

QGN 25

Site Safety and Health Representatives and Site Safety and Health Committees

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Mining and Quarrying Safety and Health Act 1999

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Preface

The Objects of the *Mining and Quarrying Safety and Health Act 1999* (Act) are to protect the safety and health of persons at mines and the persons who may be affected by mines; and require that the risk of injury or illness to any person resulting from operations is at an acceptable level.

The provision of site safety and health representative's (SSHRs) and site safety and health committees (SSHCs) to represent the interests of workers to ensure the Site Senior Executive (SSE) develops and implements an adequate and effective Safety and Health Management System (SHMS) is an aid in achieving the Act's objectives.

The Act also seeks to achieve cooperation between the Operator, SSE and workers to achieve the objectives of the Act. The selection or election of an SSHR and establishment of an SSHC is a way to achieve this cooperation.

The legislation quoted in this guidance note is not exhaustive, and all persons with obligations should refer to the *Mining and Quarrying Safety and Health Act 1999* and the Mining and Quarrying Safety and Health Regulation 2001 (Regulation). The current legislation can be found at:

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/M/MiningQuaSHA99.pdf>

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/M/MiningQuaSHR01.pdf>

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1 Introduction

1.1 Background

The foundation of a safe and healthy workplace is an adequate and effective SHMS. While the SSE has the obligation to develop and implement the SHMS there is provision within the Act to have SSHR(s) take action when it is believed that the SHMS is not adequate or effective.

This should be a cooperative process and at all times must be done in consultation with all stakeholders, with the aim being to improve the SHMS.

The role of the SSHR is to represent workers in relation to safety and health matters and not industrial relations or human resource management matters.

1.2 Purpose of this document

The purpose of this guidance note is to provide information to metalliferous mines and quarries about the roles, functions and powers of SSHRs and SSHCs as per the Act Part 7.

The Act Part 7 doesn't apply to safety roles and safety committees that have been established as part of the SSE's SHMS.

Wherever possible, these two processes should be kept separate

2 General Information

2.1 Information for Workers

The SSE should encourage the selection and election of SSHRs but workers must decide if SSHRs are required. Workers may decide to select or elect SSHRs at any time during the life of the mine.

Once selected or elected, the SSHR should ask the SSE to establish a SSHC. This will aid consultation and cooperation so issues that may arise with the SHMS can be addressed in a timely manner.

2.1.1 Introduction

When considering being an SSHR, workers should be aware that the role, while it can be very rewarding, can also be very challenging.

As an SSHR you have been recognised by your fellow workers as the best person to represent them when they believe the SHMS is not adequate or effective.

An SSHR is a worker on site representing other workers. Any person who works onsite is considered a worker including contractors, supervisors, managers and the SSE. While not excluded from being elected as an SSHR, it is recommended that workers who are part of the management structure for the mine (refer Act S.50) should not hold this position.

An SSHR should possess some if not all of the following personal characteristics:

- be prepared to represent the interests of all workers
- be tenacious and follow through on Safety and Health issues
- be passionate about the health and safety of workers
- care about workers and the safe operation of the mine
- have the courage to stand up for the interests of workers
- be able to work constructively with:
 - workers
 - supervisors
 - SSE
 - mining safety and health inspectors
 - district workers representative (DWR), and
 - other stakeholders
- be impartial and fair
- be able to see different points of view
- understand and act on the merits of an issue
- be able to examine the effectiveness of a SHMS
- be able to examine procedures and standard work instructions that make up the SHMS
- be able to read and write to a level that enables them to fulfil their functions and exercise their powers
- be able to communicate to individuals and groups
- be able to stay focused on ensuring risk is at an acceptable level
- be able to discuss and define the problem and solution with workers, the SSE, Safety Committee(s), fellow SSHR(s) and other stakeholders
- be able to promote solutions rather than confrontation

- be able to consider health issues as well as safety issues
- have work-related knowledge and experience that are transferable to the mine or part of the mine that they represent

When carrying out the functions and powers of an SSHR, confidentiality and discretion may be required in relation to mine and worker details. This information should not be made public, and should only be shared and discussed with authorised persons to establish if the SHMS is adequate and effective.

