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## IMPORTANT NOTES

### 1 TIDY ME UP!!!

The information here is quite extensive, and though you could do a 'find and replace' of 'XYZ' to be replaced by your business name, and have a viable manual, some of it may not resonate so well with your extant systems. For example, some terms may be at variance such as 'JSA' (job safety analysis) and 'SWP' (safe work procedure). Your business may already be using the term 'SWMS' (safe work method statement) and achieving similar outcomes.

Be sure to patiently go over the term and adjust as appropriate.

**2 THROUGHOUT THIS MANUAL, DEFINITIONS AS USED WITHIN THE WHS ACT 2011 WILL APPLY.** (Also refer to the WHS Encyclopaedia at the end of this manual.)

For example:

- PCBU
- Officer
- Worker
- Other
- Reasonably practicable
- Due diligence

These terms are defined below:

### PCBU

**Section 5 of the Act defines the meaning of the 'person conducting the business or undertaking' (PCBU). It states:**

- (1) For the purposes of this Act, a *person conducts a business or undertaking*:
  - (a) whether the person conducts the business or undertaking alone or with others; and
  - (b) whether or not the business or undertaking is conducted for profit or gain.
- (2) A business or undertaking conducted by a person includes a business or undertaking conducted by a partnership or an unincorporated association.
- (3) If a business or undertaking is conducted by a partnership (other than an incorporated partnership), a reference in this Act to a person conducting the business or undertaking is to be read as a reference to each partner in the partnership.
- (4) A person does not conduct a business or undertaking to the extent that the person is engaged solely as a worker in, or as an officer of, that business or undertaking.
- (5) An elected member of a local authority does not in that capacity conduct a business or undertaking.

- (6) The regulations may specify the circumstances in which a person may be taken not to be a person who conducts a business or undertaking for the purposes of this Act or any provision of this Act.
- (7) A volunteer association does not conduct a business or undertaking for the purposes of this Act.
- (8) In this section, *volunteer association* means a group of volunteers working together for 1 or more community purposes where none of the volunteers, whether alone or jointly with any other volunteers, employs any person to carry out work for the volunteer association.

**In many cases, the PCBU will not be a ‘human being’ but a ‘corporate body’. This is reflected in the types of fine that may apply in a H&S system failure, where a prosecution is successful. Even though the fine for a PCBU can be as high as \$3,000,000, no gaol sentence can be attached, whereas an ‘Officer’ (see below) of a PCBU can receive a penalty up to \$600,000, as well as a possible gaol sentence up to 5 years.**

### **Officer**

#### **Section 4 of the Act defines an Officer as:**

- (a) an officer within the meaning of section 9 of the *Corporations Act 2001* other than a partner in a partnership; or
- (b) an officer of the Commonwealth within the meaning of section 247; or
- (c) an officer of a public authority within the meaning of section 252; other than an elected member of a local authority acting in that capacity.

The ‘Officer’ is usually a senior manager (CEO, Managing Director, Chief Financial Officer, etc.) who can significantly alter the way the business functions on a day-to-day level. If a Board becomes too closely involved in the way a business functions in its day-to-day operations, it can become accountable for failures. *At a line-management level, if a supervisor gives instruction for a task and a damaging occurrence happens, that supervisor is unlikely to be prosecuted as an ‘Officer’, but will still face prosecution as a ‘Worker’ who failed to apply good safety practice, etc.*

### **Worker**

#### **Section 7 of the Act defines a ‘Worker’ as follows:**

- (1) A person is a *worker* if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:
  - (a) an employee; or
  - (b) a contractor or subcontractor; or
  - (c) an employee of a contractor or subcontractor; or
  - (d) an employee of a labour hire company who has been assigned to work in the person’s business or undertaking; or
  - (e) an outworker; or
  - (f) an apprentice or trainee; or
  - (g) a student gaining work experience; or

- (h) a volunteer; or
- (i) a person of a prescribed class.

***Note an 'Officer' will always also be a 'Worker', but a 'Worker' may not necessarily be an 'Officer'. This can be of importance to volunteer officers of not-for-profit organisations, since unpaid 'Officers' will not be prosecuted as 'Officers', but they are still liable for prosecution as 'Workers'.***

### **3 TWO IMPORTANT TERMS TO UNDERSTAND FROM THE ACT ARE 'REASONABLY PRACTICABLE', AND 'DUE DILIGENCE':**

#### **Reasonably practicable**

**Section 18 of the Act defines 'reasonably practicable' as follows:**

In this Act, *reasonably practicable*, in relation to a duty to ensure health and safety, means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including:

