



# Health and Safety Representatives and Committees Procedure

## Brief description

This Procedure defines the election process, responsibilities and tenure for Health and Safety Representatives. It also outlines GPC’s Health, Safety and Environment Committee structure and function. These processes are also applied to other disciplines or business needs where committees are formed such as the Training Committee.

Document information	
Current version	#903341v10
First released	15/01/2013
Last updated	22/03/2023
Review frequency	Every 3 years or as required
Review before	22/03/2026
Audience	CEO, Executive Leadership Team, Health and Safety Representatives and committee members, Employees

Document accountability	
Role	Position
Owner	Executive General Manager Safety and ESG
Custodian	Safety and Training Manager

Endorsed by **Executive General Manager Safety and ESG on 27/03/2023**

If you require any further information, please contact the Custodian.

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# 1 Terms and definitions

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In this Procedure:

“**Chairperson**” means a person who presides over a meeting, committee, etc.

“**Health and Safety Representative**” or “**HSR**” means a worker who is elected under Part 5 of the WHS Act to represent the health and safety interests of the work group which the worker is a member of.

“**HSE**” means health, safety and environment.

“**PCBU**” means persons conducting a business or undertaking.

“**PIN**” means Provisional Improvement Notice.

“**Work group**” means a group of workers who share a similar work situation. A group of workers may be represented by one or more HSRs. A worker or group of workers can ask the PCBU they are carrying out work for to facilitate the election of one or more HSRs.

Terms that are capitalised and not otherwise defined in this Procedure are defined in the GPC Corporate Glossary Instruction (as listed in Appendix 1 – Related documents).

## 2 Introduction

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### 2.1 Purpose

This Procedure reflects GPC’s commitment to facilitating effective health and safety representation for Workers, and providing a consultative forum which can effectively manage health and safety issues and opportunities at GPC.

This Procedure also defines the structure and function of Health, Safety and Environment (“**HSE**”) Committees specifically, however, the process may also be adopted by other disciplines or business needs are identified for a committee to be formed.

The Procedure provides elected HSRs with the option to also consider environmental matters within their work group or committee. The purpose of including environment is to raise the profile of safe environmental practices and to enable improved communications and information sharing.

### 2.2 Scope

This Procedure applies to all GPC Employees working across any GPC work site.

The scope of responsibilities afforded to HSRs under the WHS Act do not extend to environmental matters.

The scope of committees extend to HSE with health and safety issues being the priority discipline.

### 2.3 Objectives

This Procedure aims to provide clarity of obligations and expectations in relation to:

- (a) functions of health, safety and environment committees;
- (b) Chairperson and committee secretary;

- (c) committee structure;
- (d) meeting frequency;
- (e) operational details;
- (f) election process;
- (g) responsibilities;
- (h) tenure of being a HSR; and
- (i) terms of attendance.

### 3 HSRs and committees procedure

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#### 3.1 Distinction between HSRs and HSE Committee roles

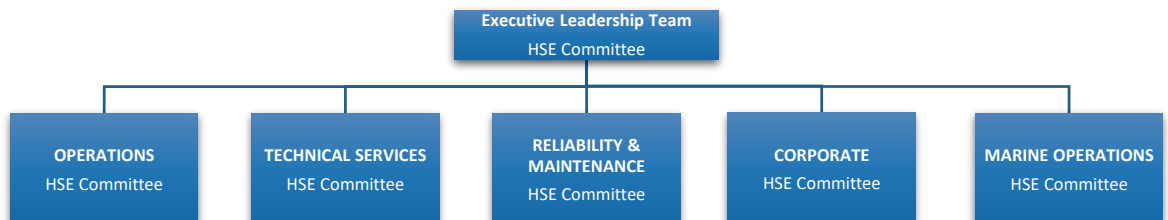
HSRs are involved with the specific health and safety issues relevant to the work group they represent.

A HSE Committee is the forum to:

- Facilitate cooperation between GPC and its workers in instigating, developing and carrying out measures designed to ensure the workers' health and safety at work;
- Assist in developing standards and procedures relating to health and safety that are to be followed or complied with;
- Monitor and consult on the management of health and safety issues affecting the workgroup the committee is representing; and
- Raise awareness and provide opportunities to be involved in the environmental initiatives at GPC.

#### 3.2 HSE Committee structure

The following HSE Committee structure is established at GPC:



### 3.3 Determining workgroups

Workers may request for a HSR to be elected to represent them. If this happens, work groups must be established to facilitate the election.

