

BSBWHS522 MANAGE WHS CONSULTATION AND PARTICIPATION PROCESSES WORKBOOK

Participant name	
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FOR THE PARTICIPANT

Instructions

- You will complete written activities as outlined on the following pages. You must attempt all questions and provide enough detail in your responses to demonstrate your knowledge.
- The timeframe for these tasks will be established by your Assessor or Training Provider. Additional time may be allowed upon negotiation with the Assessor.
- You must complete all questions unless instructed otherwise by the Assessor or other personnel. You may refer to reference material as needed. All questions must be answered correctly for a 'Satisfactory' assessment outcome to be awarded.
- An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party.
- If any written questions are incomplete, or not answered satisfactorily, you will need to complete them again after further training support.
- If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).

Resources required

Pen

FOR THE ASSESSOR

Instructions

- Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments)
- All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question).
- Assessors are to complete marking in pen of a different colour to the Participant.
- If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.

ASSESSOR COMMENTS

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

NOTE

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. For example, in Queensland refer to

<https://www.worksafe.qld.gov.au/>

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

Name of workplace	Construction Skills Training Centre (CSTC)
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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 (and their officers), workers, inspectors, entry permit holders.

- Explain the roles, duties, rights and responsibilities of these parties regarding consultation, representation and participation – according to legislative and organisational documents (i.e. Act, Regulation, Codes of practice, standards, guidance material, policies, procedures and systems)
 - Identify where these documents can be accessed
- Explain the roles, duties, rights and responsibilities of these parties regarding discriminatory, coercive and misleading conduct – according to legislative and organisational documents (i.e. Act, Regulation, Codes of practice, standards, guidance material, policies, procedures and systems)
 - Identify where these documents can be accessed
- Referring to your workplace procedures, explain how you would inform these individuals/parties to inform them about their roles, duties, rights and responsibilities.

Consultation, representation and participation**PCBUs and their officers**

Sections 47 and 48 of the Work Health and Safety Act 2011 (Qld) outline that a PCBU must, so far as is reasonably practicable, consult with workers. PCBUs must share relevant information with workers, give workers the opportunity to express their views and contribute to decision-making processes, listen to workers' views and advise workers of the outcome of consultation. Section 49 of the Act outlines matters on which consultation is required.

Sections 48 and 70 of the Act outline that PCBUs must involve HSRs who represent workers during any consultation (HSRs which formed under section 68 of the Act). Section 72 identifies that the PCBU has an obligation to train HSRs to fulfil their role.

Section 79 of the Act outlines that a PCBU must allow members of HSCs to have reasonable time to attend meetings and carry out functions of the committee.

Part 9.5 of the Work Health and Safety Regulations outline the requirements for consultation for operators of a determined major hazard facility.

PCBUs and their officers (continued)
The Work Health and Safety consultation, cooperation and coordination Code of Practice 2021 supplements this information, explaining when to consult with workers and tips on effective consultation. The regulator has provided consultation guidance information within the Safety & Prevention section CSTC's Safety Management System Policy and Procedures manual reflects the legislated requirements for health and safety consultation in Section 3.3 and 4.3.4.1. Detail about the HSC is outlined in Appendix A.
Workers
As with section 47 of the Work Health and Safety Act, workers will be required to consult with PCBUs to express their views, contribute to decision-making processes. Workers are entitled to have their views listened to by the PCBU and be advised of the outcome of consultation. Section 49 of the Act outlines matters on which consultation is required. The Work Health and Safety consultation, cooperation and coordination Code of Practice 2021 supplements this information, explaining how consultation should take place.
Inspectors
Sections 54, 82 and 89 of the Work Health and Safety Act 2011 (Qld) outline that WHS inspectors may be involved in consultation and participation processes – to assist with negotiations, resolve issues, including those related to the cessation of work.
Entry permit holders
Under sections 118 and 121 of the Work Health and Safety Act 2011 (Qld), entry permit holders (e.g. unions) can enter a workplace to consult with workers in relation to suspected contraventions and provide advice to workers on matters, respectively. Upon entering a workplace, the entry permit holder must give notice of the proposed entry, as per section 119 of the Act. Part 2.4 of the Work Health and Safety Regulation 2011 (Qld) outlines the requirements for notices of entry.
Documents which outline roles, duties, rights and responsibilities
As stated above, the following documents outline these roles, duties, rights and responsibilities: Work Health and Safety Act 2011 (Qld) which can be found at: https://www.legislation.qld.gov.au/Acts_SLs/Acts_SL_W.htm Work Health and Safety Regulation 2011 (Qld) which can be found at: https://www.legislation.qld.gov.au/Acts_SLs/Acts_SL_W.htm Work Health and Safety consultation, cooperation and coordination Code of Practice 2021 which can be found at: https://www.worksafe.qld.gov.au/laws-and-compliance/workplace-health-and-safety-laws/laws-and-legislation/codes-of-practice CSTC's Safety Management System Policy and Procedures manual can be accessed on aXcelerate.