An SSHR is to work in consultation at all times with workers and the SSE or their representatives.

A record should be kept of all agreements, appointment and processes that enable this consultative approach to be effective. This should include but not be limited to:

- the agreed number of SSHRs
- areas of representation
- term of appointments (SSHR, SSHC member)
- when elections are to be held
- how elections are to be held
- time for nomination consideration and vote casting
- process for being released from normal duties to carry out functions
- the SSHC meeting schedule
- when, where and how scheduled workplace inspections are to be carried out and what checklists/pro-formas or other resources are required
- when, where and how procedures are to be reviewed
- how reports are to be submitted and acted on to the SSE and SSHC
- how SSHR and SSHC members are notified of events
- additional competencies for SSHR and SSHC members

It must be recognised that sometimes it may not be practical for all workers to have an opportunity to select or elect an SSHR due to leave or other off site commitments. Providing the process ensures reasonable time and opportunity is given so as many workers as possible have input and are involved in the

selection or election of SSHR(s) then selection or elections should proceed.

2.1.2 Number of SSHRs, term of office and area of representation

Workers can select or elect up to two SSHRs for each part of the mine where an SSE has been appointed.

Workers and the SSE may decide because of the size and complexity of operations at a mine to have more than two SSHRs for the mine or part of the mine.

If workers decide worker representation is required they can select or elect up to two workers as SSHRs for each part of the mine that the SSE has been appointed for.

For example, if a mine operator has appointed one SSE then workers can select one or two SSHRs. If the mine operator has separated the mine into three separate parts and appointed three SSEs then workers can select or elect two SSHRs for each separate part of the mine. In this example, the mine would have six SSHRs.

There must be agreement between the workers and the SSE to have more than 2 SSHRs at a mine or part of a mine because of the size and complexity of operations.

Workers can decide the SSHR term of office.

While the Act does not define the term of office for an SSHR, it is recommended that SSHRs have a fixed term of office of up to three years in length.

At the end of a term of appointment an SSHR may re-nominate for a further term.

The benefits of fixed-length terms include:

- allowing other workers an opportunity to be selected or elected and gain experience as a representative

- a new representative can bring new knowledge and experience to the role (eg. fresh pair of eyes)

Other considerations when deciding on the length of a term include:

- minimising the effect that the 'learning curve' of new representatives may have on the interests of workers (eg. a new SSHR has up to 3 months to obtain the necessary qualifications and also need to become proficient with carrying out the required functions and powers)
- maximising the mine operator's investment in training and developing an SSHR

There are safeguards in the Act to ensure that if an SSHR is not performing the functions of the office satisfactorily, the representative can be removed from office either by a vote of workers or by notice from the Minister. This may be done at any time during an SSHR's appointment (refer 2.1.5).

Workers and the SSE can decide an area of representation within the mine or part of the mine for which one or more SSHRs are responsible.

While the area of representation may default to either the whole mine or part of the mine that the SSE has been appointed to, it is recommended that formal consideration be given to the practicalities of this in some situations. The areas of representation should be clearly defined to ensure Workers, wherever practical, are represented by SSHRs who are familiar with that area.

When deciding the areas of representation within the mine or part of the mine, consideration should be given to:

- size of the mine
- complexity of operations (e.g. exploration, mining, quarrying, concentrating, processing, smelting, maintenance and other ancillary operations)
- roster and other working arrangements

- workers and SSE believe current representation of workers does not permit sufficient worker consultation
- the ability for the SSHR to respond in a timely manner to worker concerns
- the ability for the SSHR to be released from duties to attend another part of the operation
- knowledge of operations and management structures in other areas of the mine

2.1.3 Eligibility criteria

To nominate as an SSHR, a person must have been a worker for at least two years.

There are no formal qualifications required for a worker to be selected or elected as an SSHR. The only requirements to be eligible are that a candidate must be:

- a worker at the mine
- have been a worker for at least two years. It is recommended that this is at the mine or at a mine of similar nature, size and complexity administered by the Queensland MQSHA

2.1.4 Selection or election

Eligible workers at a mine may nominate or be nominated to be selected or elected to be an SSHR by workers at a mine.