- (a) the likelihood of the hazard or the risk concerned occurring; and
- (b) the degree of harm that might result from the hazard or the risk; and
- (c) what the person concerned knows, or ought reasonably to know, about:
  - (i) the hazard or the risk; and
  - (ii) ways of eliminating or minimising the risk; and
- (d) the availability and suitability of ways to eliminate or minimise the risk; and
- (e) after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk

#### **Due diligence**

**Section 27(5) of the Act defines 'due diligence' as:**

...taking reasonable steps:

- (a) to acquire and keep up-to-date knowledge of work health and safety matters; and
- (b) to gain an understanding of the nature of the operations of the business or undertaking of the person conducting the business or undertaking and generally of the hazards and risks associated with those operations; and
- (c) to ensure that the person conducting the business or undertaking has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and
- (d) to ensure that the person conducting the business or undertaking has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and

- (e) to ensure that the person conducting the business or undertaking has, and implements, processes for complying with any duty or obligation of the person conducting the business or undertaking under this Act; and
- (f) to verify the provision and use of the resources and processes referred to in paragraphs (c) to (e).

Examples: For the purposes of paragraph (e), the duties or obligations under this Act of a person conducting a business or undertaking may include:

- (a) reporting notifiable incidents;
- (b) consulting with workers;
- (c) ensuring compliance with notices issued under this Act;
- (d) ensuring the provision of training and instruction to workers about work health and safety;
- (e) ensuring that health and safety representatives receive their entitlements to training.

#### **4 DUTIES UNDER THE ACT**

**All stakeholders – PCBU, Officers, Workers and Others - have duties under the Act:**

**Sections 19 to 26 of the Act covers the various aspects of PCBUS;**

**Section 27 covers the duties of Officers;**

**Section 28 covers duties of Workers;**

**Section 29 covers duties of Others.**

**Failure to comply with a duty may result in a penalty, and/or a gaol sentence.**

# CHAPTER 1: Using the Manual

## Part 1.01 Finding the page

Reading the Contents page will reveal the various Chapters and the sections that deal with issues relating to the particular chapter. The manual opens with an overview of WHS, a legislative perspective, various management and staffing requirements, nuts-and-bolts procedural requirements, a programme for contractor management, followed by a collection of various checklists and forms, and finally, a useful general WHS encyclopaedia. The Manual is divided into 10 basic sections (*apart from the Contents list*).

The page numbering system (see the 'footer' at the bottom of the page) begins with the chapter number, then the part number, then the page number for that part of the chapter. Therefore, if I were on a page numbered 6.02-1, this would be Chapter 6, Part 2, Page 1. That is the chapter headed "Management Procedures", sub-heading 'Grievance and Disciplinary Procedures', page 1.

*This numbering system allows the manual to be added to – or subtracted from – from time-to-time, without having to replace every page. This numbering system – along with the use of ring-binder - at least reduces the number of pages to be replaced whenever a change is made.*

### a) Putting the manual to work:

"EVERY SYSTEM IS IN A STATE OF DECAY WITHOUT AN INPUT OF ENERGY"
--

**Any manual describing the operation of a machine, mixing of ingredients, the mechanics of a system, and so forth, is an integral part of that machine, recipe or system.** Over time - sometimes short, sometimes long - the manual is put on the shelf to gather dust as those persons who operate the machines, mix the ingredients or use the systems become familiar with the operation, etc. However, whenever an upgrade or change happens, an alteration or addendum must be made, and the manual overhauled. **At this point administrative controls must ensure the operators, etc., revise their practices to match the new requirements.**

A WHS manual is no different in its function, and, as in other manuals, there will be sections that one reading will suffice to pass on all there is to know about that part of the operation. There will also be other sections requiring *multiple* references to master, and, as in systems where high specialisation in tasks is required (eg nursing personnel vs maintenance personnel), there may be operators who need to know *only* that part of the manual relevant to the specialty.

*Thus, we can infer the WHS Manual will serve two main purposes. It will be used as:*

- *a day-to-day reference (Management will obviously be more concerned with a section dealing with legislation, whereas employees will be concerned with the procedures relevant to their tasks), and*
- *as a tool to be referred to when drawing-up work method statements to suit various job descriptions.*

*Secondary purposes will include use at induction of new staff or contractors, and as a legal proof of commitment-to-safety by senior management.*

Personnel may be assigned a particular task they feel needs an WHS perspective beyond their common knowledge, so may refer to a relevant programme in the Manual. [If what they are looking for does *not* exist, they should suggest improvement, using the business's consultation mechanism (outlined in the *Consultation Statement*).]

Job descriptions and their associated safe work procedures (SWP) need to be reviewed, and relevant sections of the WHS manual referred to in those SWP. For example, all job descriptions might include a reference to the drugs and alcohol programme, and the grievance and discipline procedures.

