
Consultation is a legal requirement and an essential part of managing health and safety risks.

A safe workplace is more easily achieved when everyone involved in the work communicates with each other to identify hazards and risks, talks about work health and safety (WHS) concerns, and works together to find solutions.

Refer to page 5 of the Code for more information on the importance of consultation.

Consultation with workers

Consultation is a two-way process between you and your workers where you:

- talk to each other about WHS matters
- listen to their concerns and raise your concerns
- seek and share views and information
- consider what your workers say before you make decisions
- advise workers of the outcome of consultation in a timely manner.

You must consult with workers when:

- identifying hazards and assessing risks
- making decisions about ways to eliminate or minimise those risks
- making decisions about the adequacy of facilities for the welfare of workers
- proposing changes that may affect the health or safety of your workers
- making decisions on health and safety procedures.

If workers are represented by a Health and Safety Representative (HSR), the consultation must involve that representative.

Consultation can be as simple as talking to workers regularly and considering their views when making health and safety decisions.

Another option is to put in place more formal consultation arrangements, where you and your workers agree to consultation procedures. This can save time and confusion about how and when consultation must occur. If agreed consultation procedures are established, then consultation must be conducted in accordance with those procedures.

Refer to pages 9-16 of the Code for more information about consultation with workers.

Activities with other duty holders

There are often situations where more than one business or undertaking operates at a workplace and where people share WHS responsibility to varying degrees e.g. shopping centres, construction projects or multi-tenanted office buildings.

Where more than one person has a duty for the same WHS matter, each person retains responsibility for their duty in relation to the matter and must discharge the duty to the extent to which the person can influence and control the matter.

Each person must also consult, co-operate and co-ordinate activities with all other persons who have a WHS duty in relation to the same matter, so far as is reasonably practicable.

Consultation

Consultation with other duty holders enables everyone associated with the work to have a shared understanding of what the risks are, which workers are affected, how risks will be controlled, and how duty holders will work together to plan and manage health and safety.
Co-operation
Co-operation means that, if you are approached by other duty holders wanting to consult with you on a WHS matter, you should respond to any reasonable requests and assist them in meeting their duties.

Co-ordination
Co-ordination means that duty holders work together so that each person can meet their duty of care. This includes making sure that the measures you each put in place work effectively together to control the risks.

For example, you may not need to provide toilet facilities for your workers if they are already available, but you need to check that those facilities are in good working order, clean and accessible for your workers. Consultation, co-operation and co-ordination between you and the person providing those facilities will help to ensure that you can meet your duty.

Refer to pages 17-20 of the Code for more information on how to consult, co-operate and co-ordinate activities with other duty holders.