It must be the workers who decide if SSHR(s) are required. The SSE, if asked, must help with the selection or election process.

Prior to selection or election of SSHR(s) the Workers should agree on a suitable selection and election process. The SSE must assist the process and keep a record of the process agreed upon. The process should include how workers will vote (e.g. secret ballot, show of hands or postal vote), scrutineering and declaration of the result.

The following should be considered when selecting or electing SSHRs:

- a period of notice should be given to allow workers sufficient time to consider nominating and to obtain information relating to being an SSHR
- a candidate may self-nominate
- where a candidate is nominated by another worker, the worker nominated must be agreeable to being nominated
- workers are to decide how candidates will be selected and if necessary an election is conducted
- if selection or election will impact operations, prior consultation with the SSE to agree upon a suitable time and place
- if an election is required, voting should be optional but all relevant workers must be given the opportunity to vote
- workers should be encouraged to actively participate in the selection or election process.

Workers may select SSHRs without an election

SSHRs do not need to be elected by workers. After nominations have been received, workers at a mine or part of a mine may simply select SSHRs after discussion of nominations and majority agreement.

If the number of nominations is equal to or less than the number of SSHR positions available, then those workers nominated must be selected to the SSHR position(s), unless the workers are in disagreement with these nominations. In which case, further worker nominations must be called for and an election held. Worker nominations must be called for and an election held.

Only if workers cannot agree on the selection of SSHRs must an election be held to choose the representatives.

If the number of nominations exceed the number of SSHR positions available, then an election should be held.

Workers can ask the SSE for help in the selection or election of SSHRs. The SSE must assist if asked.

Workers to notify SSE when SSHRs have been selected or notified.

Workers should notify the SSE when an SSHR has been selected or elected by workers. The notification provided to the SSE should include the identity of the SSHR, the area of representation and the term of office.

The SSE must then display a notice of these details where it will come to the attention of workers. It is recommended that notices are placed where workers congregate such as on notice boards at shift start points or lunch rooms.

The SSHR should contact an Inspector or DWR to notify them of the appointment and obtain contact details as to where, if required, notices are to be sent.

2.1.5 Resignation, cessation or removal

A worker stops being an SSHR on:

- **resignation from the position;**
- **ceasing to be a worker at the mine;**
- **failing to attain the recognised safety and health competencies within three months;**
- **removal from office by a vote of workers; or**
- **removal from office by the Minister.**

At any time during the term of office, a worker is able to resign as SSHR.

If a worker decides to resign from the office, or ceases to be a worker at the mine, they must tell the SSE. It is recommended that the worker puts their resignation/notice in writing. The resignation/notice:

- does not have to state a reason
- should state date/time of resignation
- should be communicated to workers by the SSE

An SSE must ensure prescribed training is provided to an SSHR within 3 months of appointment. A worker must cease to act as an SSHR if three months after being appointed they have not attained the recognised safety

and health competencies established for an SSHR. Workers and the SSE may decide to declare the position vacant if, after reasonable attempts have been made, the required competency is unable to be attained by the worker.

If an SSE has failed to provide the prescribed training within 3 months then the SSHR should notify an inspector or DWR.

In a situation where the SSHR is not performing their functions to the satisfaction of workers; workers may decide to remove an SSHR from office by a vote.

The Minister can also remove an SSHR from office if the SSHR is not performing their functions satisfactorily. Any of the stakeholders can make a representation to the Minister if they believe there are suitable grounds to remove an SSHR from office. The Minister may request the mines inspectorate to conduct an investigation concerning the performance of an SSHR. If the Minister considers that the SSHR is not performing their functions satisfactorily, they may issue a notice removing the SSHR from office. The notice must contain the reasons why the Minister is removing the SSHR from office.

