



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**



GUIDE

Health and safety representative (HSR) refresher training course requirements



WHSC
WORK HEALTH AND SAFETY COMMISSION





Government of Western Australia
Department of Mines, Industry Regulation and Safety



WorkSafe
Western Australia



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1 Purpose

The Work Health and Safety (General) Regulations 2022 and the Work Health and Safety (Mines) Regulations 2022 make provision for a refresher training course for elected health and safety representative (HSRs). The Work Health and Safety Commission (Commission) is responsible for approving this refresher training.

The purpose of this guide is to provide Approved training providers with the information necessary to gain approval to deliver HSR refresher training.

2 General requirements

Applicants must be training providers already approved by the Commission as an approved provider of HSR training. Information about becoming an approved provider can be found in the publication [*Operating as an approved provider of health and safety representative \(HSR\) training in Western Australia: guide*](#).

All of the general requirements outlined in that publication also apply in the delivery of HSR refresher training. In addition to the annual reporting requirements outlined in part 8 of that guide, approved providers delivering HSR refresher training must also complete a separate annual report for the HSR refresher training courses delivered. Information required in the annual report is to be collected from course participants. A template for the annual report is provided at Appendix 2. An optional form is provided at Appendix 3 which may assist an approved provider with collecting the required data from HSR refresher training course participants.

HSR refresher training can only be delivered by a nominated trainer that has been approved by the Commission.

Approval for an HSR refresher training course lasts for three years. Within three months of the end of an approval period an approved training provider may apply for renewal of its HSR refresher training course approval. The renewal process is the same as the original approval process.

The Commission reserves the right to suspend or cancel an approved training provider's authority to deliver an HSR refresher training course at any time, at its discretion. Any decision to do so will occur after due consideration, and in accordance with the principles of due process and natural justice.

3 Development of an HSR refresher training course

Background information

Part 5 of the *Work Health and Safety Act 2020* (WHS Act) outlines the workplace consultative arrangements between a person conducting a business or undertaking (PCBU) and workers. These arrangements are designed to encourage consultation, representation and participation to jointly monitor WHS issues and improve WHS standards. These mechanisms include:

- the formation of work groups and health and safety committees
- the election of HSRs with a range of rights and powers
- duties on PCBUs to consult with HSRs on WHS issues in certain circumstances.

Under the WHS Act, a PCBU has a duty to consult and ensure workers are involved in decisions on WHS. Workers should also be consulted on proposed changes to the workplace that may affect the WHS of anyone in a work group. The formation of work groups and the election of HSRs are intended to facilitate worker representation, discussion of WHS matters, and identification and control of risks. Importantly:

- HSRs play a key role in prevention of workplace injury and illness, and promotion of good WHS practice
- WHS legislation does not impose specific obligations on HSRs but provides HSRs with powers and functions
- there are no pre-requisites for becoming a HSR, other than to be an elected member of the work group.

HSR refresher training should emphasise these themes.

Agreed approach to training

If an HSR requests training, a PCBU must allow this to occur. An HSR has the right to attend an approved HSR training course of their choice in consultation with their PCBU.

To ensure an effective and consistent approach to development and delivery of HSR training across jurisdictions, all harmonised WHS regulators have identified and adopted the following underpinning principles.

The Commission requires approved providers to adhere to these principles in the design of HSR refresher training. Approved providers have an opportunity to be creative with the design and information presented in the refresher courses to maximize HSR engagement.

1. HSR training does not include a formal assessment

The intent of training is to develop an HSR's skills so they can represent their work group and exercise their powers and functions under the WHS Act. The HSR training courses are not intended to train HSRs to be health and safety professionals or fulfil a PCBU's WHS obligations.

Following participation in a course approved by the Commission an HSR may wish to pursue more formalised training or seek recognition of prior learning (RPL) leading to a vocational qualification.