Discriminatory, coercive and misleading conduct

Section 104 of the Act outlines that persons must not engage in discriminatory conduct for a prohibited reason, as defined in sections 105-106. Persons may also not request, instruct, induce, encourage, authorise or assist discriminatory conduct under Section 107.

Section 108 prohibits coercion or inducement. Section 109 outlines that a person must not make false or misleading representations to another person about rights/obligations under the Act.

This includes all persons to who the Act applies, including PCBUs, workers, inspectors and entry permit holders.

Documents which outline roles, duties, rights and responsibilities

As stated above, the following documents outline these roles, duties, rights and responsibilities:

Work Health and Safety Act 2011 (Qld) which can be found at:

https://www.legislation.qld.gov.au/Acts_SLs/Acts_SL_W.htm

Informing individuals/parties

As PCBUs (and their officers) are in a position of responsibility, they should be informed of their rights and duties as soon as possible. As such, email would be a suitable medium of communication.

As workers collectively contribute towards consultation processes, meetings would be an appropriate medium for communicating such duties.

Inspectors and entry permit holders should be consulted before entering the worksite.

**Satisfactory
Outcome**



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
- 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

Health and Safety Committee

Individual/parties involved in review

Parties who may be involved in the review of this process include the committee members themselves, management and an external auditor.

Feedback would be collected from these parties through formal processes (e.g. meetings), particularly when involving management and external auditors. This may be supplemented with informal data collection (e.g. verbal feedback from committee members).

Review outcomes

In providing time for a HSC (consisting of management, workers and HSR), the PCBU has met their requirements under the Act and Code of Practice.

CSTC's Safety Management System Policies and Procedures manual outlines in Appendix A the requirements for the Health and Safety Committee. Current processes generally follow the requirements of this document, however the Chairperson needs to issue agendas before meetings and use it as the structure for the meeting.

The rosters of staff have a big impact on when the HSC can meet, as trainers' classes and off-site activities may delay meetings being scheduled. The diversity of workers is considered, with concepts unclear to office workers explained by the trainers and vice-versa.

Areas for improvement and opportunities for extending process

To improve this process and align this with CSTC's Safety Management System Policies and Procedures, the HSC Chairperson needs to prepare the agenda for each meeting and guide the meeting using this document. Also, meetings need to ensure they stay within their charter – the presence of trainers can sometimes mean that the meeting gets side-tracked into non-WHS, trainer-focussed matters.

This will align with existing non-WHS meeting procedures.

Action plan

- Task: Implement meeting agenda
- Role/responsibility: HSC Chairperson
- Timeframe: Prior to next HSC meeting
- Resourcing requirements: Access to template from aXcelerate library.
- Training requirements: Accessing template, using template. This can be provided by other staff (e.g. Resource Writer – Team Leader)

**Satisfactory
Outcome**



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

Apart from training, advice/support may be offered through allowing the HSC Chairperson to shadow another staff member through the development of an agenda. This could be provided by the Secretary or another person knowledgeable in developing such documents.

Evaluating success of improvements

Using positive performance indicators, the success of this improved process would be demonstrated through the number of agendas successfully prepared and used at future HSC meetings. The collation of agendas would be performed by all members of the HSC, notable the Secretary (who would use the agenda to assist with the preparation of minutes).

Addressing potential barriers

Two potential barriers to the implementation and effectiveness of the improved process are reduced computer literacy skills and lack of time.

Computer literacy skills can be improved with training (e.g. using aXcelerate, using Microsoft Word). The HSC Chairperson would need access to a computer and a knowledgeable staff member to provide direction on the tasks to be completed. This should be checked upon and addressed before the next agenda needs to be prepared.

A lack of time must be addressed by the PCBU, as they are required to provide suitable time for HSRs to participate in such processes. The PCBU must ensure that scheduled time for WHS tasks is available. This may require other staff to undertake tasks on behalf of the Chairperson (e.g. undertake their classes). This would need to be addressed far enough in advance by office staff to ensure that any timetable clashes can be addressed. Any changed processes need to align with existing systems (e.g. HR).