The SSHR on receiving a notice of removal should in-turn notify the SSE of the Minister's decision. Where the Minister gives notice of a decision to remove an SSHR from office; the SSHR ('the appellant') has 28 days to file a notice of appeal stating the grounds of the appeal with an Industrial Magistrate and the Minister. The SSE should only notify workers of the vacancy once the time for filing an appeal has ended (after 28 days) or the Industrial Magistrates Court agrees with the Minister's decision to remove the SSHR.

3 SSHR competencies, training, functions & powers

3.1 Information for SSHRs

The role of the SSHR is to represent workers in relation to safety and health matters and not industrial relations or human resource management matters. The carrying out of functions to achieve this should be done in cooperation and consultation with the SSE and supervisors with the aim of identifying issues within the SHMS and actions needed to ensure its adequacy and effectiveness.

3.2 Competencies, training and development

A worker must attain the recognised safety and health competencies within three months of being selected or elected as an SSHR.

Within three months of being selected or elected a worker must attain the recognised safety and health competencies established for an SSHR by the Mining Safety and Health Advisory Committee.

The SSE must provide appropriate training, during work time, at normal pay, to persons selected or elected to be an SSHR.

Other training and development opportunities for an SSHR, while not mandatory, should also be considered by the SSE. Other training and development opportunities may include:

- conducting inspections and audits
- mine specific accident investigation training (e.g. ICAM)
- dealing with complaints / concerns
- attendance at industry conferences and seminars
- report writing

3.3 Powers and functions of site safety and health representatives

The SSHR has the power to enter, at any time, their representative area to carry out their

functions provided they give the SSE or an SSE's representative reasonable notice.

An SSHR has the following functions in their area of responsibility:

- inspect parts of the operations
- participate in inspections conducted by the SSE or a supervisor, inspector, inspection officer or authorised officer
- participate in an investigation conducted by the SSE or a supervisor, inspector, inspection officer or authorised officer
- review procedures relevant to their representative area
- review the circumstances of injuries, illnesses and high potential incidents
- consult with supervisors about corrective and preventative action
- consult with supervisors about other safety and health matters
- consult with DWRs, inspectors, advisors and independent experts
- help in the resolution of safety and health issues
- investigate complaints from workers about safety and health
- refer safety and health matters to the SSHC as appropriate

The SSE and supervisors at the mine must not prevent an SSHR from carrying out their functions and must give reasonable help to assist them in performing their functions. They must make available, if required, all information and documentation as requested by the SSHR to carry out their functions. When carrying out their functions the SSHR must receive normal pay and not be penalised.

The SSHR must not unnecessarily impede production at a mine and must give reasonable notice prior to entering any part of a mine to carry out any of their functions.

When deciding reasonable notice, the following matters need to be considered:

- Does the nature of the specific risk, work area or work activity require that an inspection is conducted at or within a certain date or time?
- Does the date, time or the nature of the inspection unnecessarily impede production?

- Does the date or time of the inspection allow the SSE or the SSE's representative to make arrangements to relieve the SSHR from normal duties?
- If required, how the SSE or the SSE's representative can accompany the SSHR.
- How to carry out functions unaccompanied.

It is recommended the SSE and SSHR record why the SSE or their representative believes it was not reasonable to allow an SSHR to carry out their function. This does not prevent the SSHR from carrying out their functions.

If the SSHR is prevented from carrying out their functions by any worker, the SSHR should record the incident, notify the SSE and make a complaint, as a worker, to a DWR or a representation about a safety and health matter to an Inspector.

If the SSHR believes immediate action is required,

- as operations pose a serious danger and reasonable notice and consultation is not possible, or
- consultation has not lead to an agreement on action to be taken

The SSHR may:

- stop the operation or part of the operation, and
- evacuate persons to a safe location

It is recommended that the SSHR records why reasonable notice or consultation was not possible or the nature of the failed agreement on suitable action.

Ways for SSHRs to carry out these functions are discussed below.

Inspecting part of operations

The purpose of an inspection is to assess whether risk from operations is at an acceptable level and to assess the adequacy and effectiveness of the SHMS.

An inspection may be:

- planned
- unplanned

- as a result of a complaint
- a review of documents, procedures or SWIs
- part of an investigation

For planned inspections, the SSHR should, in consultation with the SSE, establish a schedule of planned inspections for their area of representation. This schedule should be agreed upon and documented.