2. Adult learning principles

Adults learn in different ways and bring a range of experiences and backgrounds to the learning environment. The HSR refresher training course content and activities should integrate this experience and diversity, and provide HSRs with the skills and knowledge to represent their work groups effectively.

Training delivery should provide participants with opportunities to contribute and reflect upon their own workplace experience.

3. Context

The majority of adults like to see the relevance of what they are learning to their work and life. Course content should enable participants to understand the link with their workplace experience or situation. Activities should allow time for each participant to relate their skills and knowledge to industry specific WHS issues.

4. Inclusive

The following factors should be considered when developing and delivering HSR refresher training courses:

- age
- gender
- culture
- disability
- language
- literacy
- numeracy.

The principles of plain English and gender neutral language should also be adopted in the training materials and training delivery to ensure participants feel comfortable, confident and safe to interact with one another and participate fully in training activities.

5. Activity-based

The majority of adults are more likely to learn when they are actively involved rather than passively sitting and listening to a trainer presenting information. A range of interactive activities (such as group work, case studies and workplace inspections) should be used so participants can further develop and practice the required knowledge and skills. Participants should be encouraged to actively engage with other participants to develop consultation skills and the ability to cooperate and coordinate with other people in their role.

6. Accommodates differences in learning styles

The course content should cater for differences in learning styles or special needs. Using a variety of media (e.g. print, digital, audio) and activities (e.g. trivia quizzes, games, role plays) should ensure all learning styles are accommodated.

7. Learner-centred

A learner-centred approach to training focuses on the achievements of the participant, rather than the intentions of the trainer. Participants should be encouraged to engage with other HSRs and share their perspectives and experiences. They should also be provided with opportunities for self-reflection.

8. Commitment to safety

The safety and welfare of participants must be considered when training content and activities are developed and delivered. Applicants must ensure that they meet all WHS legislative requirements and commit to providing a safe and positive learning environment. Participants should be encouraged to interact, question and challenge in a non-judgmental environment.

Delivery mode

Training should be delivered in a way which maximises participation and engagement. To achieve this training must be delivered 'face-to-face' so HSRs can interact and learn from each other. 'Face-to-face' mode of training delivery is defined as participants being in the same physical location, i.e. in the same room, at the same time.

Course duration

HSR refresher training must be a minimum of seven hours face-to-face training over a period of one day.

Learning outcomes for HSR refresher courses

Following completion of an initial five day course, an HSR is entitled to attend one day refresher training annually.

HSR refresher courses must:

- (a) provide HSRs with an overview of the learning outcomes in the initial five day training
 - interpreting the Work Health and Safety legislative framework and its relationship to the HSR
 - identifying key parties, legislative obligations and duties
 - establishing representation in the workplace
 - participating in consultation and issues resolution
 - representing members in the WHS risk management process undertaken by the PCBU
 - issuing a Provisional Improvement Notice (PIN) and directing the cessation of work
- (b) provide the HSRs with information on any developments in WHS legislation, such as changes to the Act, Regulations, approved codes of practice or any updated case law
- (c) focus on HSR skills development, and
- (d) review the role of the HSR including feedback from the participants on their experience.

4 Applying for approval of an HSR refresher training course

An approved training provider wishing to have an HSR refresher training course approved in Western Australia is required to submit a completed application form (Appendix 1) along with a course outline (approximately 1-2 pages) of the proposed course to support their application. The application must be signed by an authorised officer of the approved training provider and submitted to WHSCommission@dmirs.wa.gov.au

At least one suitably qualified trainer must be nominated by an RTO at the time of application.

Approval typically takes between 4 and 6 weeks. An approved training provider may not commence delivery of HSR refresher training until authority is granted by the Commission.

Appendix 1 Application to become an approved provider

This form is used to apply for approval to deliver HSR training in Western Australia.

