

Overview

Schools have a legal responsibility to consult with all staff and other parties (such as emergency teachers, casual employees and contractors) when identifying and assessing hazards or risks, and making decisions about risk control. A safe workplace is more easily achieved when principals and employees talk to each other about potential problems and work together to find solutions.

What is OHS Consultation?

Consultation needs to be a two-way exchange between employers and employees that involves:

- Sharing information about health and safety
- Giving employees a reasonable opportunity to express their views, and
- Taking those views into account.

If employees have elected a health and safety representative (HSR), the HSR must be involved in consultation.

When is consultation required?

Schools are required to consult employees (and their Health and Safety representatives) about health and safety matters that could directly affect them. This includes:

- Identifying or assessing OHS hazards or risks.
- Making decisions on how to control OHS risks.
- Making decisions about the adequacy of welfare facilities.
- Making decisions about procedures for resolving OHS issues, consultation, monitoring health and the work environment, or providing OHS information and training.
- Determining the membership of any health and safety committee.
- Proposing changes that may affect people's health and safety.

Suggested strategies for consultation:

- Making OHS a standard agenda item at staff and faculty meetings, recording details in the minutes and making them available to stakeholders.
- Using other methods of consultation if required such as formal and informal discussions, meetings, emails, school OHS inspections, suggestion boxes, OHS noticeboards, OHS training, inductions, OHS surveys, OHS statistics, etc.
- If the school has a formal Health and Safety Committee, ensuring meetings are held at least once every three (3) months with appropriate minutes kept and making them available to stakeholders.



Note: consultation does not always mean agreement. If an OHS matter has not been able to be agreed upon, an effective issue resolution procedure should be followed.

Consultation process if there is NOT a Health and Safety Representative (HSR) at the school:

If there is not a HSR at the school, employees and other parties (such as emergency teachers, casual employees and contractors) should be:

- Provided with information about matters that affects or is likely to affect their health and safety.
- Given a reasonable opportunity to express their views and have their views taken into account.

Resources

- Health and Safety Consultation Checklist (WorkSafe Victoria)
- A guide to Consultation (WorkSafe Victoria)
- Consultation Checklist (WorkSafe Victoria)
- Issue Resolution Procedure
- Employee Representation handout (WorkSafe Victoria)

Legislation

- Occupational Health and Safety Act 2004 (Sections 34, 36)
- Occupational Health and Safety Regulations 2007 (Part 2.1.5)