Unplanned inspections are other inspections where issues have been identified that are required to be inspected outside the established schedule.

When inspecting operations, it is recommended that the SSHR consider:

- specific hazards and risks
- the nature of the work area
- types of work activities
- if a complaint, then the specific issues relating to the safety and health of workers.

The main purpose of an inspection is to check if the SHMS is adequate and effective in reducing the risk of injury and illness to workers. An inspection should establish if:

- suitable controls have been implemented to reduce risk to workers
- are implemented controls effective
- the requirements of the SHMS and associated procedures are effective and are being followed adequately to ensure the safety and health of workers

A checklist should be used to record and assist in an inspection. As the main purpose of an inspection is to establish the adequacy and effectiveness of the SHMS, the SSHR may use existing checklist(s) within the SHMS. If none are available, use information from the SHMS and associated procedures that can be objectively observed, checked, tested or measured.

On completing an inspection, the SSHR must:

- complete a written report about the inspection (e.g. completed checklist or brief report)

- give a copy of the report to the SSE

If the inspection indicates the existence or possible existence of danger, the SSHR must immediately notify the SSE or responsible supervisor and send a copy of the inspection report to an inspector.

Participating in inspections and investigations conducted by the SSE or supervisor, inspector, inspection officer, authorised officer or district workers' representative

The SSHR may participate in inspections and investigations conducted by the SSE or supervisor, inspector, inspection officer or authorised officer.

The SSE should inform the SSHR when inspections or investigations are being conducted in their area of representation. The SSHR may request to participate in the inspection or investigation. During these inspections and investigations the SSHR is under the direction of the SSE, supervisor or lead investigator and the level of participation should be agreed on prior to undertaking the activity.

However, as a minimum the SSHR must be able to participate to an extent that they can establish if the inspection or investigation was carried out as per the requirements of the SHMS and that the outcomes and recommendations are adequate to ensure the safety and health of workers.

The notification and participation of SSHR in investigations should form part of the SHMS.

Outcomes resulting in worker disciplinary action should be kept confidential. This information should not be considered to determine if an inspection or investigation is effective.

The mines inspectorate conducts both 'announced' and 'unannounced' inspections of mines.

The SSE must inform the SSHR when an inspector, inspection officer or authorised officer is present or is scheduled to be present

at the mine. The timing of the notice should allow for the SSHR to accompany the inspector, inspection officer or authorised officer if they so desire. During these inspections and investigations, the SSHR is under the direction of the inspector, inspection officer or authorised officer.

The SSE must facilitate this participation if reasonable notice is given.

The SSE does not have to but may:

- notify the SSHR if they are rostered off at the time of the inspection or investigation
- notify the SSHR if the inspection or investigation is outside their area of representation

The SSE does have to notify the SSHR if a directive was given relevant to their area of representation by an inspector or inspection officer.

An SSHR or their representative may, if invited to, accompany a DWR during an inspection.

Reviewing procedures in place at the mine to control the risk to workers so that it is at an acceptable level

The SSHR has the power to review documents in a place at a mine, including procedures. The purpose is to assess whether the risk from operations is at an acceptable level.

The SSHR should have cause to review a procedure. A trigger could be:

- document review process
- failure of document control review process
- part of an inspection, investigation or complaint
- a proposed change to the operations, or plant or substances at the mine that affect or may affect the safety and health of workers at the mine.

Similar to planned inspections, the SSHR should, in consultation with the SSE, document how this will be achieved.

A record of all issues, correspondence and agreed actions should be documented.

While procedures that are part of the SHMS must be available to all workers, some other documents may require suitable authorisation prior to being reviewed.

Reviewing involves reading the document and making comment as to its adequacy and effectiveness in reducing risk to workers safety and health.

Usually all documents and procedures remain the property of the mine and reference should be made to the mines document security and handling requirements prior to reviewing any documents on site.