Type of application:	<input type="checkbox"/> New	<input type="checkbox"/> Renewal
Training provider organisation detail		
Business name	<input type="text"/>	
ABN/ACN	<input type="text"/>	
Trading name	<input type="text"/>	
RTO number	<input type="text"/>	Registration expiry date <input type="text"/>
Training provider organisation detail		
Business address	<input type="text"/>	
Town/suburb	<input type="text"/>	State <input type="text"/> Postcode <input type="text"/>
Is your postal address the same as above? If not complete below. <input type="checkbox"/> Yes <input type="checkbox"/> No		
Postal address	<input type="text"/>	
Town/suburb	<input type="text"/>	State <input type="text"/> Postcode <input type="text"/>
Work number	<input type="text"/>	Mobile number <input type="text"/>
Email address	<input type="text"/>	
Website address	<input type="text"/>	
Authorised officer details		
Name	<input type="text"/>	
Position	<input type="text"/>	
Work number	<input type="text"/>	Mobile number <input type="text"/>
Email address	<input type="text"/>	

Authorised officer's acceptance of approval condition

- Has your course been designed with consideration to the agreed approach to training outlined in this guide?
- Do you agree to comply with the General requirements of HSR training delivery as outlined in the *Guide: Operating as a provider of health and safety representative (HSR) training in Western Australia* when delivering this training course?
- Do you consent to your training provider name and office contact details being listed on the approved training provider public register on the WorkSafe website as a provider of HSR refresher training?
- Do you acknowledge that any breach of the conditions of approval may result in the suspension or cancellation of Work Health and Safety Commission approval of your HSR refresher training course?

Authorised officer's declaration

As authorised officer(s) I/we declare:

I have authority from the approved training provider to complete and submit this notification.

The information in this notification and documentation submitted are true and correct to the best of my knowledge.

I consent to the Work Health and Safety Commission making enquiries and exchanging information with work health and safety regulators in other States, Territories or the Commonwealth regarding any matter relevant to this application.

Name of authorised officer

Position

Signature Date

Checklist

- Application form completed and declaration signed
- Attached a copy of your proposed HSR refresher training course outline (1-2 pages)
- Make a copy of your full application (and all attachments) for your records

Lodgement

Complete notifications must be lodged via email to WHSCommission@dmirs.wa.gov.au

Appendix 2 Annual report template

1. Name of approved provider

2. Name of accredited course

3. Target group(s)

4. Period covered by this report: From to

5. How many HSRs were trained in the period covered by this report?

6. Number of people trained, by gender: Female Male Non-binary
 Prefer not to disclose or not previously listed

7. Number of people trained, by age group

15-19	<input type="text"/>	20-24	<input type="text"/>	25-29	<input type="text"/>
30-34	<input type="text"/>	35-39	<input type="text"/>	40-44	<input type="text"/>
45-49	<input type="text"/>	50-54	<input type="text"/>	55-59	<input type="text"/>
60-64	<input type="text"/>	65+	<input type="text"/>		

8. How many HSRs were trained, from each of the following industry sectors?

Industry	Number
Accommodation and food services	
Administrative and support services	
Agriculture, forestry and fishing	
Arts and recreational services	
Construction	
Education and training	
Electricity, gas, water and waste services	
Financial and insurance services	
Health care and social assistance	
Information media and telecommunications	
Manufacturing	

Industry	Number
Mining – onshore	
NOPSEMA	
Other services	
Professional, scientific and technical services	
Public administration and safety	
Rental, hiring and real estate services	
Retail trade	
Seafarers	
Transport, postal and warehousing	
Wholesale trade	
Not stated	
Total	

