

WHS OP002 - Terms of Reference - Work Health and Safety (WHS) Work Groups

Section 1 - Overview

Establishment of Work Group

(1) This document has been developed in accordance with:

- a. [Work Health and Safety Act 2011](#) and [Work Health and Safety Regulation 2017](#);
- b. [Work Health and Safety Consultation Cooperation and Coordination: Code of practice 2011](#).

(2) The establishment of Work Groups is defined under [WHS P003 Work Health and Safety \(WHS\) Consultation Protocol](#).

(3) This document serves as the ratified Terms of Reference under which University Work Groups will convene.

Objectives

(4) The University supports the formation and function of Work Health and Safety (WHS) Work Groups to ensure that all staff, students, visitors and contractors have access to adequate representation when it comes to matters relating to health and safety.

(5) Unlike Officers of the University, HSRs (as well as Deputies and Nominees) are not personally liable for anything done or omitted to be done in good faith. HSRs are a representative 'voice' only and responsibility for health and safety at the University cannot be delegated or transferred to them beyond the responsibilities imposed upon them in the capacity for which they are employed.

Section 2 - Work Group Membership

Membership

(6) WHS Work Groups comprise:

- a. the elected Health and Safety Representative (HSR) and at least one Deputy HSR; and
- b. all staff, volunteers, contractors, subcontractors and other people whose health and safety is likely to be affected by the undertakings of the University.

(7) In cases where there is (planned or actual) prolonged engagement of contractors, subcontractors, volunteers or others performing duties on behalf of the University, they shall be invited by the HSR or Deputy HSR to attend Work Group meetings for the duration of their tenure. The invitation does not need to be compulsorily accepted;

(8) Elections for vacant positions of HSRs and Deputy HSRs will be facilitated by the University on an annual basis.

(9) Each elected HSR and Deputy HSR holds office for three years and are eligible for re-election, except in cases

where they resign, cease work, or are disqualified as per [Section 64 and 65 of the WHS Act 2011](#).

(10) Candidates for election of HSR or Deputy HSR may be self-nominated or nominated by a colleague and in either case will confirm the acceptance of nomination via email to the election coordinator.

(11) The position of HSR and Deputy HSRs will be determined by the most number of votes received and the positions allocated accordingly.

(12) The positions of HSRs, Deputy HSRs and HSR Nominees must be accepted via email by the title holder.

(13) Upon confirmation of the WHS Work Group HSRs, Deputy HSRs and HSR Nominees, a list of these people is published on Safety Hub.

(14) Where there is nonattendance at three consecutive WHS Work Group meetings by a HSR, HSR Deputy or HSR Nominee, the WHS Work Group member's role will cease unless the Work Group has resolved to waive the non-attendance rule. A new member may be invited to participate as a regular and committed attendee. Where a HSR or Deputy HSR fails to attend meetings, the work group may request re-election of the role/s.

(15) Training, approved by SafeWork NSW (of five days initial and one day refresher, in health and safety), of HSRs and HSR Deputies is offered by the University and will be provided upon request as soon as reasonably practicable to HSRs and their deputies in reasonable circumstances.

In Attendance

Official Attendees

(16) Work Group meetings are scheduled at least once per two months with the following members to be in attendance:

- a. HSR;
- b. HSR Deputies;
- c. HSR Nominees; and
- d. Any other guests and/or observers.

(17) HSR Nominees are typically those who nominated to be elected as a HSR but may include other staff that volunteer and commit to attending work group meetings on a regular basis.

(18) Various University specialist staff and external experts may be invited to attend meetings as determined by the attendees at the Work Group meeting but will not have voting rights.

(19) Observers are welcome to attend WHS Work Group meetings, provided that permission has been sought and approved by the Chair prior to the meeting. Observers may address the WHS Work Group and answer questions only on the invitation of the Chair. Observers are not entitled to vote.