Negotiations to determine the work groups must commence between the relevant Leader and the Workers of the impacted section/team within 14 days to:

- Determine how to best group Workers and establish a designated work group;
- Determine the composition of an existing designated work group; or
- Determine or vary the number of HSRs (including deputies) for a designated work group.

The relevant Leader is responsible for facilitating the negotiations. Support from the Safety Team can be requested. Section 52 and 53 of the WH&S Queensland Act provides further details in conducting negotiations for agreement of work groups. If requested by a Worker, negotiations can occur with the worker's representative.

In determining the composition of a work group, consideration must be had to:

- Number of Workers;
- Views of Workers in relation to the determination and variation of work groups;
- Nature of each type of work performed by the Workers;
- Areas where work is performed;
- Nature of any hazards; and
- Hours and pattern of work and any overtime or shift working arrangements.

Negotiations must be completed within a reasonable timeframe. Agreement must be reached through the negotiations between the Workers and GPC.

The relevant Leader will notify all impacted Workers as soon as practicable after negotiations are completed of the outcome.

If there is a failure of negotiations, an Inspector from WHS QLD may be asked to assist in the matter in accordance with section 54 WHS Act.

### 3.4 Committee membership

Committee structure is to be determined in negotiation with work groups that are represented by the committee. Each committee is responsible for defining and documenting the persons who shall be a member of the committee in accordance with the following roles:

- Committee Chairperson
- Committee secretary
- Committee members (note, at least half of the committee membership must be Workers who are not nominated by GPC)
  - HSRs for GPC work groups
  - Management representatives (as nominated by GPC)

- Work Health & Safety Officer

**(a) Committee Chairperson**

The Chief Executive Officer (“**CEO**”) of GPC shall be the Chairperson of the GPC Executive Leadership Team (“**ELT**”) HSE Committee.

The respective ELT member shall chair their department HSE Committee.

The respective Managers shall chair their section/team HSE Committee.

In the event an ELT member, Manager or the CEO is unavailable to chair their respective HSE Committee, this can be delegated.

Special sub-committees formed to develop health, safety and environment systems or facilitate health, safety and environment improvements for identified issues are chaired by the subject matter sponsor.

**(b) Committee secretary**

GPC will provide secretarial support for the various committees. This role is only providing support to the committee and is not a voting member.

**(c) Proxy (for absences)**

Committee members may nominate a proxy to represent them in their absence. HSRs may only nominate their proxy from the pool of current elected HSRs at GPC.

### **3.5 Committee meeting conditions**

**(a) Quorum**

A quorum for a HSE Committee meeting is at least 50% of the committee members in attendance that are not nominated by GPC (i.e. HSRs and Safety Officers).

The Committee Chairperson is responsible for verifying quorum has been met. The Committee secretary must ensure in meeting minutes that the roles of each attendee is captured (e.g. Chairperson, HSR, Proxy, Management Representative, Guest).

ELT members are responsible for ensuring a HSR from their department committee attends the ELT HSE Committee. Where possible, this should be agreed at the department committee meeting.

Managers are responsible for ensuring their elected HSRs are invited and authorised to attend the relevant section/department HSE Committees.

**(b) Guests**

Guests may include other Leaders, Management Representatives, Subject Matter Experts or other Employees. These persons may attend meetings at the request of the committee or at the request of the guest where they have a matter in which to address the committee in regards to.

Guests act in an advisory capacity and provide area/subject matter advice and assistance to the committee. They do not form part of the committee and are not able to vote on committee issues.

**(c) Terms of attendance**

Elected HSRs and members of HSE Committees are permitted to spend the time reasonably necessary to attend committee meetings and to carry out functions as an elected HSR or member of the committee.

Any time that a HSR or member of the committee spends attending committee meetings and carrying out the functions of an elected HSR or committee member must be with the remuneration that he or she would otherwise be entitled to receive for performing his or her normal duties during that period.

**(d) Meeting frequency**

All HSE Committees must meet at least every three (3) months. Additional meetings can be called at other times if necessary.

A meeting must be held at any reasonable time if requested by at least half of the members of the relevant committee.

**(e) Standard meeting agenda items**

The Committee Chairperson and secretary are responsible for ensuring their respective HSE Committees capture the following standard agenda items at a minimum:

1. Quorum Check
2. Safety Share
3. HSE Performance
  - Significant Incidents
  - Data Review / Trending Analysis
4. Consultation Activities
5. HSE Improvements / Initiatives
  - Team Specific
  - Business
6. HSR New Business / Discussion points (e.g. issues, questions)
7. Items for Escalation or Discussion at ELT HSE Committee
  - Nomination of HSR to attend ELT HSE Committee

### **3.6 Information and advice for the committee**

Generally, information presented to, or considered by a committee, shall be made available to all Employees via minutes and/or presentations. HSE Committee meeting minutes will be made available via Neptune.

