1. Purpose:
The purpose of this procedure is to outline the consultative arrangements that are to be developed and implemented across all DEECD workplaces to ensure that necessary Occupational Health and Safety (OHS) information is regularly communicated.

2. Scope:
This procedure applies to all Department of Education and Early Childhood Development (DEECD) workplaces including schools and central and regional offices.

3. References
- Occupational Health and Safety (OHS) Act 2004
- Occupational Health and Safety Regulations 2007
- DEE EHU – 03-1-1 Consultation Policy
- DEE EHU – 03-3-1 OHS Issue Resolution Flowchart
- DEE EHU – 04-1-1 Risk Management Procedure

4. Definitions:
Deputy Health and Safety Representative (DHSR):
An elected responsible for representing employees within a Designated Work group (DWG) on matters relating to OHS in the absence of the HSR.

Designated Work Group (DWG):
A group of employees in the workplace who share similar workplace health and safety concerns and conditions

Health and Safety Committee:
A cooperative forum for employers and employees to work together on OHS issues.

Health and Safety Representative (HSR):
An elected employee responsible for representing employees within a designated work group (DWG) on matters relating to occupational health and safety.

Management OHS Nominee:
A position nominated by the Workplace Manager to oversee the operational aspects of implementing health, safety and wellbeing initiatives, policies and procedures.

Provisional Improvement Notice (PIN):
A PIN is a formal notice issued by a health and safety representative. A PIN can be issued to anyone, particularly if an issue (involving a breach of the OHS Act or regulations) remains unresolved.

Workplace Manager:
The Manager or Principal responsible for the school, central office, regional office or other DEECD workplace.
5. Responsibility:

**Workplace Managers** and **Management OHS Nominees** are responsible for:
- Facilitating the establishment of DWG’s in the workplace in accordance with the *OHS Act*;
- Implementing the agreed procedure for the election of HSRs and DHSRs in the workplace;
- Allowing HSRs and DHSRs to attend WorkSafe approved training;
- Establishing an OHS Committee as required and/or making OHS an agenda item at staff meetings or other suitable forum;
- Consulting with HSRs and employees on health and safety matters as per the *OHS Act*;
- and
- Implementing an agreed issue resolution procedure for the workplace.

The functions of **Health and Safety Representatives** and **Deputy Health and Safety Representatives** can include:
- Consulting with the Workplace Manager or Management OHS Nominee in regards to health and safety matters of employees in their DWG;
- Representing employees in the resolution of outstanding OHS matters.

Employees are responsible for:
- Participating in the consultation process; and
- Following the agreed issue resolution procedure.

6. Procedure:

6.1 Establishment of Designated Work Groups

The **Workplace Manager** or **Management OHS Nominee** must do everything reasonable to establish a designated work group (DWG) within 14 days of being requested by an employee. The **Workplace Manager** or **Management OHS Nominee** may identify a need to establish a DWG for their workplace and can establish DWG’s even if a request has not been made by employees. However, this will require negotiations with employees of the workplace.

The number of DWGs are to be decided by negotiations and must consider:
- The number of employees at the workplace;
- The nature of work performed;
- The number and grouping of employees who perform the same or similar role;
- The areas at the workplace where each type of work is performed;
- The nature of hazards at the workplace;

In Victorian Government schools a DWG would usually be formed using the whole school as the work group. However in a multi campus secondary school, the DWG structure may be set up to have a DWG for each campus.

6.2 Election of Health and Safety Representatives

Each DWG must have at least one HSR. Once DWG’s are negotiated the following election process can begin:
6.2.1 Term of Office

The Workplace Manager or Management OHS Nominee is to instigate the above election process every three years. HSRs and DHSRs may stand for re-election.

An election may be held prior to the three year period expiring if any of the following occurs:

- The current HSR transfers to another DWG or leaves employment;
- The HSR resigns from their position;
- After a minimum of 12 months the majority of the members of the DWG resolve in writing that the HSR no longer represent them;
- A variation or change to the composition of a DWG due to organisational change or restructure; or
- Disqualification of a HSR under s56 of the OHS Act.

6.2.2 Training

HSRs and DHSRs must be allowed time off work with pay to attend a WorkSafe approved five day OHS training course (within three months of being elected), an annual one-day refresher course and any other approved training.
6.3 Establishing a Health and Safety Committee

The Workplace Manager or Management OHS Nominee is to establish a committee within three months of being requested to do so by a health and safety representative or if required by the regulations.

The committee must meet the following requirements:

- At least half of the members of the committee must be employees, where practicable these are to include HSRs or DHSRs; and
- The committee must meet at least every three months and at any other time if half of its members require a meeting.

There should be only one Health and Safety Committee for each workplace i.e. school or DEECD office.

The Workplace Manager or Management OHS Nominee can decide to establish a health and safety committee providing the above process for establishing a health and safety committee is followed.

6.3.1 Health and Safety Committee Meetings

The first meeting of the Health and Safety Committee, to be held within three months of the initial request to form a committee, should include the following tasks:

- electing a Chairperson;
- establishing the arrangements for Health and Safety Committee meetings (frequency, procedures, terms of reference etc);
- discussing the purpose and functions of the Committee; and
- clarifying the roles and responsibilities of Committee Members.

The Workplace Manager or Management OHS Nominee should include the timing of the committee meetings on the OHS Activities Calendar.

Health and Safety Committees should minute proceedings from the meetings and display these in the workplace. Committee minutes should be captured using the template Health and Safety Committee Meeting Minutes.

6.4 Staff Meetings

If the workplace does not have a Health and Safety Committee and has not been requested to have one by a HSR the Workplace Manager or Management OHS Nominee is to make sure that OHS is a standard agenda item at staff meetings or other suitable forum. The Staff Meeting Agenda is to be used as a guide for determining the content of such discussion.

