

BSBWHS502

Manage effective WHS consultation and participation processes



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ASSESSMENT FOR BSBWHS502

Student name	Shaun Coffey
Date of assessment submission	4/12/2018
Trainer/Assessor's name	
Date of assessment marking	Click here to enter a date.
Outcome for unit	☐ Competent ☐ Not Yet Competent

TASK INSTRUCTIONS

- The assessment for this unit of competency consists of the following:
 - A series of activities:** Some of these activities will require you to provide a response within this document, others will require you to gather evidence to demonstrate your knowledge and skills (overview below)
 - Quiz:** You will be required to complete a series of questions to demonstrate your knowledge and skills.
 - Practical task:** You will be required to have an observer attest to your knowledge and skills and sign a report to this effect.
- At times, you will be provided with a specific business context to which you must respond, otherwise it is anticipated that you will use a workplace of your choosing (your own, or hypothetical) to provide the context to the task.
- At all times, the responses in your assessment must reference **Australian** (Queensland or Federal) documentation, including legislation, regulations, codes of practice, standards and guidance publications.

ACTIVITY OVERVIEW	REQUIRED FOR SUBMISSION
1. WHS consultation and participation requirements	Workbook response (below)
2. Review and develop existing WHS consultation and participation processes	Workbook response (below)
3. Supporting, monitoring and evaluating WHS consultation and participation	Workbook response (below)

ACTIVITIES

For the following activities, name a workplace that you wish to examine.

Name of workplace	Dyno Nobel – Moranbah, QLD. (a business of Incitec Pivot Limited)
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ACTIVITY 1

Four (4) individuals and parties who may be involved in WHS consultation and participation processes in your nominated workplace are PCBUs (or their officers), workers, inspectors, entry permit holders.

- a) Explain the roles, duties, rights and responsibilities of these parties regarding:
 - Consultation, representation and participation
 - Discriminatory, coercive and misleading conduct
- b) Identify the legislative and organisational documents (i.e. Act, Regulation, Codes of practice, standards, guidance material, policies, procedures and systems) which outline these roles, duties, rights and responsibilities
 - Identify where these documents can be accessed

Consultation, representation and participation

PCBUs

Section 47 of the WHS Act, 2011, QLD outlines the requirement for PCBUs to, as far as reasonably practicable, consult with workers regarding WHS matters in accordance with the WHS Act & Regulations.

Section 48 (WHS Act, 2011, QLD) requires consultation to: feature sharing of WHS related information / matters, provide opportunity for workers to raise concerns or issues of a WHS nature, allow workers to contribute to the decision making process, enable PCBUs to consider the views of workers, and feedback of the consultation be provided in a timely manner to workers. This section also notes that if workers have a HSR, that they be present during consultation. HSRs are elected and empowered by Section 68 of the Act and are to be given appropriate training from the PCBU as directed by Section 72. HSCs can be used to provide a platform for WHS consultation as prescribed by Section 75 in accordance with Section 77. Section 79 also requires PCBUs to afford appropriate time for HSRs to attend meetings.

Section 49 of the WHS Act, 2011, QLD specifies WHS matters which require consultation. Examples include decision making concerning risk minimisation and elimination, proposed changes that affect worker's health and safety, etc.

Part 9.5 of the WHS Regulation, 2011, QLD requires operators of a major hazardous facility to include discussion concerning major risks / incidents, emergency response (including testing), and related WHS issues.

The Work Health and Safety Consultation, Co-operation and Co-ordination Code of Practice, 2011 also provides additional information to assist PCBUs in effective consultation.

Workers

Section 48 (WHS Act, 2011, QLD) requires workers are required to participate in consultation by: sharing WHS related information or matters, raise concerns or issues of a WHS nature, actively contribute to the decision making process, present their views for PCBUs consideration, and receive feedback of the consultation. The consultation should include matters listed in Section 49 of the WHS Act and Part 9.5 of the WHS Regulation.

Inspectors

Inspectors are permitted under the following WHS Act, 2011, QLD provisions to conduct the listed functions:

Section 54 and 82 – Inspectors can be appointed by the regulator after unsuccessful attempts to resolve issues, or at the request of concerned parties to solve disputes relating to WHS agreements.

Section 89 – Inspectors can be appointed by involved parties to attend a workplace with the purpose of resolving a cessation of work.

Entry permit holders

Section 118 of the WHS Act, 2011, QLD outlines that Entry permit holders can conduct the following actions relating to contraventions: inspections, consult workers & PCBUs, make copies of PCBU documentation, and inform workers exposed to immediate WHS risk(s). Section 119 (WHS Act, 2011, QLD) mandates that Entry permit holders must provide notice of their attendance and the suspected contravention as soon as reasonably practicable to the PCBU and the person directly in control of the workplace. The exceptions to this are if the notice would defeat the purpose of the entry, or unacceptably delay an urgent matter.