Finally, note this manual is a 'living' guide. Should the business extend its operations, other sections may need to be added that cover the new operations. For example, a larger organisation interested in quality control would need a section covering 'document control', and processes in place to ensure 'controlled document' pages are not to be photocopied unless the photocopies are marked as 'uncontrolled documents', and so forth.



# CHAPTER 2: Introduction to the Manual

## Part 2.01 Introduction

This WHS Manual has been prepared for XYZ using – so far as is possible – the latest information on WHS legislation contained within the so-called ‘harmonised’ WHS legislation within the WHS Act 2011, as it is applied within Australia federal jurisdictions, and in its states and territories except for Western Australia and Victoria (at the date of this edition – June 2014). Note the majority of the information will still fulfil much of what is contained in WA and Victorian OHS requirements. The preparation also draws from both general and commercial enterprise data. The approach has been to use 'best practice' procedure at all times, so XYZ may aim to exceed the expectations of all stakeholders, including the various statutory WHS bodies (eg the various states' Workcover/Worksafe/etc.).

The Manual has been prepared – again, so far as possible – to make it accessible and useful to all persons likely to need reference to health, safety and welfare issues in their day-to-day, as well as long-term, employment and business operations on behalf of XYZ. The Manual also attempts in part to educate in, and provide an overview of, WHS in the workplace in general. Ideally, all parties will recognise the aim is to achieve a 'no injury' workplace, with the concurrent 'win/win' for all stakeholders - whether management, employees, volunteers, guests, visitors, contractors and even neighbouring facilities.

The Manual is a ‘living’ document, since it must be monitored and reviewed regularly (a ‘programmed’ annual check at least) and occasionally irregularly (the result of changed circumstance – whether legislative change or operational change, or in the unfortunate event of an incident occurring that reveals an unforeseen risk that must be considered in the future).

Throughout the Manual there are references to forms and documents relating to various *sections*, which contain WHS *programmes*. These programmes will themselves include *appendices*, *checklists* and *forms* useful to the fulfillment of the particular programme.

A comprehensive [encyclopaedia](#) is included at the back of the Manual to provide a handy reference for defining terms used within the Manual. It also provides some educational asides to strengthen the reader's understanding of WHS.

All WHS documents (including the encyclopaedia) are open for comment, review and change. *Such changes should be recorded as part of the firm's [document control](#) system.*

Please take the opportunity to participate in the health, safety and welfare of your workplace. It is your right and responsibility to yourself, your relatives

and your friends - inside and outside the workplace - as well as the wider community who enjoy the privileges of our democratic, but fragile, society.

## Part 2.02 Health, safety and welfare at work? *Why bother?*

In effect, our concern is that the persons leave the area of XYZ control in a state of health and safety at least as good as when they entered it. This is not merely wishful thinking on the part of XYZ health and safety practitioners, but is, in fact, a legislated requirement.

Federally, and in each state, an *Act of Parliament* exists legislating for the administration of work health and safety (WHS). In the federal arena, and in all states and territories except Western Australia and Victoria, this is the WHS Act 2011 (slight variations occur in each jurisdiction), (ref. [Legislation](#) section of this WHS Manual). Basically, if an employer has an unsafe workplace, that employer is in breach of the Act. To breach an Act of Parliament is to break the *Law*. To break the Law is to leave the organisation - *and those individual members of the organisation with responsibility for relevant areas* - at risk of penalty - *which includes the possibility of a prison sentence for offending individuals*.

In very simple terms, the health, safety and welfare of *all persons* coming into contact with an area under control of XYZ, are the responsibility of whomever XYZ has nominated for the *control* of that area.

One of the core elements of an investigation of an incident is to find who had control of that area, and there is no area of a business operation that will not have someone found to be 'in control' by a government inspector. At worst, everything will be regarded as being the responsibility of the XYZ [General Manager](#). (Underlining why it is important for each employee - whether the General Manager or a line-employee - to know their designated areas of responsibility: if any doubt exists, the responsibility will rise up the line!)

To give an example, let's look at what happens should something 'go wrong'.

An investigator from the statutory body will attend an incident scene and very early in the piece, look for the system breakdown. If there is no system in place for an operation, there is automatically a negative mark in the investigator's notebook against the organisation. If there is sign of confusion as to who has control of the area on behalf of the organisation, this is another negative, and so on. It rarely takes too long to discover the person or persons in control of areas, and it is these persons who may bear the full brunt of the Law, unless other, extenuating circumstances exist. These circumstances usually push the responsibility further up the line of the organisational chart. Finally the trail will stop at the highest **executive** level – provided that level was clearly given full authority – including financial control - for all operational decision making (which is why even a CEO may be found not entirely responsible *if the Board maintains too much day-to-day operational control*. In this circumstance, the path is currently clear for a statutory body to *prosecute Board members*).

