



# Garin College

## 5.3 Worker Engagement and Participation Policy

*This policy has been developed in conjunction with the Health and Safety at Work Act 2015.*

### **Purpose**

- The purpose of this policy is to further support and improve health and safety in the workplace. It promotes engagement between the board, officers and workers. The policy provides all workers with a reasonable opportunity to be actively involved in the ongoing management of health and safety.
- This policy includes the roles undertaken by health and safety committees and elected health and safety representatives.

### **Person Conducting a Business or Undertaking (PCBU)**

As part of the boards commitment to promote and maintain a safe and healthy working environment, the board acknowledges that health and safety training will be included for all workers.

### **Duties**

- provide accurate and timely information and advice to management and workers
- ensure there is a systematic process for managing risk
- ensure effective monitoring and review systems are in place
- to escalate unresolved issues to the relevant member of the school's leadership

### **Health and Safety Representatives (HSRs)**

#### ***Function and Powers***

The functions and powers of the health and safety reps are to:

- a. represent the workers in the work group in matters relating to health and safety
- b. investigate complaints from workers in the work group regarding health and safety
- c. if requested by a worker, to represent the worker in relation to a matter relating to health and safety in the work group (including a complaint)
- d. monitor the measures taken by the board that are relevant to health and safety
- e. inquire into anything that appears to be a risk to the health and safety of workers in the work group arising from the conduct of the business or undertaking
- f. make recommendations relating to work health and safety
- g. provide feedback to the board about whether the requirements of the Health and Safety at Work Act 2015 and Regulations are being complied with

- h. promote the interests of workers in the work group who have been harmed at work, including in relation to arrangements for rehabilitation and return to work.

### ***Election of HSRs***

- Elections for HSRs are held triennially, or as required in the event of a HSR vacating their role.
- The election organiser calls for nominations for the HSR position by a certain date – all workers in the workgroup must have the opportunity to nominate and elect their HSR
- Elections may be undertaken using any form of voting. Voting may be by a secret ballot (if requested by a member of the workgroup, a candidate for election or the board).

### ***Training for health and safety representatives***

The HSR training will be based on need and will reflect their function and powers.

- a. All newly elected HSRs must complete initial training. Initial training is considered completed when the HSR is assessed as having achieved the NZQA Unit Standard 29315 39
- b. HSRs will register for appropriate health and safety training in the first two months after becoming an HSR. Each HSR may undertake further training as courses become available and the board budget permits.
- c. As part of the HSRs' continual learning, the board will periodically coordinate and deliver active development and knowledge sharing.

NB: Refer to Health and Safety Policy Training and Induction for information for training for HSRs and general worker training.

### ***Committees***

An effective way to work on health and safety matters is through a health and safety committee. Holding an election for a health and safety committee is not a requirement under HSWA. However, a school may choose to do so. The board and workers agree on the membership of the health and safety committee. HSRs have an automatic right to sit on the committee.

### ***Objectives***

- encourage co-operation and collaboration in meeting the board's health and safety objectives
- ensure there is a consistent, co-ordinated approach to health and safety on-site
- look for initiatives to ensure health and safety continuously evolves and improves the health, safety and wellbeing of workers
- provide accurate and timely information and advice to management and workers
- ensure there is a systematic process for managing risk
- ensure effective monitoring and review systems are in place
- to escalate unresolved issues to the relevant member of the school's leadership
- wherever possible and practical health and safety committees should represent all workers, including team leaders and school management, working at the site.

## **Officers**

### ***Duties***

Under this policy officers should:

- actively promote positive health and safety and adhere to their responsibilities
- provide all workers with the opportunity to participate in health and safety
- promote and encourage discussion on the election processes
  - where a HSR is elected - liaise with elected HSR
  - provide support and ensure the HSR has the resources, time and information to undertake the role
  - allow for the representative to attend approved training
  - where appropriate, act on recommendations made by the HSR
- where a recommendation is not adopted, discuss with the HSR and confirm in writing the reason/s for the decision
- where there is neither a HSR nor a committee, the manager will discuss with workers how their best interests in health and safety will be met.

It is recognised that Officers have the right to make health and safety decisions after consulting and considering any recommendations made by the school's health and safety committee, and that they are accountable for all health and safety decisions made within their respective locations.

Where there is more than one Officer responsible for workers in the workplace, the Officers will work cooperatively with each other and the HSRs in order to identify and resolve the issues.

### ***Making this policy work***

#### ***Issue resolution***

- i. Any matter that concerns a worker about their health and safety should be raised with that worker's school leader. This can be raised by that worker, or a HSR.
- ii. If the school leader cannot resolve the matter to the worker's satisfaction, the HSR will be approached if they are not already involved.
- iii. The school leader, worker and the HSR will work together to get a satisfactory resolution.
- iv. If a satisfactory resolution cannot be reached with the school leader, the worker, HSR, or worker representative may look to the options below to resolve the issue.
- v. Operational matters, including workload or work process, should be raised with the relevant manager as appropriate.
- vi. Building facilities matters should be raised with the principal in the first instance.
- vii. Policy concerns should be raised with the board.

viii. School leaders involved should make every effort to find satisfactory and timely resolutions.

### ***Right to refuse unsafe work***

The board recognises a worker may cease or refuse to carry out work, if the worker believes carrying out the work would expose the worker, or any other person, to a serious risk to the worker's or other person's health and safety arising from an immediate or imminent exposure to a hazard.

In this event the following steps will be taken:

- i. The worker will advise their relevant member of school leadership immediately.
- ii. The worker and school leader will attempt to resolve the matter as soon as practicable.
- iii. If the matter is not resolved the worker may continue to refuse to carry out the work, if the worker believes on reasonable grounds that carrying out the work would expose the worker, or any other person, to a serious risk to the worker's or other person's health or safety arising from an immediate or imminent exposure to a hazard.
- iv. If the matter cannot be resolved, WorkSafe NZ will be contacted.
- v. The worker will perform any other work the employer reasonably requests within the scope of their employment agreement.

### ***Provisional Improvement Notices***

An HSR who has received the appropriate training may issue a provisional improvement notice (notice) to a person if the HSR reasonably believes that the person is contravening, or is likely to contravene, a provision of the Act or Regulations. The notice may require the person to—

- a. Remedy the contravention; or
- b. Prevent a likely contravention from occurring; or
- c. Remedy the things or activities causing the contravention or likely to cause a contravention.

The HSR must not issue a notice to a person unless he or she has first consulted the person.

The HSR must not issue a notice if an inspector has already issued a notice in relation to the same matter. If a notice is issued, the HSR must provide a copy of that notice to the relevant school leader as soon as practicable.

### ***Review***

This policy shall be reviewed every three years or more regularly by agreement. The provisions of this agreement may be varied by the board following consultation with workers.

Date:

Signed

Board Chair:

**Review schedule Triennial**