

# Health and Safety Representatives

## Forming work groups – Information for principals/managers

### Overview

Queensland work health and safety legislation is underpinned by the principles of genuine representation, consultation and cooperation to address health and safety issues in the workplace. In the Department of Education (the department) this most effectively occurs at the local level between management and workers.

Health and Safety Representatives (HSR) are an important part of the safety consultative framework of the department. The role serves to facilitate effective communication on behalf of workers and work groups may choose to elect HSRs to represent them on health and safety matters. The HSR role is important for consultation, department workplaces are encouraged to elect a HSR.

HSRs perform a different function to that of a health and safety advisor (HSA). However, it is beneficial for HSRs and HSAs to work collaboratively in all schools and workplaces. Refer to: [Comparison of health and safety roles \(HSA / HSR / committee member\)](#).

- The *Work Health and Safety Act 2011* (Qld) states that workers at all workplaces (e.g. schools and offices) can elect HSRs.
  - All workers must be given the opportunity to be **represented** by HSRs if requested.
- If a HSR is requested, negotiations to determine the number and composition of **work groups** is to be completed within 14 days. ([WHS Act s51-52](#))
  - if the request is made directly at the workplace a principal or manager, on behalf of the department, is to complete negotiations.
  - If asked by a worker, a worker's union can be authorised to consult with the PCBU's delegate (School Leadership) in negotiating the establishment of a workgroup. School leadership must consult with the authorised union in negotiations regarding establishment of a workgroup. A range of [factors](#) are to be considered when finalising the number and composition of workgroups.
- HSRs must be **elected** through a process agreed by members of the relevant work group. All employees in the work group, regardless of union membership must be provided the opportunity to nominate and vote. ([WHS Act s61,62](#))
- The HSR is required to attend a 5-day **training** course approved by Workplace Health and Safety Queensland (WHSQ) **within 28 days of election** or if not reasonably available as soon as practicable ([WHS Reg s21](#)). A refresher course of one day is required every three years thereafter. This training is to be paid for by the school or workplace but must be delivered by a [registered training organisation](#).
- The school or workplace will support the role through provision of time and resources to enable the HSR to undertake their functions.

### Work groups in the Department

A work group is a group of workers who share a similar work situation and may be represented by a HSR.

The number of work groups and HSRs is to be determined, and agreed to, in consultation between the worker/s and principal or manager, on behalf of the PCBU (department).

Importantly, the WHS Regulation ([s16](#)) states that negotiations for, and determination of, work groups and variations of work groups must be directed at ensuring that the workers are grouped in a way that—

- most effectively and conveniently enables the workplace health and safety interests of the workers to be represented; and
- for a HSR for the work group to be readily accessible to each worker in the work group.

Work group formation is determined by considering ([WHS Reg s17](#)) summarised below:

- the nature of the hazards and risks of the work being carried out
- the locations and areas where work is carried out
- the times when work is carried out.

## Examples

Workers, may consider having a number of work groups within work locations. With consideration of the factors provided in the [Regulation](#) work groups may be formed based on employee cohort, location, (e.g. split campuses) or types of work undertaken.

Subject to negotiation with worker/s, principals and managers in most departmental schools and workplaces should consider the examples below:

### Employee cohort e.g.

- Teachers
- Teacher aides
- Cleaners
- Administration
- Nursing
- Possible other staff

### Subject or function e.g.

- Department / subjects
- Cleaners
- Teacher aides and support staff
- Facility management
- Administration
- Special education services / early years

### Activity groups

- Teaching
- Support staff – dependent on groups - Teacher aides, science operations
- Facilities support – cleaners, Schools officers
- Allied health staff – nurses / therapies
- Itinerant or travelling staff (IT, behaviour, AVTs, GOs)
- Office or clerical staff
- Subject matter (practical workshops, vocational education)

In a **smaller school setting** a whole of school approach may be taken.

## Seeking further assistance

If there are issues regarding the formation of work groups and election of HSRs it is most efficient and effective if resolution can be reached locally. However, if issues cannot be resolved locally, the existing mechanisms for escalation of issues is to be utilised.

If there is a failure of negotiations regarding the formation of workgroups, principals and managers, should seek advice from the region. Issues that are not resolved at the regional level should be referred to Organisational Safety and Wellbeing.

## Further information:

Workplace Health and Safety Queensland

- [HSR factsheet – Information for workers and prospective HSRs](#)
- [HSR Information for employers and company executives](#)
- [Health and safety representatives and committees](#)
- [Worker representation and participation guide](#)
- [Work health and safety consultation, co-operation and coordination Code of Practice 2021](#)

Department of Education

- Creating Healthier Workplaces - [HSR webpage](#)