Reviewing the circumstances of injuries, illness and high potential incidents (HPI)

If a worker is absent from work for more than one (1) shift as a result of an injury or illness from operations or if a HPI has occurred then the SSE must inform each SSHR in that area of representation as soon as practicable of the circumstances.

The review of circumstances should be undertaken similar to an investigation, and the requirements for carrying out or participating in an investigation should be followed. All reviews should be done in consultation with the SSE or the SSE representative.

If an SSHR is not participating in an investigation then the SSE, if requested, at the conclusion of the investigation must provide documents and information of the circumstances, contributing factors and recommendations to the SSHR.

Reviewing circumstances involves reading the documents and making comment. The circumstances may include but not be limited to: date, time, location, agent, mechanism, body part, and nature of injury.

Confidential personal documents and details are not required information needed to review circumstances and should not be disclosed to the SSHR or any other person without suitable

documented authorisation from the injured worker.

Consulting with supervisors about corrective and preventative action and about other safety and health matters

If the SSHR identifies an issue or if an issue is brought to their attention the SSHR should consult with supervisors to determine the most effective and appropriate corrective actions required to address safety and health concerns. This may be done informally as issues arise in the workplace or as part of formal meetings.

Records of discussions (eg. diary notes) concerning issues should be kept. Records could include what is the issue, who raised the issue, when it was raised, who else is aware of the issue and conversations concerning the issue.

The SSHR may consult with the SSE/supervisors about safety and health matters after:

- inspecting parts of the operations
- reviewing procedures
- participating in investigations
- helping with the resolution of safety and health issues
- investigating a complaint

It is recommended a record of agreed outcomes is kept and acknowledged by the SSHR and the SSE/supervisor.

Consulting with DWRs, inspectors, advisers and independent experts

The SSHR is not seen as the expert on all matters relating to safety and health. They should, where possible, seek information and or advice from other sources.

The SSE should ensure that SSHR(s), where practicable, have access to the relevant contact details of DWRs, inspectors and other advisers or technical experts as required. The SSE should also ensure the SSHR(s) are provided with reasonable time and resources to access other information relating to safety and health matters.

Helping in the resolution of safety and health issues

The SSHR should ensure workers have attempted to resolve any safety and health issues as per the mines SHMS and associated procedures. If a worker requires assistance, then the SSHR should attempt to facilitate the resolution of any safety and health issues as per the mines SHMS and associated procedures in consultation with other stakeholders.

To help in the resolution of safety and health issues an SSHR may:

- refer matters to the SHC
- give feedback to workers
- consult with SSE and supervisors
- consult with Inspectors, DWRs, advisers and independent experts
- consult with other workers

Investigating complaints from workers about safety and health

The SSHR should ensure workers have attempted to resolve any complaints as per the mines SHMS and associated procedures for a suitable resolution.

If required the SSHR should assist/encourage the worker to follow SHMS processes.

Complaints should be about failures and deficiencies of the SHMS.

If after gathering and analysing facts the SSHR believes the SHMS is inadequate or ineffective they must inform the SSE.

When investigating a complaint caution should be exercised as often workers wish to remain anonymous. There is no obligation on the SSHR to keep a complaint anonymous. If a worker wishes to remain anonymous and the SSHR believes their investigation may not ensure this, then the matter may be better dealt with as a "representation about a safety and health matter" to an inspector (refer Act S.254).

Informing the SSE about an inadequate or ineffective SHMS

If an SSHR believes the SHMS is inadequate or ineffective a written report should be completed and a copy given to the SSE.

The report and discussion with the SSE should be around

- What is the problem?
 - the inadequacy or ineffectiveness referenced against the specific areas of the SHMS
- Why is it a problem?
- What is the risk or risk reduction benefits to workers?

The SSE should consider the issues and take action. The action to be taken should be:

- agreed
- timely
- appropriate

The SSE should document action to be taken and give a copy to the SSHR. If the SSHR and SSE have had discussions on the matters and an agreement has not been reached, then the SSHR should contact an inspector or DWR to investigate further. The SSHR should provide them with the following details:

- What is the problem?
 - the inadequacy or ineffectiveness referenced against the specific areas of the SHMS
- Why is it a problem?
- What is the risk or risk reduction benefits to workers?
- What response did the SSE provide to the SSHR concerns?
- What actions have or have not been done?
- What does the SSHR consider an appropriate action

Referring matters to the SSHC

The SSHR may refer matters to the SSHC for consideration and resolution.