6.5 Consultation

DEECD will consult with internal and external stakeholders regarding matters affecting statewide health and safety policy on a regular basis as determined by arrangements established with the stakeholders and in accordance with the main objectives of the Consultation Policy and this procedure.

The Workplace Manager or Management OHS Nominee must consult with HSRs and employees when making any decision or change in relation to their health and safety in the workplace including the following:
- identification of workplace hazards;
- assessment of the risks associated with workplace activities and hazards;
- decisions made in relation to measures taken to eliminate or control workplace risks;
- review of workplace risk assessments;
- introduction of, or alteration to procedures for monitoring workplace risks;
- decisions made in relation to the adequacy of workplace facilities;
- proposed changes to the work premises, systems of work, plant or substances used at the workplace;
- decisions made in relation to changes in job role; and
- decisions made in relation to consultation procedures, and any legislative requirements.

Where the information required to be disclosed, as part of this consultation and communication process, is confidential (e.g. medical reports, personal records etc) the Workplace Manager or Management OHS Nominee should seek legal assistance before deciding to disclose the information.

### 6.6 Issue Resolution

The Workplace Manager or Management OHS Nominee is to implement an agreed OHS issue resolution procedure. The Issue Resolution Flowchart must be used if an agreed procedure does not exist. The agreed procedure or OHS Issue Resolution Flowchart is to be communicated to all employees and displayed in a prominent position in the workplace.

#### 6.6.1 Provisional Improvement Notices

A Provisional Improvement Notice (PIN) can only be issued by a HSR after consulting with the person responsible for a breach or likely breach of the legislation.

Breaches may include, but are not limited to:
- excessive noise levels in the workplace;
- high levels of employee stress
- a requirement to manually lift heavy objects;
- exposure to chemicals used in the workplace; and
- unguarded machines;
- inadequate workplace amenities and/or work environment

The PIN must include:
- the HSR’s belief as to what the breach or likely breach is;
- the section of the OHS Act or regulations that has or is likely to be breached; and
- the date (at least eight days after the day the PIN is issued) by which the person is required to correct the breach or likely breach by.

If issued, and not disputed, the PIN should be displayed in a prominent position in the workplace (see section 6.7 below). If a PIN is disputed the recipient of the notice (e.g. Workplace Manager, employee etc) has seven days to contact a WorkSafe Victoria Inspector.

The resolution of a PIN should follow the procedures outlined in OHS Issue Resolution Flowchart.

#### 6.7 Communication of OHS Information

DEECD will communicate matters affecting state-wide OHS information to internal and external stakeholders. This may include health and safety newsletters, legislation changes, policy and procedure updates, annual reports and significant incident and injury trends and information relating...
to OHS training.

The Workplace Manager or Management OHS Nominee must communicate the following information to employees:

- The risk profile of the workplace
- Policies and procedures specific to the workplace e.g. bullying policy
- Risk assessments
- Material Safety Data Sheets (MSDSs) for chemicals

Generally, consultation and communication with employees will be via the Committee and / or the HSR. To supplement this, the Workplace Manager or Management OHS Nominee should also assign designated areas (e.g. noticeboards) where relevant health and safety information can be prominently displayed.

As a minimum this information is to include:

- **OHS Policy**
- **Consultation and Communication Policy**
- **OHS Activities Calendar**
- Names of Health and Safety Representatives, Deputy Health and safety Representatives and Management OHS Nominee;
- **First Aid Summary Sheet**;
- **Risk Management and Occupational Rehabilitation Program Statement**;
- Emergency Plan;
- WorkCover “If You Are Injured” Poster;
- Agreed Issue Resolution Procedure or Issue Resolution Flowchart;
- Employee Assistance Program (EAP) Information;
- Minutes of health and safety committee meetings or staff meetings depending on which model the workplace/school uses; and
- **OHS newsletters**.

### 6.8 Safety Signs

There are a number of signs that are used to communicate health and safety information in the workplace. Examples of hazard specific signs include:

- Requirement for Personal Protective Equipment (PPE) i.e. when working with plant or machinery;
- Location and direction of emergency exits;
- Location of fire extinguisher signs;
- Location of underground services;
- Emergency evacuation point(s);
- Restricted area(s) and visitor signage;
- Location of first aid equipment and names of first aid officers;
- Storage of flammable liquids and hazardous substances; and
- **No smoking**.
Signs are displayed to identify hazards in the workplace and to warn and instruct employees, visitors and contractors. However, signage by itself is not to be used as a substitute for more appropriate risk controls (see OHS Risk Management Procedure).

The Workplace Manager or Management OHS Nominee, in consultation with HSR’s, is to determine the type and location of hazard specific warning signs. Signs displaying symbols and colours complying with AS1318 are preferred. Where this is not possible and written signage is required, it must comply with AS1319 and, if necessary, be provided in languages other than English.

The condition of signs should be checked on a regular basis by tailoring the Workplace Inspection Checklist to make sure it includes signage.

7. Related Documentation:
   DEE EHU -01-1-1 Occupational Health and Safety Policy
   DEE EHU-02-2-1 OHS Activities Calendar
   DEE EHU – 03-3-1 OHS Issue Resolution Flow Chart
   DEE EHU-03-4-1 OHS Responsibilities
   DEE EHU-03-5-1 Health and Safety Committee Meeting Minutes
   DEE EHU-03-6-1 Staff Meeting Agenda

8. Version Control

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<td>Inclusion of EAP information and Risk Management and Occupational Rehabilitation Program statement to be displayed on health and safety noticeboards.</td>
<td>10-11-2009</td>
<td>Emma Thompson (Employee Health Unit)</td>
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