HSRs are not entitled to confidential, personal or medical information concerning Workers without the Worker's consent. All injury/incident data presented at HSE Committee meetings will be de-identified.

## 3.7 Information for HSRs

### (a) Election process for HSRs and Deputy HSRs

An Employee is eligible to nominate as the HSR for a work group if they are a member of the work group.

A call for nominations for vacant positions is made to the work group by the Supervisor for the work group.

Where the number of candidates who nominate is equal to the number of vacancies, an election does not need to be conducted and the nominated candidates will assume the nominated roles.

Where the number of candidates who nominate exceeds the number of vacancies, an election must be held. Work groups may determine whether the election is to be conducted via a voting ballot or general meeting with verbal consensus.

Workers of the work group must be advised of the date of the election once it is determined. The election may be conducted with the assistance of a union if majority of the work group determine it to be necessary.

All Employees within the work group are entitled to vote for the election of a HSR.

The Supervisor must communicate outcome of an election to:

- (i) all Workers within the work group; and
- (ii) the Safety Department.

### (b) Length of tenure

HSRs (including Deputy HSRs) hold their position within their work group for three (3) years. After this tenure period the position is declared vacant and a call for nominations must be made by the Supervisor of the work group.

An outgoing HSR or Deputy HSR is able to re-nominate.

If no other nominations are received, their tenure is extended for a further three (3) years.

### (c) Ceasing representation

A Worker may cease holding position as a HSR or Deputy HSR if they:

- (i) resign from the position by written notice to their Supervisor;
- (ii) cease to be an Employee in the work group they were elected for;
- (iii) are disqualified from acting as a HSR\*; or
- (iv) are removed from the position by majority of members of the work group. If this occurs, members of the work group must sign a written declaration that the HSR should no longer represent the work group.

*\* Note: a HSR may be disqualified by the commissioner under the WHS Act 2011 if they find the HSR has exercised power or performed functions as a HSR for improper purpose or used or disclosed information they have acquired as a HSR for purposes other than with the role of HSR.*



Elected HSRs who choose not to undertake the required training within three (3) months will not be eligible to fulfill the role of HSR and will be replaced.

Cessations must be notified by the exiting HSR to the work group Supervisor so they can initiate a call for nominations.

**(d) Training**

HSRs and Deputy HSRs must attend a Workplace Health and Safety Queensland approved training course in health and safety. Training courses approved are an initial five (5) day training course and a one (1) day refresher course at least every three (3) years.

The Supervisor must liaise with the Training Department and the HSR to determine a suitable time and course. This should take place as soon as practicable within three (3) months of being elected, unless a training course is not reasonably available within this period, then as soon as is reasonably practicable.

The HSR will be given paid time off to undertake the course and GPC will pay the course costs and reasonable expenses.

Elected HSRs who choose not to undertake the required training within three (3) months will not be eligible to fulfill the role of HSR and will be replaced. A HSR cannot issue a provisional improvement notice unless appropriate training has been completed.

**(e) Communication of HSRs**

The Supervisor must notify the Safety and Training Departments so the list of representatives can be updated with outgoing and incoming representatives.

A current list of HSRs and Deputy HSRs for each work group is maintained by the Safety Department and is available on Neptune.

The Safety Department will lodge the details of elected HSRs into the Workplace Health and Safety Queensland HSR Portal.

**(f) Environmental representation**

On being elected, a HSR can choose to take on the function of additional representation for their work group as an Environmental Representative. Powers and functions of a HSR under the WHS Act do not extend to environmental matters.

Environmental representation simply provides an additional mechanism at GPC to provide representation of the workers in their work group on environmental matters and to identify issues or opportunities through committee meetings. This is also clarified in the HSR Responsibility Statement.

**(g) Responsibility Statement**

The HSR Responsibility Statement outlines the role purpose, accountabilities, key relationships and qualifications required by HSRs. When elected, all HSRs should familiarise themselves with the role responsibilities at GPC.

### **3.8 Decision making process**

HSE Committees are a consultative forum that perform the functions as outlined in section 3.1. The committee can vote on issues discussed and make recommendations for change, however, final decisions on such matters discussed by or voted on by the committee will remain with Management.