Examples of what could be referred to the SSHC include those matters that:

- have not been able to be resolved following SHMS processes

- need further input or resourcing for resolution
- may be of relevance to other areas of the mine
- should be standardised across the mine
- require communication across the mine.

4 Site safety and health committees

The SSHC should be a forum for management and workers to come together to discuss systemic safety and health issues and look at ways to improve the SHMS.

This section relates to the roles, functions and powers of SSHCs as per Act Part 7. It doesn't apply to safety committees that have been established as part of the SSE's SHMS and, wherever possible, these roles and process should be kept separate. If the workers select or elect an SSHR then a SSHC should be established. If the Chief Inspector or SSHR requests a SSHC to be established then the SSE must establish it.

Usually there is only one SSHC per SSE area of operations. If the workers and SSE decide that more than one SSHC is required due to the size and complexity of the operations, then more than one may be established.

As the decision to increase the number of SSHC rests with the workers (not just SSHRs) and SSE, it is recommended this decision is discussed and documented when elections take place or if there is a major change in operations.

4.1 Site safety and health committee membership

As a minimum the SSHC must consist of:

- an SSHR
- the SSE or SSE representative

An SSHC can have other members who are:

- workers at the mine or part of the mine that the SSHC is being established for; and
- nominated by the workers (not just SSHRs) and the SSE

At least half of the members should be nominated by workers who are not part of the management structure for the mine.

While membership to the SSHC is restricted to workers at the mine, it does not preclude invited guests attending meetings as non-members.

The term of membership for committee members, other than the SSHRs and SSE or SSE representative, should also be agreed upon by the workers.

For a SSHC meeting to be effective the following attendance should be considered as a minimum:

- at least one SSHR and the SSE or their representative for the mine or part of the mine that the SSHC was established for
- At least 50% of attendees being workers who are not part of the management structure for the mine.

4.2 Site safety and health committee functions

The functions of the SSHC are to:

- facilitate consultation and cooperation between management and workers in initiating, developing and implementing management of risk from operations
- encourage an active interest in safety and health matters at the mine
- review the circumstances of injuries, illnesses and high potential incidents, and recommend appropriate action
- consider any proposed changes to operations that may reasonably be expected to affect the control of risk, and make appropriate recommendations
- carry out inspections
- consider matters referred to the committee by a SSHR
- help in the resolution of safety and health issues
- perform other functions to promote safety and health

The SSE must provide access to appropriate facilities necessary for the SSHC to perform their functions. While there are no prescribed

training requirements for SSHC members, the SSE may identify other training requirements for members. The SSE must arrange for this training to be conducted.

The SSE must ensure that committee members receive their normal pay for time spent in performing their functions.

Facilitating consultation and cooperation between management and workers to manage risk from operations

The SSHC is made up of representatives from both the general workforce and management. As such members should not only be setting examples of effective consultation and cooperation but facilitate the concerns of all workers to ensure the risks from operations is at an acceptable level and as low as reasonable achievable.

Consultation requires that members of the SSHC actively give and seek advice, information and opinions about how risk from operations is to be managed at the mine. For example, members of the SSHC as part of developing measures to manage risk from operations, could meet with affected workers, provide information about the risk and then seek input from affected workers about how the risk is currently being managed or how it could be managed.

Cooperation requires that members of the SSHC work or act together for a common purpose or benefit. It is recommended that the SSHC clearly define the common purpose and benefit.

The common purpose and benefit must focus on ensuring that risk of injury or illness to any person resulting from operations is at an acceptable level.