Documents which outline roles, duties, rights and responsibilities

The following hyperlinks outline roles, duties, and responsibilities including their location:

The Work Health and Safety Act, 2011, QLD :

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2011-018>

The Work Health and Safety Regulation, 2011, QLD:

<https://www.legislation.qld.gov.au/view/html/inforce/current/sl-2011-0240>

Work Health and Safety Consultation, Co-operation and Co-ordination Code of Practice, 2011, QLD: https://www.worksafe.qld.gov.au/data/assets/pdf_file/0020/58205/WHS-consultation-coop-coord-COP-2011.pdf

Work Safe QLD Consultation Advice Sheet:

https://www.worksafe.qld.gov.au/data/assets/pdf_file/0013/83101/advice-sheet-2-consultation.pdf

IPL HSEC Policy: <http://thehub.iplgroup.net/en/HSE/HSECPolicy.aspx>

Discriminatory, coercive and misleading conduct

The following Sections of the Work Health and Safety Act, 2011, QLD apply to PCBUs, workers, inspectors, entry permit holders, and any other persons governed by the Act.

Section 104 prohibits persons from discriminatory conduct. Section 105 of the Act provides examples of discriminatory conduct, and Section 6 provides examples of prohibited reasons for discrimination.

Section 108 prevents a person from organising or taking action (or threatening to) against any person with intent to coerce or induce that person.

Section 109 inhibits persons from making misrepresentations about person's rights, obligations, or entitled powers / processes under the Act.

Documents which outline roles, duties, rights and responsibilities

The following hyperlink shows the title and location of the relevant document:

The Work Health and Safety Act, 2011, QLD:

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2011-018>

Outcome for Activity 1	☐ Satisfactory ☐ Not satisfactory
Trainer/Assessor comments	

ACTIVITY 2

Identify one (1) WHS consultation and participation process that exists in your workplace.

- a) Identify individuals/parties to be involved in reviewing the process and identifying improvements
 - How would feedback from these individuals/parties be collected?
- b) Undertake a review of its effectiveness
 - Compare it with the requirements identified in Activity 1
 - Identify factors that may impact on the process. Consider the impact of:
 - Workers with specific needs and limitations (e.g. cultural background and diversity, low language, literacy and numeracy levels)
 - Structure and organisation of the workforce (i.e. part time vs casual vs contract workers; shift rosters; geographical location)
 - Workplace culture relating to gender and alcohol/drug use
- c) Identify specific areas for improvement and opportunities to enhance the process
 - Justify the appropriateness of such improvements and outline how they will integrate with existing WHS systems
- d) Outline how such improvements will be implemented in the form of an action plan.
 - Identify resourcing requirements, allocate roles and responsibilities, and training needs required for implementation.
 - Prioritise tasks and specify timelines for implementation.

Name of WHS consultation and participation process

C-Crew monthly safety meeting.

Individual/parties involved in review

The C-Crew Operations Team – 10 individuals including the Team Leader and the Crew's HSC representative.

Review outcomes

There was an excellent safety share video that presented the "Bradley Curve" devised by DuPont in the USA and shared their success with safety culture. The floor was opened for safety concerns and an ongoing issue about the state of roadways on site. It was requested that this be re-captured at the next HSC meeting and suggested that some areas should be repaired ASAP or excluded from use. This is a good example of the WHS consultation process at Dyno provides channels and systems to discuss WHS issues, and be involved in the rectification.

Areas for improvement and opportunities for extending process

There is usually a section for feedback from previous HSC minutes (although these are distributed it is a good opportunity to discuss). The HSC representative did not attend the last meeting due to being on leave – perhaps this could be improved by a reserve representative. Additionally, it should be organised prior to the meeting that someone other than the chair of the meeting take the minutes to improve the 'flow' of the meeting and allow the HSC rep to be involved in all discussion without distraction.

Action plan

Requested the next agenda include discussing HSC having a reserve rep to be available when the HSC rep cannot attend meetings / functions. Also nominated myself to be the minute taker in the next safety meeting.

Outcome for Activity 2	☐ Satisfactory ☐ Not satisfactory
Trainer/Assessor comments	

ACTIVITY 3

Refer to the process improvements developed in Activity 2. Consider the following:

- a) Apart from training, what other advice and support might be offered during the implementation of these improvements?
 - Who would need such advice and support?
 - Who might you consult to assist with providing such advice and support?
- b) How would you monitor evaluate the success of each improved process?
 - Identify the criteria used for the evaluation (i.e. positive performance indicators).
 - What type of information will you gather? Who will be required to gather this information?
- c) Identify two (2) potential barriers to the implementation and effectiveness of the improved processes
 - Identify measures that could be implemented to remove these barriers.
 - Identify resourcing requirements, allocate roles and responsibilities, and training needs required for implementation of these measures.
 - Prioritise tasks and specify timelines for implementation of these measures.