**Satisfactory
Outcome**



BSBWHS522 MANAGE WHS CONSULTATION AND PARTICIPATION PROCESSES

QUIZ

Participant name

FOR THE PARTICIPANT

Instructions

- You will complete written questions as outlined on the following pages. You must attempt all questions and provide enough detail in your responses to demonstrate your knowledge.
- It is anticipated that you should complete this assessment within one hour, but additional time may be allowed upon negotiation with the Assessor.
- You must complete all questions unaided by the Assessor or other personnel but may refer to reference material as needed. All questions must be answered correctly for a satisfactory assessment outcome to be awarded.
- An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party.
- Any written questions that are incomplete, or not answered satisfactorily will need to be completed again after further training support.
- If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).

Resources required

Pen

FOR THE ASSESSOR

Instructions

- Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments)
- All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question).
- Assessors are to complete marking in pen of a different colour to the Participant.
- If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.

ASSESSOR COMMENTS

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

Q1. Which of the following matters are addressed within the *Work Health and Safety Act 2011 (Qld)* and *Work Health and Safety Act 2011 (Cth)*? Tick all that apply.

Answer	Choice	Possible Answers	☐
	✓	Health and safety duties	
	✓	Consultation, representation and participation	
		Tips for communication	
	✓	Discriminatory, coercive and misleading conduct	
	✓	Workplace entry by WHS entry permit holders	

Q2. Which of the following are types of WHS consultation and participation processes? Tick all that apply.

Answer	Choice	Possible Answers	☐
	✓	Health and safety committees	
	✓	Internal involvement in inspections and audits	
	✓	Team meetings	
	✓	Planning committees	

Q3. Which of the following individuals and parties may be involved (directly or indirectly) with WHS consultation and participation processes and their outcomes? Tick all that apply.

Answer	Choice	Possible Answers	☐
	✓	Health and safety committees	
	✓	Managers and supervisors	
	✓	PCBUs or their officers	
	✓	Workers	

- Q4. Which of the following provide guidance and support when planning and implementing WHS consultation and participation arrangements? Tick all that apply.**

Answer	Choice	Possible Answers	☐
	✓	Action plans with allocated responsibilities and timelines	
	✓	Training and advice to required personnel	
	✓	Monitoring success against positive performance indicators	
	✓	Facilitating change, as based on evaluations	

- Q5. Which of the following systems need to be considered when implementing changes to WHS consultation and participation processes? Tick all that apply.**

Answer	Choice	Possible Answers	☐
	✓	WHS policy procedures, processes and systems	
	✓	Accounting	
	✓	Human resources	
	✓	Management	

- Q6. Which of the following may constitute barriers to the implementation and effectiveness of WHS consultation and participation processes? Tick all that apply.**

Answer	Choice	Possible Answers	☐
	✓	Consultation meetings being too long and boring	
	✓	Language, literacy and numeracy levels of the workforce	
	✓	Workplace culture	
	✓	Having separate work sites	

BSBWHS522

MANAGE WHS CONSULTATION AND PARTICIPATION PROCESSES

PRACTICAL ASSESSMENT

Participant name	
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FOR THE PARTICIPANT

Instructions

- The tasks outlined on the following pages will require performance of normal workplace activities, as a result of a structured activity set by an Observer in the workplace or a simulated activity set by your Assessor/Observer.
- The timeframe for these tasks will be established by your Assessor/Observer in consideration of location conditions and industry requirements.
- You must complete all tasks assisted by the Assessor or other personnel, unless the supervisor notes assistance.
- You must attempt all tasks (and itemised steps) for a 'Satisfactory' assessment outcome to be achieved.
 - For an observation conducted that is incomplete, or without satisfactory performance, the observation will need to be completed again after further training support.

FOR THE ASSESSOR/OBSERVER

Instructions

- The following observation record should be used to judge and record your observations of the Participant as they complete the task(s) set. You must record your observations of the Participant's performance.
 - For each occasion, indicate the task performed and whether it was a simulation or workplace-based task.
 - Any simulated assessment must ensure the Participant still performs under workplace conditions which reflect industry standards.
 - In the comments, provide clear detail regarding the task that the Participant was required to do (e.g. PPE used, materials handled, attachments connected, plant types).
- All steps must be satisfactorily demonstrated by the Participant for a 'Satisfactory' determination (indicated by an Assessor tick to the right of each itemised step, or an Observer tick to the right of each itemised step, and confirmation by an Assessor in the Assessor Comments).
 - Where you have determined that one or more task steps have not been satisfactorily demonstrated, provide the Participant with additional support and outline details of such assistance in the Assessor/Observer Comments. Allow the Participant two (2) further opportunities to demonstrate the task again to allow an opportunity for a 'Satisfactory' assessment outcome to be achieved.
 - If after three (3) attempts the Assessor determines that the Participant cannot demonstrate the required steps, a 'Not Satisfactory' outcome is to be determined.

ASSESSOR COMMENTS: GENERAL

[illegible]

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