Encouraging an active interest in safety and health matters

The SSHC should encourage an active interest in safety and health matters. This could include encouraging workers to:

- participate and implement safety and health processes
- proactively take action on safety and health issues
- raise concerns or ideas for improvement

Reviewing circumstances of injuries, illnesses and high potential incidents, and recommending appropriate action

The SSHC is to review the circumstances of injuries, illnesses and high potential incidents, and recommend appropriate action to prevent a reoccurrence and improve the health and safety of workers.

Details may include, but not be limited to, date, time, location, agency, mechanism, body part injured, nature of injury, the events leading to the event, contributing factors and root causes.

Safety and health preventative or corrective recommendations as a result of the investigation of accidents or incidents may also be reviewed by the SSHC.

To provide a level of governance and oversight, the SSHC should critically evaluate if the proposed safety and health preventative or corrective actions adequately address the contributing factors and root causes and will reduce risk to an acceptable level. Where it is determined that proposed actions do not reduce risk to an acceptable level, the SSHC should recommend appropriate action which may include further investigation of the incident.

Considering any proposed changes to operations that may reasonably be expected to affect the control of risk, and making appropriate recommendations

The SSHC should review proposed changes to ensure the SHMS change management process has been applied effectively.

Proposed changes to operations could include:

- operations or parts of operations starting, being temporarily suspended or closing
- operations changing in size, nature or complexity
- changes to materials, processes or plant and equipment
- significant changes to the mine's risk management practices or procedures

The SSHC should evaluate the change management process to ensure the following has been considered:

- hazards and risks anticipated or identified as a result from the proposed changes to operations
- impacts on work environment and work methods
- interaction of hazards present at the mine
- reliability and effectiveness of any controls
- monitoring of hazards and risk from proposed changes to operations
- other reasonably available relevant information and data from, and practices in, other industries and mining operations

Carrying out inspections

The SSHC is able to carry out inspections. The purpose of an inspection is for the SSHC to assess whether risk from operations is at an acceptable level and to assess the adequacy and effectiveness of the SHMS. These inspections may also assist members in understanding issues in the workplace.

Furthermore, an inspection may also assist the SSHC with some of its other functions, including:

- encouraging an interest in safety and health matters
- familiarisation with operations where proposed changes are to take place
- considering matters referred to the committee by an SSHR
- helping in the resolution of safety and health issues

Considering matters referred to the committee by an SSHR

The SSHC should consider matters referred to it by an SSHR. These matters should be listed, where possible, within the other agenda items.

Helping in the resolution of safety and health issues

The SSHC should assist in resolving safety and health issues that have been referred to it by an SSHR or workers. They may do this by:

- consultation or investigation
- identification of resources requirements
- identification of the need for consultant or expert input
- identifying deficiencies within the SHMS to resolve the issue

Performing other functions to promote safety and health

The SSHC is to promote safety and health. This could be achieved by:

- members giving presentations
- promoting safety and health initiatives
- recommending training and mentoring

4.3 Meetings

The meetings of the SSHC should be held to maximise the number of SSHC members who can attend. As a minimum, meetings must be held at least once every three months.

The SSHC may conduct its proceedings in the way it decides. It is recommended that SSHC meeting procedures and conduct, or terms of reference, are documented. Some of the matters that should be considered include:

- aims of the committee
- number of members (including when and how other committee members may be nominated by the workers and SSE)
- SSHC chair (consider alternation)
- notification of meetings
- responsibility for arranging and setting the meeting agenda
- defining a meeting quorum
- decision making arrangements

- arrangements for minute taking, including a timeframe for when the minutes will be completed and available for inspection by committee members after a meeting

4.3.1 Meeting minutes

The SSHC must keep minutes of its meetings. Meeting minutes should be:

- dated
- attendees noted
- clear and concise
- identify the issue or matter raised
- summarise the committee discussion
- document the committee's decisions
- assign responsibility for any follow-up action
- specify a date for resolution

Minutes of the meetings should be part of the Mine Record and kept for the life of the mine.

The SSE must make the minutes of meetings available for inspection at all reasonable times by workers and inspectors. It is recommended that SSHC meeting minutes are posted on a notice board in areas where workers congregate.

To allow full participation by all members in committee meetings, it is recommended that the 'minute taker' is not a nominated member of the committee.