It becomes patently clear these persons must have an overview of all operational sub-sections likely to impact positively or negatively on *any* XYZ operation. This includes the [management of health, safety and welfare](#) itself.

If health, safety and welfare is 'hidden' down the line in the organisational chart, it becomes 'forgotten' at the higher levels (where it really counts) and authority – both moral and monetary - is watered down. Due diligence and care gets lost in the rush to achieve goals, and so on.

This is recognised in the political world, and legislation is continually seeking out ways to improve systems and management, and achieve good quality safety in workplaces. In fact, in all Australian states, there is legislation in the construction industry making health and safety training absolutely compulsory for all who work on a construction site. A one-day health and safety induction course, with a registration number for each attendee, is a 'must do'. This is to assist the construction site's Principal Contractor achieve the duty-of-care required by the relevant H&S Act. *Even then, with as many 'foreseeable' controls in place, lives are unfortunately lost. A statistic to consider: as late as 1996, in Australia, at the end of each day, over seven persons are dead as a result of workplace injury and illness\*. Each of whom probably thought, along with their management: "It can't happen here..." Worse, they may have thought: "Health and safety? Isn't it just common sense?" (Refer to the dictionary - document number 1-10 - for the definition of 'common sense'.)*

*\*Based on the 1996/97 Australian Bureau of Statistics figures.*

**We have good 'best practice' guidelines in Australia – and death, illness and injury still happen. This, alone, should be reason enough for those in control of workplaces to practice good quality WHS techniques.**

*However, add this to the opening object in Section 3 ((1)(a) of the WHS Act 2011 ("The main object of this Act is to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces by:*

*(a) protecting workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work or from specified types of substances or plant" etc.), and it is obvious there is an absolute need for management to be clear about their health and safety obligations.*

A final, sobering thought:

In the April 2002 edition of Strata Life (page 7) under the banner "Warning! New OH&S Legislation: Do You Comply", the author, James Freestun of *Solutions in Engineering Pty Ltd* quotes an WHS legal expert: "You never win an OH&S prosecution, you only minimise your losses."

## **Part 2.03 Why Have an WHS Manual?**

Just as boundary lines help players in most sport know when gameplay is in or out of bounds, guidelines laid down within an organisation's various

operational manuals (eg Human Resources and Industrial Relations, Financial Control, Machine Operations, Quality Assurance, etc.) assist all employees and management to know at any one time, what is acceptable, and what is unacceptable activity and/or behaviour. As with any of these other manuals, the *WHS Manual* lays down guidelines for *all* persons in the workplace to follow.

Since the Manual is available for all to refer to, this helps greatly reduce misunderstandings. For this reason, as much as any other, a workplace manual, whether for production purposes, industrial relations purposes or WHS purposes, must not be allowed to gather too much dust on a shelf. Working copies of manuals are expected to become dog-eared and thumbed through, coffee stained and crinkled from use, as they are referred to regularly to assist hands, both old and new, review and monitor procedures in the business environment.

The *WHS Manual* also becomes invaluable should an incident occur. It assists the investigator compare what is *supposed* to happen with what *actually* happened ([‘gap analysis’](#)).

Though our safety systems are only as good as the last hazard we identified and controlled, the *WHS Manual* and its tips become part of the WHS training of all personnel. Ideally, the *WHS Manual* also ensures a heightened awareness of what to look for as clues to what may be *tomorrow's* new hazard.

In the interest of producing the best possible outcome in WHS, an WHS manual must be considered *active* at all times, and therefore open to revision as technology, along with human resources, change to suit the business environment.

### [Programmes, policies and procedures:](#)

The bulk of the Manual consists of *programmes, policies, and procedures*.

Within any workplace there are hazards and/or groups of hazards that impact on the workplace. Hazards have risks associated with them that have greater and lesser degrees of effect on the workplace. It is usual to have *public statements of commitment* addressing hazards likely to involve a high degree of risk in a particular workplace. For example, *hazardous substances* are not of so great a concern to an aged care facility as they may be in (say) a chemical processing plant, whereas *manual handling* issues are of high concern to both enterprises. The public statement of commitment, which includes outlines of responsibility and so forth, are called ‘policies’.

At XYZ, we have various policies, including the general WHS Policy and the Consultation Policy. They include the commitments and responsibilities expected of management, supervisors and employees, and form part of the specific hazard’s WHS programme.

Note that though *hazardous substances* do not have their own specific policy at XYZ, we *do* have an *WHS programme* for hazardous substances.