### **3.9 Issue resolution**

Where there is a health and safety matter, it is expected that parties will first raise the matter with their relevant Leader, HSR, HSE Committee or through existing GPC meeting forums. It is expected that parties will communicate and consult to discuss the matter. If the matter is addressed to the satisfaction of all parties, there is no need to progress to the formal issue resolution process.

Incidents or hazards should be reported and managed in accordance with the respective GPC Procedures.

Only where the matter remains unresolved through initial discussions does the matter become an 'issue' and the GPC formal issue resolution process in accordance with the WHS Act and Regulation will apply.

The GPC formal issue resolution process prescribes the process for issues to be escalated when resolution cannot be reached. See Appendix 2 for the process flowchart to be followed.

The formal issue resolution process is commenced by any party to the issue formally advising in writing:

- that there is an issue to be resolved; and
- the nature and scope of the issue.

As soon as parties are informed, communication and consultation in relation to the issue must commence. The receiving party of the issue must also acknowledge in writing that they have received notification of the issue.

If the issue has an immediate risk to health and safety or parties have a concern around the nature of the threat or degree of harm, a directive to cease work may be given by any party working with the risk or potentially impacted by the risk. If such directive is given, the party should immediately notify their HSR, Safety and Training Team or relevant Leader responsible for the work activity. The relevant Leaders, HSRs and Safety and Training Team must consult and work to resolve the issue.

On resolution of issues, details of the issue, agreed actions to resolve the issue, timeframes and persons responsible for completing action items must be documented and provided to all parties to the issue and relevant HSR (if requested).

If reasonable efforts have been made to resolve the issue and it remains unresolved, any party can request WHS QLD to appoint an Inspector to assist.

### **3.10 Provisional Improvement Notices**

In accordance with Section 90 of the WHS Act, a HSR must not issue a Provisional Improvement Notice unless they have first consulted the person/s on the concern and agreement to remedy the concern is not achieved.

### **3.11 Procedure monitoring and review**

This Procedure, its operation and implementation will be reviewed every three years or as a result of findings of internal and external audits or a change in legislation in order to preserve currency, relevance and or accuracy.

## **4 Roles and responsibilities**

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To assist GPC Representatives to better understand their responsibilities, key responsibilities and accountabilities are summarised below:

Role	Responsibilities
ELT HSE Committee	<p>To ensure that GPC complies with its obligations by:</p> <ul style="list-style-type: none"> <li>• operating as a high level escalation point and management review for all the department HSE Committees;</li> <li>• acting as an advisory and notification link to the Board;</li> <li>• facilitating co-operation between GPC and its Employees in initiating, developing, implementing and monitoring measures designed to ensure the health and safety of Workers and visitors and minimise environmental impact at GPC workplaces; and</li> <li>• assisting in the development, implementation and reviewing of health, safety environment related policies, standards, practices and procedures to be complied with at GPC.</li> </ul>
Department HSE Committee	<p>To ensure that GPC complies with its obligations by:</p> <ul style="list-style-type: none"> <li>• assisting in the resolution of health and safety related issues arising at GPC;</li> <li>• reviewing information on workplace hazards, associated risk assessments and risk treatments;</li> <li>• reviewing incidents with a high potential to cause harm to Workers, visitors and the environment, including: circumstances giving rise to the incident, investigation findings and action plans;</li> <li>• monitoring the performance of the rehabilitation program for Employees who suffer work-related injuries; and</li> <li>• performing any other functions prescribed under the WHS Regulation or agreed to between GPC and the committee.</li> </ul>
Chairperson	<p>To ensure that GPC complies with its obligations by:</p> <ul style="list-style-type: none"> <li>• presiding over the committee meeting;</li> <li>• facilitating the discussion throughout the committee meeting and allowing full participation;</li> <li>• ensuring all relevant matters are discussed according to the committee meeting agenda; and</li> <li>• ensuring that effective decisions are made and carried out.</li> </ul>
Committee secretary	<p>To ensure that GPC complies with its obligations by:</p>