9. How many HSRs were trained, in each of the following occupational categories?

Occupation category	Number
Managers and Administrators Including School Principals, Directors, Mine Managers, Farm Managers, Managing Supervisors, Commissioned Police Officers, Chief Executives, Trade Union Secretaries	
Professionals Including Chemists, Teachers, Architects, Accountants, Engineers, Registered Nurses, Geologists, Metallurgists, Journalists, Actors, Librarians, Public, Relations Officers	
Para-Professionals Including Technicians, Police Officers, Ships Captains, Welfare Officers, Safety Inspectors, Prison Officers	
Tradespersons Including Fitters, Welders, Tilers, Hairdressers, Chefs, Tailors, Mechanics, Gardeners, Apprentices	
Clerks Including Typists, Secretaries, Messengers, Computer Operators, Bookkeepers, Telephonists, Teachers Aids, Law Clerks	
Salespersons and Personal Service Workers Including Travel Agents, Enrolled Nurses, Dental Nurses, Waiters, Insurance Brokers, Sales Representatives, Tellers, Cashiers, Beauty Therapists	
Plant and Machine Operators Including Bus Drivers, Forklift Drivers, Crane Operators, Press Operators, Processing Machine Operators, Treatment Plant Operators, Mining Equipment Operators	

Occupation category	Number
Labourers and Related Workers Including Trades Assistants, Factory Hands, Cleaners, Farm Hands, Meat Packers, Process Workers, Scaffolders, Riggers, Security Officers, Fishing Workers, Deckhands, Labourers, Miners	
Not stated	
Total	

10. Of the HSRs trained, how many are from metropolitan or from non-metropolitan regions in the period covered in this report?

Regional area	Number
Metropolitan	
Non-metropolitan	
Not stated	
Total	

11. How many courses were conducted in the following regions in the period covered in this report?

Regional area	Number
Metropolitan	
Non-metropolitan	
Other	
Total	

Appendix 3 Participant data collection

1. Name

2. Occupation

3. Please tick the category, which best describes the industry of your employer.

- Accommodation and food services
- Agriculture, forestry and fishing
- Arts and recreational services
- Construction
- Education and training
- Electricity, gas, water and waste services
- Financial and insurance services
- Health care and social assistance
- Information media and telecommunications
- Manufacturing
- Mining – Onshore
- Professional, scientific and technical services
- Public administration and safety
- Administrative and support services
- Other services
- Rental, hiring and real estate services
- Retail trade
- Transport, postal and warehousing
- Wholesale trade
- NOPSEMA
- Seafarers

4. Please tick the occupational category in which you work.

- Managers and Administrators
Including School Principals, Directors, Mine Managers, Farm, Managers, Managing Supervisors, Commissioned Police Officers, Chief Executives, Trade Union Secretaries
- Professionals
Including Chemists, Teachers, Architects, Accountants, Engineers, Geologists, Metallurgists, Journalists, Actors, Librarians, Public Relations Officers, Registered Nurses
- Para-Professionals
Including Technicians, Police Officers, Ships Captains, Welfare Officers, Safety Inspectors, Prison Officers
- Tradespersons
Including Fitters, Welders, Tilers, Hairdressers, Chefs, Tailors, Mechanics, Gardeners, Apprentices
- Clerks
Including Typist, Secretaries, Messengers, Computer Operators, Bookkeepers, Telephonists, Teachers Aids, Law Clerks
- Salespersons and Personal Service Workers
Including Travel Agents, Enrolled Nurses, Dental Nurses, Waiters, Insurance Brokers, Sales Representatives, Tellers, Cashiers, Beauty Therapists
- Plant and Machine Operators
Including Bus Drivers, Forklift Drivers, Crane Operators, Press Operators, Processing Machine Operators, Treatment Plant Operators, Mining Equipment Operators
- Labourers and Related Workers
Including Trades Assistants, Factory Hands and Cleaners, Farm Hands, Meat Packers, Process Workers, Scaffolders, Riggers, Security Officers, Fishing Workers, Deckhands, Labourers, Miners
- Other / not stated

5. Where do you usually work (in your current job)? Metropolitan Non-metropolitan

6. Please tick your age group

- 15-19 20-24 25-29 30-34 35-39
 40-44 45-49 50-54 55-59 60-64
 65+

7. Your gender

- Female Male Non-binary
 Prefer not to disclose



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