Programmes address the following six elements:

- Purpose: *Why do we need this programme?*
- Scope: *What situations does it cover (includes geographic and systematic)?*
- Responsibility: *Who is covered by the programme and what is their ethical and legislative accountability?*
- Procedure: *What steps are to be taken to fulfil the various obligations contained in the programme?*
- Training: *What training needs do the responsible parties have to ensure the procedure can be followed in a realistic and competent manner, and to ensure all reasonable steps have been taken to control the hazardous situation(s) outlined in the 'Purpose'.*
- References: *What other information is useful to us? What documents relate to the programme? What legislation may impact on us regarding this programme?*

For this Manual, the following criterion was applied:

"If there *is no* reason for a programme, don't make one. If there *is* a reason for a programme, do it well."

*WHS programmes are living documents, and must be monitored and reviewed to stay effective. The programmes should be reviewed annually as a planned, proactive approach, and also immediately after an incident occurs or could have a occurred. This post-incident review allows us identify a hazard that has become uncontrolled and to take positive steps to prevent it from happening again.*

*Finally, note the various programmes and policies and procedures are legal documents. They are part of a paper trail to be followed and assist in translating 'what we say we do' into 'what we actually do'. Therefore, they should be 'controlled documents'.*

## CHAPTER 3: **Planning for Safety**

“Those who fail to plan, plan to fail.”

Anon.

### Part 3.01 Introduction

**Many businesses – large and small – have no problem grasping the need to establish reasonable financial plans. There is little conflict in establishing plans to oversee such financial steps as ‘cash-flow’, ‘credit control’, ‘budgeting’ and the like. All this makes sense to the business operative, and – especially in larger operations – strong accreditations are demanded of the management: an example being the the MBA – Master of Business Administration – a prized accreditation nowadays, and usually in conjunction with strong accounting abilities.**

Business has no problems in recognising the potential downfall of an organisation through poor financial management. The possible *financial* pitfalls in the path of a business operation are expected to be identified and plans put in place before the problems arise, or, if the foreseen problems do arise, contingency plans are applied to minimise the negative effect on the business.

To the objective observer, however, it becomes obvious one area of potential loss is never far from the surface in the day-to-day functioning of a business: *occupational health, safety and welfare issues*.

These WHS issues are very real, with the potential for large corporate fines (up to \$3,000,000)\* and gaol (up to 5 years)\*... *and yet it is possible for an executive to attain the status of an ‘MBA’ and not once touch on WHS as a subject of study!* This means many business-houses are operating with corporate guidelines and day-to-day operational procedures that do not include plans for safety controls and contingencies. Some research questions were put to the key safety personnel in twenty of the largest business operators in the United States. One of the questions basically asked them: “If you had the chance for further study, what subject would you choose?” *They all placed ‘financial management’ as that subject.* The point being that safety professionals can see the dangerous weaknesses in the overall business plan, but lack the skills to sway opinion which is heavily blinkered by financial perspectives (and these usually short-term).

**\* NOTE THE HIGHER PENALTY FINES RELATE TO UNSAFE ACTS THAT ARE CONSIDERED ‘RECKLESS’ AS OPPOSED TO ‘NEGLIGENT’ BEHAVIOURS THAT RESULT IN A SERIOUS INJURY OR FATALITY.**

## Part 3.02 Safety Management Plan

'Safety planning' must be considered as the methodology employed to manage the risks associated with the WHS in the business operations. The planning can be, and often is, overlapped in other areas of the business plan. Since WHS includes looking out for potential damage, as well as injury and illness, a safety plan will consider contingencies associated with failures in the workplace equipment, etc.

*For example, a simple contingency plan for smaller operators is to arrange to meet with other local businesses of approximately the same size, and discuss contingency computer back-up plans should failures occur in one or another of the facilities (eg fire, water, power damage). The concept being that back-up is 'off-site', reasonably secure and it is unlikely both businesses will have failures at exactly the same time. Even very small operators can participate with simple exchanges and storage of back-up memory disks. This provides a local 'offsite' access point that might even allow a business to get back on its feet with only a day or two lost in records retrieval.*

The Safety Management Plan (SMP) should be drawn up with the same dedication as financial and marketing plans. The SMP deserves similar focus and attention and should be seen as a means of protection of financial and marketing plans. For example, how devastating is it to the morale of a sales department to discover the profit of \$200,000 they made on two million dollars worth of sales (say a 10% margin) is now poured into State revenue and increased workers compensation premiums because of a corporate WHS fine and costs relating to an oversight in the production department's WHS procedures?

The SMP will consider all the elements of the workplace and its stakeholders. It will encompass the application of consultation and discussion. It also will allow for the unhindered passage of 'bad news' up, and down, the communications chain (obviously 'good news', too... but 'bad' news generally does not travel well!).