Chair

(20) The Chairperson of each WHS work group is the elected HSR. If the Chair is unavailable to act as Chair, they may delegate a Deputy HSR to act in their place.

Gender Representative Objectives

(21) The University is committed to gender equality and, so far as is practicable, it is an objective that the Work Group membership should comprise a balance of genders.

Section 3 - Functions of WHS Work Groups

(22) The University charges HSRs, HSR Deputies and HSR Nominees with the following duties:

- a. promotion of a positive and proactive health safety culture based on responsiveness, inclusion and consultation;
- b. review of hazards and risks ([Section 79 of the WHS Act 2011](#));
- c. identify hazards and risks that are common in more than one location or relate to common/shared environments of the university and identify risk mitigation measures;
- d. review of injury and near miss reports (not including personal identification information);
- e. consideration of training requirements to ensure health and safety at the University;
- f. ensuring that contractors, subcontractors and volunteers performing duties on behalf of the University are made aware of the existence of their relevant Work Groups and who their HSR and Deputy HSRs are;
- g. accompany University management, health and safety staff and/or Work Place Inspectors on inspections, risk assessments and/or staff interviews, when invited and if available to do so; and
- h. Forward of their minutes (including recommendations) to a defined distribution list and provide feedback to stakeholders on the outcome of resolutions.

(23) The Work Groups will operate as a consultative group for sharing of information and attempts shall be made to rectify any matter tabled. If any item raised, falls outside the authority of the attendees the Work Group will make recommendations directly to the WHS Committee.

Section 4 - Conduct of Work Group Business

Meetings

(24) Work Group meetings shall be scheduled at least once per two months to ensure:

- a. due attention is given to matters tabled on the agenda for each Work Group meeting;
- b. continuity and follow up of action items; and
- c. against momentum loss, particularly where there are cases of absenteeism.

Business Papers

(25) An agenda and any accompanying reports will be circulated at least seven working days before each meeting.

Quorum

(26) A quorum is achieved where there is the presence of at least:

- a. a HSR or Deputy HSR;
- b. a Deputy HSR (additional to the Deputy HSR who is taking the place of the absent HSR); and
- c. two HSR Nominees.

Use of Technology

(27) For its business papers, meetings and otherwise to conduct its business the Work Group and its members may use technology including telephone, video-conferencing, telepresence, email and internet as arranged by the Chair and/or Work Group Secretary.

Resolutions

(28) Work Groups will operate as a consultative forum, with the appropriate management representatives delegated the decision maker on all items raised after consultation has been duly exercised. If any item raised, falls outside the authority of the management representatives, the Work Group will make recommendations directly to the WHS Committee.

(29) Where the Chair deems that a vote is required to resolve an issue (where recommendations cannot be agreed upon via general consensus, a majority of the attendees must be in favour of a motion for it to be passed (assuming a quorum has been achieved).

Records and Reporting

(30) WHS Work Group meetings are recorded via utilisation of template agenda and minute sheets, provided by the University. These templates include an appendix that specifies the distribution list of the agenda and minutes for each meeting to relevant managers of work group members and/or the WHS Committee (or representative).

(31) Minute records are to be circulated to the following people within seven days of the meeting being held to:

- a. all attendees at the meeting and those that provided apologies for absenteeism;
- b. any guests that attended the meeting; and
- c. Those people listed in the distribution list of the minutes template provided by the University.

(32) The Secretary is responsible for ensuring all Work Group meeting agendas, minutes (once confirmed at the following meeting) and reports are recorded in TRIM.

Disclosure of Information

(33) Disclosure of business papers, minutes and other information received by the Work Group should be made via the Chair or Secretary to the Work Group.

Self-Review

(34) Review of the WHS consultative framework will be included in the scheduled review of the Work Health and Safety Management System (WHSMS).

Secretary to Work Group

(35) A Secretary will be appointed by the Chair.

Status and Details

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Effective Date	20th September 2016
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