Advice and support

Potentially, the HSC rep could have a reserve / support representative that could aid the HSC rep and fill in as required when they cannot carry out functions or attend important meetings. Additionally, I think a standardised form should be used to capture the minutes and the agenda to prevent topics or critical discussions being omitted from the meetings. The crew will be consulted for the reserve HSC rep, and I would consult with my Team Leader and our crew HSC rep to discuss obtaining a structure document to capture discussion and agenda in safety meetings.

Evaluating success of improvements

I would evaluate the success of the reserve HSC rep by the voting that occurs in the meeting after the discussion. If it is greater than 50% then it will be implemented and suggests that the majority of the crew believes it to be a positive idea. Additionally, I would raise the effectiveness of the improvement after 3 months for everyone on the crew to provide feedback.

To determine the effectiveness of the document I would analyse it against the following criteria, seeking items for: the meeting's agenda, a safety share, recent hazard alerts, feedback from last HSC meeting, actions from previous crew meeting and their status, safety concerns from the crew, and high risk concerns / projects and their status.

Additionally, the document should be a digital copy that can be saved on the shared drive so that it can be recorded and referred to by anyone. It should also be password protected for editing.

Addressing potential barriers

As our HSC reps receive training, this will include additional cost. However, a critical aspect of safety is communication, especially at a large site. The proposed improvement allows a potential gap to be closed. As if a HSC is away the link between that crew and the HSC is broken, which defeats the intention and compliance with WHS legislation.

Outcome for Activity 3	☐ Satisfactory ☐ Not satisfactory
Trainer/Assessor comments	

QUIZ

QUESTIONS	CORRECT
1. Which of the following matters are addressed within the <i>Work Health and Safety Act 2011</i> (Qld)? Select all that apply. ☒ Health and safety duties ☒ Consultation, representation and participation ☐ Tips for communication ☒ Discriminatory, coercive and misleading conduct ☒ Workplace entry by WHS entry permit holders	☐
2. Which of the following are types of WHS consultation and participation processes? Select all that apply. ☒ Health and safety committees ☒ Internal involvement in inspections and audits ☒ Team meetings ☒ Planning committees	☐
3. Which of the following individuals and parties may be involved (directly or indirectly) with WHS consultation and participation processes and their outcomes? Select all that apply. ☒ Health and safety committees ☒ Managers and supervisors ☒ PCBU's or their officers ☒ Workers	☐
4. Which of the following systems need to be considered when implementing changes to WHS consultation and participation processes? Select all that apply. ☒ WHS policy procedures, processes and systems ☒ Accounting ☒ Human resources ☒ Management	☐
5. Which of the following may constitute barriers to the implementation and effectiveness of WHS consultation and participation processes? Select all that apply. ☒ Consultation meetings being too long and boring ☒ Language, literacy and numeracy levels of the workforce ☒ Workplace culture ☒ Having separate work sites	☐

Outcome for Quiz	☐ Satisfactory ☐ Not satisfactory
Trainer/Assessor comments	

PRACTICAL TASK

You are required to have a suitable observer verify your ability to complete the following tasks. These tasks may be simulated or real.

TASKS	VERIFIED
A. Consult with others, in writing and verbally, about a WHS consultation and participation process: Review the process against legislative and organisational requirements	☒
B. Consult with others, in writing and verbally, to develop improvements to WHS consultation and participation process: - Consider the factors that may impact on implementation of improvements - Ensure that existing organisational systems are considered - Develop an action plan for implementation of improvements, considering resources, responsibilities, timelines and training needs	☒
C. Support implementation of improvements: - Provide advice and support to individuals and parties - Develop and undertake evaluation process in consultation with individuals and parties - Analyse and evaluate information collected about implemented improvements - Consult with individuals and parties in developing an action plan to support necessary changes	☒
D. Play an active role in verbal interactions, using questioning and active listening to seek opinions and information.	☒
E. Present processes undertaken in an electronic report format, using correct vocabulary, grammar and register.	☒
Name of observer	<i>Allan Martin</i>
Role of observer (Confirm their suitability to sign)	☒ Trainer/Assessor ☒ Other (specify): <i>Team Leader Operations</i>
Phone number of observer	<i>(07) 4840 3756</i>
Email address of observer	<i>allan.martin@incitecpivot.com.au</i>
Signature of observer	
Date	Click here to enter a date. <i>17/12/2019</i>
Comments	

Outcome for Practical Task	☐ Satisfactory ☐ Not satisfactory
Trainer/Assessor comments	