The SMP must be accessible and realistic. The personnel at each 'user' level of the SMP need to be able to understand what is expected of them and their fellow stakeholders. This infers the need for appropriate training in the comprehension and appropriate application of the SMP. For example, upper management will need a broad overview of the various legislative requirements to be negotiated; rank-and-file employees will need safe operating instructions relating to their designated tasks. Implicit, too, are the needs for regular access to (ideally) the latest in information and technology likely to apply at each level of the organisation. Occasionally, this may need to be actively accessed via an external third-party specialist in the field. An example where *legislative needs* regularly change is in the field of workplace injury, its reporting and its management; an example of *technological change* with implications for damage would be the combination of modern electro-technology and static electricity – where electronics systems can be destroyed through poor – or inappropriate - application of static electricity

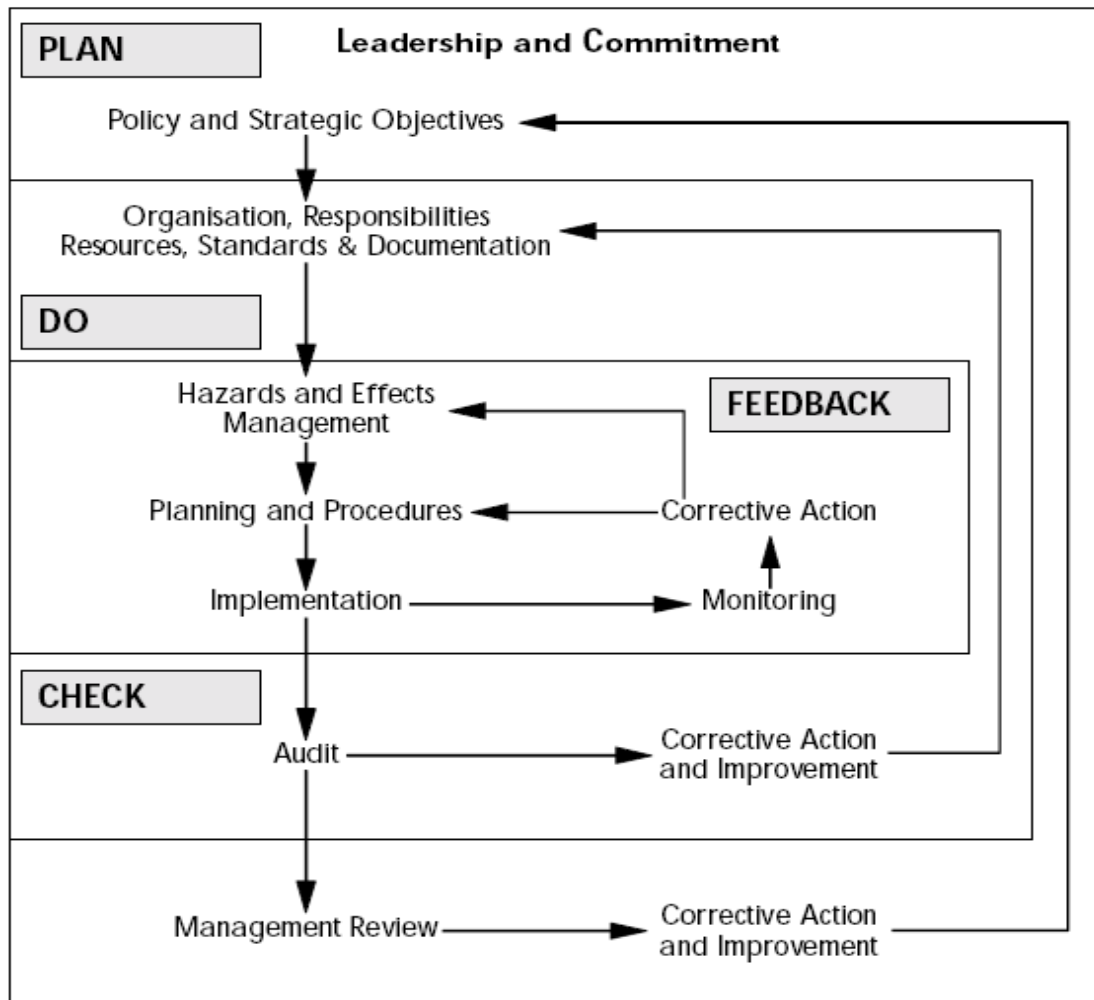


controls (static is still considered a relatively new science, with the usual *qualitative* (conjecture) vs. *quantitative* (empirical) connotations.