Role	Responsibilities
	<ul style="list-style-type: none"> <li>• preparing agendas, issuing notices for meetings, and ensuring that all necessary documents requiring discussion or comment are attached to the committee meeting agenda;</li> <li>• distributing the agenda one week prior to the committee meeting;</li> <li>• taking notes of proceedings and preparing minutes of meetings;</li> <li>• distributing committee meeting minutes to all committee members for approval and then ensuring that they are made available to all staff; and</li> <li>• providing committee meeting minutes to Safety and Training Team for upload to Neptune.</li> </ul>
Committee members	<p>To ensure that GPC complies with its obligations by:</p> <ul style="list-style-type: none"> <li>• participating at committee meetings;</li> <li>• assisting the committee in achieving its functions (section 3.1 of Procedure);</li> <li>• offering help and support for any tasks that need completing;</li> <li>• attending committee meetings;</li> <li>• carrying out agreed actions set by the committee;</li> <li>• making decisions within the committee's circle of control as a collective group and taking joint responsibility for decisions and actions taken by the committee; and</li> <li>• ensuring that all decisions are taken in the best interests of the committee and that their role is carried out effectively.</li> </ul>
Health and Safety Representatives (HSRs)	<p>The role of a HSR is generally limited to their own work group, unless:</p> <ul style="list-style-type: none"> <li>• there is a serious risk to health or safety (created by an immediate hazard) affecting workers from another work group; or</li> <li>• a Worker in another work group asks for the HSR's assistance, and the HSR (and any deputy health and safety representative) for that other work group is found, after reasonable inquiry, to be unavailable.</li> </ul> <p>An elected HSR is entitled to perform the tasks for the work group in accordance with section 68 of the WHS Act.</p>

Role	Responsibilities
	Additional role responsibilities are outlined in the HSR Responsibility Statement.
PCBU	<p>To ensure that GPC complies with its obligations by:</p> <ul style="list-style-type: none"> <li>• consulting on work health and safety matters with any HSRs for the work group;</li> <li>• paying all reasonable costs for relevant courses a HSR requests to attend;</li> <li>• keeping a current list of all HSRs and Deputy HSRs, and displaying a copy at the workplace;</li> <li>• providing copies of this HSR list and any PINs issued to the Regulator;</li> <li>• providing resources, facilities and assistance to enable the HSR to carry out their functions (not financial – see s71(3) of the WHS Act); and</li> <li>• allowing a HSR to exercise their entitlements during their ordinary working hours.</li> </ul> <p>GPC must comply with all obligations of a PCBU as outlined in sections 70, 71, 72, 73, 74 and 79 of WHS Act.</p>

## 5 Appendices

### 5.1 Appendix 1 – Related documents

#### (a) Legislation and regulation

Key relevant legislation and regulation, as amended from time to time, includes but is not limited to:

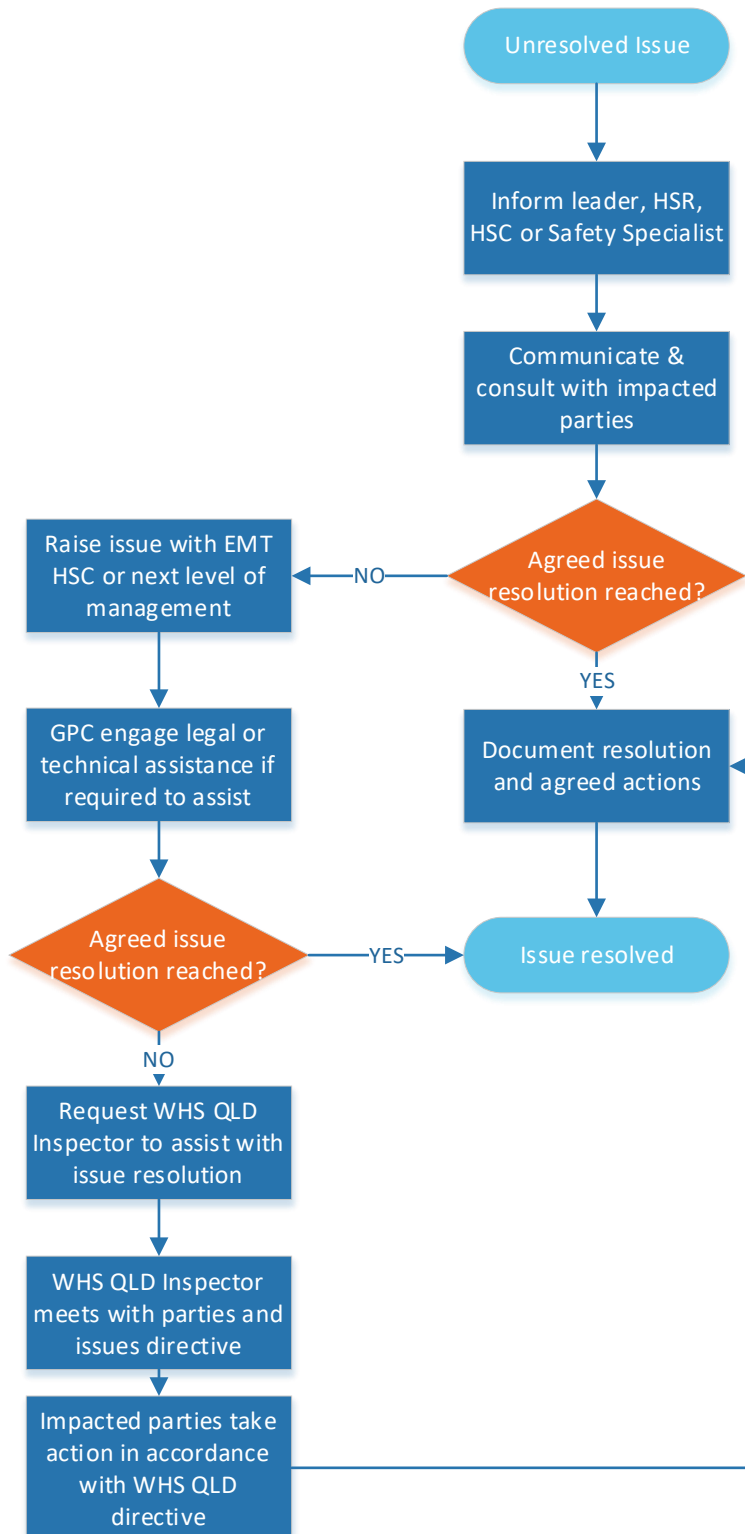
Type	Legislation/regulation
State Acts	<p><i>Work Health and Safety Act 2011 (Qld)</i></p> <p><i>Work Health and Safety Regulations 2011 (Qld)</i></p>
Other	<p>Work health and safety consultation, co-operation and co-ordination Code of Practice 2021</p> <p>ISO 45001: 2018 Occupational Health and Safety Management</p>

