

Health and Safety Representative Guideline

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Safety and Wellbeing

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1. Introduction to HSRs

Health and Safety Representatives (HSRs) communicate and consult with their workgroup, WHS Committees and the University about the WHSMS including WHS risks and concerns raised by their work group. The importance and role of HSRs is outlined in the ACU Communication and Consultation Procedure. HSRs aim to prioritise the health, safety, and wellbeing of students, staff, and visitors across our campuses in QLD, NSW, ACT and VIC.

HSRs play a vital role in promoting a safe and healthy environment by identifying hazards, raising awareness, and collaborating with the relevant university personnel. This guideline outlines the roles, responsibilities, and expectations for HSRs at ACU. It is recognised that whilst ACU has staff across all Australian States and Territories, this guideline is focused on those States and Territories with ACU campuses.

2. Objectives of Health and Safety Representatives at ACU

1. HSRs act as advocates for health and safety within the university, representing the interests of staff and work groups.
2. HSRs proactively identify potential hazards, assess risks, and make recommendations to mitigate or eliminate those risks.
3. HSRs collaborate with management and staff to develop and implement effective health and safety policies, procedures, and initiatives.
4. HSRs act as a point of contact for reporting health and safety concerns and incidents, ensuring timely and appropriate actions are taken.
5. HSRs promote a culture of safety by raising awareness and encouraging safe practices among the university community.

3. Responsibilities of Health and Safety Representatives at ACU

HSRs have an important role to play when representing workers on WHS matters and bringing issues to the attention of the PCBU. Safe Work Australia outlines some of the responsibilities to include the following:

1. Representing workers on health and safety matters
2. Monitoring how the PCBU is meeting their WHS duties
3. Investigating WHS complaints from workers
4. Inquiring into WHS risks to workers
5. In some circumstances, directing unsafe work to cease or issue a Provisional Improvement Notice (PIN). It is up to HSRs to decide if, and when they exercise their powers and perform their functions.

It should be noted that HSRs are not responsible for fixing problems, but rather to be a beacon for meaningful change in the health and safety space in the organisation.

4. Duties of Health and Safety Representatives that the PCBU must comply with.

STATE/S	LEGISLATION	PROCESS
<p>QLD, NSW, ACT AND VIC</p>	<p>Model WHS Act <i>Work Health and Safety Act 2011 (Qld)</i> <i>Work Health and Safety Act 2011 (NSW)</i> <i>Work Health and Safety Act 2011 (ACT)</i> Occupational Health and Safety Act 2004 (VIC)</p>	<p>Inspections: HSRs have the power to enter and inspect the workplace, as well as any part of the workplace where work is carried out by workers they represent.</p> <p>Investigations: HSRs have the power to investigate work health and safety complaints made by workers within their work group.</p> <p>Provisional Improvement Notices (PINs): HSRs can issue PINs to the employer if they reasonably believe there is a contravention of the Act or regulations that pose a serious risk to health or safety.</p> <p>Directing Cessation of Unsafe Work: HSRs have the power to direct workers to cease unsafe work if they reasonably believe there is a serious risk to health or safety.</p> <p>Consultation: HSRs have the power to participate in consultation with the employer on work health and safety matters.</p>

5. Defining Work Groups and Designated Work Groups for the purposes of the HSR selection process

STATE/S	LEGISLATION	PROCESS
<p>QLD, NSW and ACT</p>	<p>Model WHS Act <i>Work Health and Safety Act 2011 (Qld)</i> <i>Work Health and Safety Act 2011 (NSW)</i> <i>Work Health and Safety Act 2011 (ACT)</i></p>	<p>A Work Group is defined as a group of workers who share similar work-related health and safety interests. The Act recognises the importance of work group representation in matters relating to health and safety. This means that workers within a specific work group have the right to elect an HSR to represent them in health and safety matters.</p>
<p>VIC</p>	<p>Occupational Health and Safety Act 2004 (VIC)</p>	<p>A designated work group is a group of workers who have similar work-related health and safety interests. Workers within a designated work group have the right to elect an HSR to represent them in health and safety matters. The Act emphasizes that HSRs should be chosen by workers from their designated work groups to ensure adequate representation.</p>

Overall, the concept of work groups or designated work groups is integral to the selection and representation of HSRs in matters related to health and safety. These groups allow workers with similar work-related health and safety interests to have a collective voice and choose an HSR who can effectively represent their concerns and advocate for their safety in the workplace.

Once a work group or designated work group has been defined, each campus in QLD, NSW, ACT, and VIC should have a designated number of HSRs based on the size of the campus and the diversity of its work groups. This will then trigger an HSR selection process, which is defined under each State’s Health and Safety legislation:

STATE/S	LEGISLATION	PROCESS
<p style="text-align: center;">QLD, NSW, ACT AND VIC</p>	<p>Model WHS Act <i>Work Health and Safety Act 2011 (Qld)</i> <i>Work Health and Safety Act 2011 (NSW)</i> <i>Work Health and Safety Act 2011 (ACT)</i> Occupational Health and Safety Act 2004 (VIC)</p>	<p>Eligibility: Any worker at the workplace who is a member of a work group.</p> <p>Nomination: Workers can nominate themselves or another eligible worker.</p> <p>Election: Once nominations are received, an election is conducted among the workers in the work group to choose the HSR.</p> <p>Voting Process: The Act doesn't specify the voting process explicitly, but it typically involves a secret ballot system or other fair voting methods.</p> <p>Term: The term of an HSR is generally three years, but it may be shorter if agreed upon by the workers or if circumstances warrant an early election.</p>

6. HSR Training and Support

STATE/S	LEGISLATION	PROCESS
<p>QLD, NSW and ACT</p>	<p>Model WHS Act <i>Work Health and Safety Act 2011 (Qld)</i> <i>Work Health and Safety Act 2011 (NSW)</i> <i>Work Health and Safety Act 2011 (ACT)</i></p>	<p>Initial Training: HSRs have the right to undertake an approved training course within three months of their election or appointment as an HSR.</p> <p>Course Content: The training course covers topics such as health and safety legislation, hazard identification, risk assessment, and consultation processes.</p> <p>Approved Training Providers: The Act allows for approved training providers to conduct the HSR training courses.</p> <p>Refresher Training: The legislation doesn't explicitly state a specific requirement for refresher training; however, it is generally recommended for HSRs to participate in refresher training periodically to stay up-to-date with changes in legislation and best practices.</p>
<p>VIC</p>	<p>Occupational Health and Safety Act 2004 (VIC)</p>	<p>All of the above, with different requirements for Refresher Training. VIC legislation requires HSRs to attend refresher training at least once every three years to maintain their knowledge and skills.</p>

7. ACU'S expectations of HSRs

1. HSRs are expected to act with integrity, professionalism, and impartiality, demonstrating respect for all individuals and promoting a positive and inclusive work environment.
2. HSRs must maintain confidentiality when dealing with sensitive health and safety information, ensuring privacy and trust.
3. HSRs should adhere to relevant health and safety legislation, regulations, and university policies, setting an example for compliance. It is important for HSRs to familiarise themselves with the specific legislation applicable to their jurisdiction (continually subject to change), and to consult relevant resources and State bodies to ensure they understand the requirements and provisions specific to their state.

8. ACU HSR Election flowchart

