

BSBWHS502

Manage effective WHS consultation and participation processes



Copyright © 2017 CSTC Pty Ltd

All rights reserved. No part of the contents of this publication may be reproduced or used in any form or by any means – graphic, electronic, or mechanical including photocopying, digitising, recording, or information storage-and-retrieval systems – without the written permission of CSTC Pty Ltd.

ASSESSMENT FOR BSBWHS502

Student name	Jacqueline Liew Mei Hui
Date of assessment submission	17/04/2017

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	Corporate office
--------------------------	------------------

ACTIVITY 1

Four (4) individuals and parties who may be involved in WHS consultation and participation processes in your nominated workplace are PCBU's (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

PCBU's

The roles, duties, right and responsibilities of PCBU as below stated:

- (a) the provision and maintenance of a work environment without risks to health and safety; and
- (b) the provision and maintenance of safe plant and structures; and
- (c) the provision and maintenance of safe systems of work; and
- (d) the safe use, handling and storage of plant, structures and substances; and
- (e) the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities; and
- (f) the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; and
- (g) that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking.

Workers

- (a) take reasonable care for his or her own health and safety; and
- (b) take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and
- (c) comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person to comply with this Act; and
- (d) co-operate with any reasonable policy or procedure of the person conducting the business or undertaking relating to health or safety at the workplace that has been notified to workers.

Inspectors

WHS 2011 ACT - section of 158

Accountability of inspector:

- (1) An inspector must give written notice to the regulator of all interests, pecuniary or otherwise, that the inspector has, or acquires, and that conflict or could conflict with the proper performance of the inspector's functions.
- (2) The regulator must give a direction to an inspector not to deal, or to no longer deal, with a matter if the regulator becomes aware that the inspector has a potential conflict of interest in relation to a matter and the regulator considers that the inspector should not deal, or should no longer deal, with the matter.

Entry permit holders

WHS 2011 ACT-section of 117 and 118.

117 entry to inquire into suspected contraventions

- (1) A WHS entry permit holder may enter a workplace for the purpose of inquiring into a suspected contravention of this Act that relates to, or affects, a relevant worker.
- (2) The WHS entry permit holder must reasonably suspect before entering the workplace that the contravention has occurred or is occurring.

118 Rights that may be exercised while at workplace

While at the workplace under this division, the WHS entry permit holder may do all or any of the following in relation to the suspected contravention of this Act—

- (a) inspect any work system, plant, substance, structure or other thing relevant to the suspected contravention;
- (b) consult with the relevant workers in relation to the suspected contravention;
- (c) consult with the relevant person conducting a business or undertaking about the suspected contravention;
- (d) require the relevant person conducting a business or undertaking to allow the WHS entry permit holder to inspect, and make copies of, any document that is directly relevant to the suspected contravention and that-
 - (i) kept at the workplace; or
 - (ii) is accessible from a computer that is kept at the workplace;
- (e) warn any person whom the WHS entry permit holder reasonably believes to be exposed to a serious risk to his or her health or safety, emanating from an immediate or imminent exposure to a hazard, of that risk..

Documents which outline roles, duties, rights and responsibilities

Work Health and Safety Act 2011

<https://www.legislation.qld.gov.au/legisln/current/w/workhsa11.pdf>

Discriminatory, coercive and misleading conduct

WHS 2011 ACT-Part 6 Division 1 section 104.

Prohibition of discriminatory, coercive or misleading conduct

- (1) A person must not engage in discriminatory conduct for a prohibited reason.
Maximum penalty-1000 penalty units.
- (2) A person commits an offence under subsection (1) only if the reason mentioned in section 106 was the dominant reason for the discriminatory conduct.

(1) For this part, a person engages in discriminatory conduct if-

- (a) the person-
 - (i) dismisses a worker; or
 - (ii) terminates a contract for services with a worker; or
 - (iii) puts a worker to his or her detriment in the engagement of the worker; or
 - (iv) alters the position of worker to the worker's detriment; or
- (b) the person -
 - (i) refuses or fails to offer to engage a prospective worker; or
 - (ii) treats a prospective worker less favourably than another prospective worker would be treated in offering terms of engagement; or
- (c) the person terminates a commercial arrangement with another person; or
- (d) the person refuses or fails to enter into a commercial arrangement with another person.

(2) For this part, a person also engages in discriminatory conduct if the person organises to take any action mentioned in subsection (1) or threatens to organise or take that action.

Documents which outline roles, duties, rights and responsibilities

Work Health and Safety Act 2011 Australia, reviewed from the link: https://www.legislation.qld.gov.au/legisln/current/w/workhsa11.pdf

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

Working in the confined space to carry out welding, cutting, gouging on the hull of Tension Leg Platform Individual/parties

Individual/parties involved in review

Parties to be involved in reviewing this confined space entry process or system are HSE executive, Leader, Supervisor, welder, construction executive, standby person, fire watcher, gas tester, permit applicant, issuer and approver.

Review outcomes

In this confined space activity process review, most of the workers was not meet the education level which will cause of lack understanding of hazards of confined space, PTW, importance of responsible and roles and the evacuation process.

Areas for improvement and opportunities for extending process

Areas for improvement for the process is increase or improve the awareness of confined space hazards and safe working procedure of confined space entry among the workers who required to work in the confined space.

Action plan

To ensure all relevant workers working in confined space, safety campaign for confined space entry can be carried out.

For example:

- 1) Weekly safety talk with confined space
- 2) Notification by email/notice board for confined space awareness
- 3) Management walkabout/inspection in confined space area
- 4) Equipment and tools inspection prior using in confined space.
- 5) Award for awareness.
- 6) in house training/refreshers and exam to be conducted
- 7) PTW card to be shown before entry.

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

To conduct evaluation of improvements developed in activity 2, Project HSE coordinator, construction executive, permit approver, and subcontractor HSE supervisor is playing an important role in conducting consultation in the evaluation session. While, construction manager and HSE manager is the persons to provide support if there is any assistance is required.

Evaluating success of improvements

Conducting HSE audit, by using standard audit checklist which is compliance with the procedure and audit form documentation record, interviewing with the employees and site workers. Finding including NCR, observation, opportunity for improvement to be discuss at the closing meeting.

To be raise lesson learnt for improvement purpose. Meeting to be held for further discussion and action to be complete..

Addressing potential barriers

Language and working culture would be a barrier, problem to be solve by assigning a translator during the audit.

After audit agenda were issue before the audit opening meeting, during audit opening meeting, requirements/responsibility/period of audit would be identified again which following the agenda. .

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	Dr. Nyaim Thu Aung	
Role of observer (Confirm their suitability to sign)	☐ Trainer/Assessor ☒ Other (specify): HSES Manager, Subsea Projects, APAC	
Phone number of observer	+603 2116 6566	
Email address of observer	ntaung@technip.com	
Signature of observer		
Date	20/06/2017	
Comments		

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