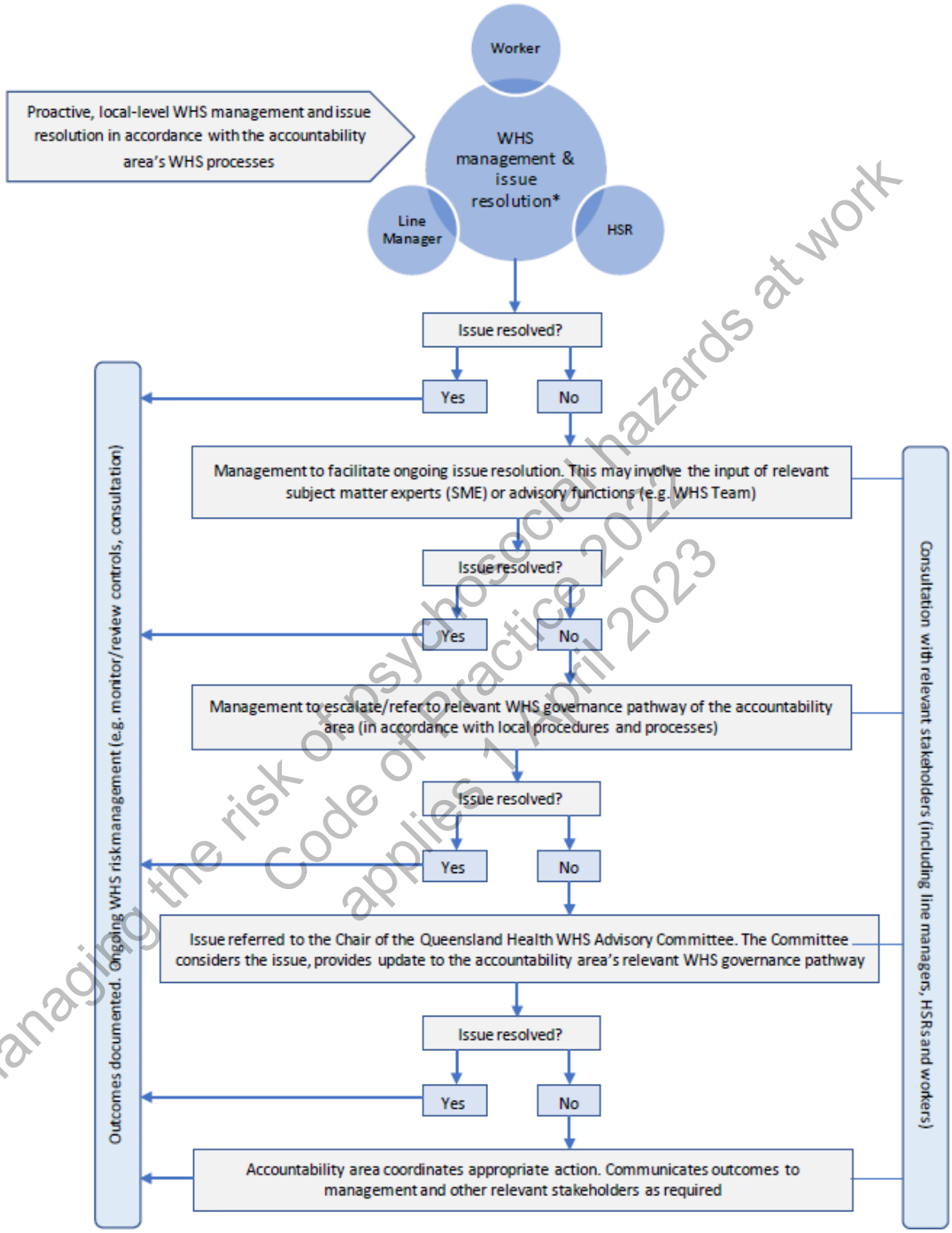
Attachment 1: Issue resolution and dispute management process



**For additional information, refer to the Issue Resolution Fact Sheet (Workplace Health and Safety Queensland)*

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Attachment 2: Safety Alert Broadcast System

The Safety Alert Broadcast System (SABS) is a systematic notification method for the distribution and management of safety information within Queensland Health. SABS are in place for both worker safety and patient safety notifications.

SABs for safety information or risks that require early warnings/urgent addressing of issues or are of statewide interest, shall be communicated using one of the following tiered notification methods:

Type of Alert	Purpose	Communication
Safety Alert	• Identifies a matter needing immediate, mandatory attention and action. • Safety Alerts require the recipient to report back to the issuer.	• Safety alerts, notices and information may be issued: ○ by the ***Department of Health*** where statewide significance identified and distributed via Department of Health safety communication channels including publishing on Queensland Health intranet ○ by any Queensland Health ***accountability area*** and be distributed via relevant entity's local safety communication channels
Safety Notice	• Communicates a potential WHS issue for which a local risk assessment is required to determine appropriate action. • Safety Notices require local documentation of the risk assessment, the actions assigned and resultant outcomes.	
Safety Information	• Provides lessons learnt from statewide, national and international sources.	
Note: where immediate safety communication is required prior to investigation and mandatory actions being determined, an interim alert may be issued, notifying of the issue, any temporary action required, and advising that further information on actions required will follow. Interim alerts should be identifiable via the word 'interim' included in the document ID.		

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