A SMP is prone to the same rules as other parts of the workplace – whether systemic or plant and/or equipment, whether goods and/or services: ‘every system is in a state of decay without an input of energy’. As with many other parts of the workplace system, the strength of pro-active safety management planning is in its application. If, after the plan assists a firm to meet regulatory requirements on the short-term, it is then left to gather dust on shelves and bookcases into the long-term, with no further review, evaluation and application, the systems the SMP is meant to protect will prematurely fail.

The flow-chart below provides an example of how a larger organisation might approach the management of its safety. However, the smaller business, too, can take advice from the suggestions. *Note the chart can be applied to non-safety issues also.*

### Safety Management Systems (SMS)



A generic Safety Management System (*Patrick Hudson Safety Management and Safety Culture The Long, Hard and Winding Road Paper to **The First National Conference on Occupational Health and Safety Management Systems, July 2000***):

“A number of important elements are specified that have to do with:

- the setting of policy and creation of plans and organisational capacity to realise that policy (PLAN)
- the analysis of hazards and effects leading to planning and implementation of those plans in order to manage the risks (DO)
- the control on the effective performance of those steps (CHECK)
- Finally, a number of feedback loops are specified to see where the information gained should be sent (FEEDBACK).”

### Part 3.03      **Sample XYZ SMP**

**The nature of the XYZ business does not demand a complicated safety plan. Using the flow-chart above as a reference, an initial safety management plan could include the following considerations (note a time scale is also given):**

#### **Year One**

1 Senior management are briefed on WHS responsibilities under current legislation.

*Action:* ‘Inspiration plus information = achieve the goal’ BUT it must be that order! An external WHS specialist is brought in to give a 2 hour briefing on WHS responsibilities and potential prosecutions.

***Note it would be possible for the internal WHS representatives to brief the managers once the reps do the consultation course, so point 3 re training the WHS reps could come in as the first point – after all, it saves on external providers.***

Among other things, due consideration must be given as to ‘what would a prudent employer do in a similar situation?’ and would the process be considered as being ‘reasonably practicable’ with all steps considered under ‘reasonable control’ being carried out?

2 Senior management digest information from point 1, consider individual strengths and weaknesses.

*Action:* Senior managers meet to:

- Discuss broad objectives in WHS;
- Pool collected industry experience and knowledge;
- Carry-out preliminary analysis of needs, identifying shortfalls in information.

3 Senior management allocates resources for the timely training of the nominated WHS Representatives.

*Action:* (Note the choice of WHS representatives in consultation is quite acceptable for the business, given the type of operation, and once training is

*completed, will provide stakeholders a handy reference for information.) The resources allow the two representatives to attend the five-day training course, gaining an understanding of the basic principles involved in both legislative requirements and practical risk management. This step increases the ability of XYZ to address WHS issues using its own human resources.*

4 In order to identify issues of immediate concern, including pertinent sections of legislative conformance vs non-conformance, senior management allocates resources (mainly time) for an internal audit of the current safety systems.

*Action: All stakeholders are notified re the internal audit. The two WHS Representatives are acknowledged as the authority carrying out the audit, and stakeholders are instructed in their duty to cooperate. The WHS Reps carry out the audit - using the audit tools provided in the Auditing section that appears later in this chapter - and report back to senior management, highlighting:*

- *Relevant legislation applicable to XYZ workplaces and the output goods and services;*
- *Where XYZ currently conforms or is non-conforming.*

5 The Audit Report is tabled to senior management, which carries out a risk analysis based on the report. Areas of responsibility for the various issues are identified, and the possible outcomes and likelihoods of negative occurrences considered. An appraisal as to how the corporate entity, XYZ, is likely to be affected by breaches of the Act and its supporting legislation is carried out, and resources may then be applied in the most efficient manner.

*Action: Senior management meets to discuss:*

- *Safety issues considered relevant to their personal areas of responsibility;*
- *What legislation covers these areas;*
- *How these areas impact on each other;*
- *Do secondary issues arise when interacting with other stakeholders (whether internal or external)?*
- *What resources (capital, personnel, time) are available to address the various issues;*
- *Are there any other needs to be considered (eg training of staff in safety issues peculiar to their task/level of responsibility)?*
- *Issues from this meeting will allow a more concrete safety management plan to be developed, with key issues relevant to the business and performance indicators to be pin-pointed.*

6 Senior management commits resources that allow XYZ to address the key issues arising from 5 above. Relevant management apply those resources to address the issues.

*Action: Managers receive their budgetted allocation and apply it as appropriate. Again, give due consideration to the questions raised in point 3.*

Many practical issues will arise regarding the issues of risk management, and this manual is a resource to assist in providing knowledge.