**(b) Gladstone Ports Corporation documents**

The following documents relate to this Procedure:

Type	Document number and title
<b>Tier 1: Policy</b>	#365624 Safety Policy #366016 Environment Policy
<b>Tier 2: Standard/Strategy</b>	#854303 Safety Management Framework Standard #809151 Environment Framework Management Standard
<b>Tier 3: Specification/ Procedure/Plan</b>	#697854 Safety Management System Plan #146256 Environment Management System Plan
<b>Tier 4: Instruction/Form/ Template/Checklist</b>	#1703442 Responsibility Statement – Health and Safety Representative #1621179 Corporate Glossary Instruction
<b>Other</b>	N/A

## 5.2 Appendix 2 – Issue resolution process flowchart



### 5.3 Appendix 3 – Revision history

Revision date	Revision description	Author	Endorsed by	Approved by
17/06/2014	Review for currency and transition to Corporate Governance documentation	Alison Dickinson	John Sherriff, Safety Environment and Risk General Manager	John Sherriff, Safety Environment and Risk General Manager
25/09/2014	Review for compliance with GPC business requirements	Alison Dickinson	John Sherriff, Safety Environment and Risk General Manager	John Sherriff, Safety Environment and Risk General Manager
20/06/2016	Clarify quorum requirements	Kirsty Rach, Safety Environment and Risk Administration	John Sherriff, Safety Environment and Risk General Manager	John Sherriff, Safety Environment and Risk General Manager
29/07/2019	3 yearly review. Updated from GPC Work Health and Safety Committee Constitution to Health and Safety Representatives and Committees Procedure	Rebecca Devine, Safety Specialist – Systems & Projects	Rowen Winsor, People Community and Sustainability General Manager	Tony Young, Safety Manager
27/08/2020	Legal review by HSF (minor formatting changes accepted). No material change to context or intent.	Kirsty Iszlaub – Acting Safety Specialist – Systems & Projects	Rowen Winsor, People Community and Sustainability General Manager	Tony Young, Safety Manager
16/12/2021	Inclusion of environment, responsibility statement, determination of work groups and issue resolution process.	Kirsty Iszlaub – Safety & Training Specialist - Systems	Tony Young, Safety & Training Manager	Ged Melrose, Acting Operations General Manager
22/03/2023	Update to committee structure to align with new organisation structure.	Kirsty Iszlaub – Safety & Training Specialist - Systems	Tony Young, Safety & Training Manager	Richard Haward, EGM Safety & ESG