7 Senior management continues allocation of resources (mainly time) for review of safety systems – especially new and altered systems.

*Action:* The WHS Reps review the systems – especially new and altered systems – to ensure any previously noted breaches of the system have been rectified.

*Once the initial period of establishing the safety system into the workplace is over, an annual review is recommended. This annual review need not be time consuming, since once systems are in place for the various aspects of safety (eg consultation statement; evacuation procedures, etc.) these may only take a five minute run-through to ensure their compliance and currency.*

*It will be from this type of review that the majority of improvements to the safety system will be made from time to time. In the event of a negative incident occurring, of course, there will also be a need for a review.*

8 Running concurrent with all the above points, senior management should plan to:

- Include WHS as an item on every agenda of every meeting within the organisation. This is not a costly exercise, and ensures each and every stakeholder at a meeting is reminded of their WHS obligations, and has the opportunity to speak-up;
- Ensure those folk involved with finances cross-check budget submissions for WHS inclusions, and act as reminders should there be any apparent oversights. (Understanding, of course, that a manager might *not* have submitted anything in the budget touching on WHS simply because that manager *has no* WHS issues.)

## **Year Two**

Apart from carry-over steps from Year One, the second year of the safety plan will include:

1 WHS performance reviews (should be linked with regular 'performance review' to ensure all persons accept WHS as part of the overall operations of the organisation, with both rights and responsibilities.)

*Action: Within the three general levels in the XYZ organisational chart, performance reviews may take the following form:*

- *Tier One – Senior Management (including CEO) – peer review;*
- *Tier Two – Supervisors staff – reviewed by the Senior Manager considered having control over the work being supervised by the Supervisory staff;*
- *Tier Three – Employees – reviewed by their immediate Supervisor.*

*In these reviews, considerations will include the ability of the incumbent to understand core WHS responsibilities, as well as the way those responsibilities were fulfilled. Unfortunately, since safety is often something we only notice when it's NOT there (that is: after a failure in the system), one of the key indicators for review that is often used – 'no lost time injuries' - does not necessarily provide a good indicator of safety. Some other indicators of good safety include:*

- *simple housekeeping observations (is the supervised area clean and tidy?);*
- *documents and their controls (are they available, understood by all and appropriately applied?);*
- *team-meetings recorded and safety issues noted;*
- *liaison with the WHS Representatives is regularly noted;*
- *participation in resolution of WHS matters with other stakeholders;*
- *attitudes – at all levels of the business - to safety are good;*
- *morale throughout the business is high.*

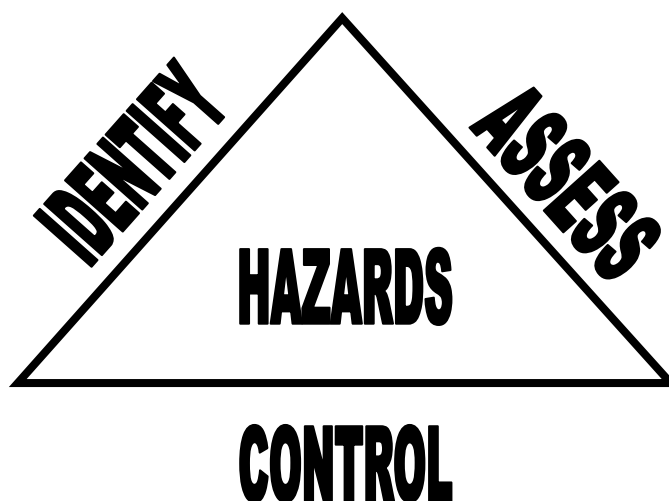
***On the next following pages, the conceptual and practical applications of 'risk management' are discussed.***

## Part 3.04 Risk Management

"Change the attitude of 'It can't happen here' to one of 'It can happen here' or else 'It will happen here'." DRW

Risk Management is at the core of any functional WHS system. It is about '*managing risks*' not '*taking risks*'.

The key to quality Risk Management rests in this simple triangle:



"HAZARD - a source or a situation with the potential for harm in terms of human injury or ill-health, damage to property, damage to the environment, or a combination of these."

Standards Australia

**HAZARDS** surround us in varying forms and degree of risk. A Risk Management programme must take into account all hazards likely to affect, or be affected by, the tasks associated with the job. This includes anticipating outcomes from the completed job (eg a power point may be incorrectly installed by an electrician, resulting in an injury occurring to a future user).

**IDENTIFY** hazards in your work area by making regular inspections of the site; use all your senses - including intuition - to ascertain whether you are in a safe situation. Your nose may be the first indicator of a leaking hazardous substance or smoke from a fire; your ears may pick-up the obvious potential of noise being too loud, or the less-obvious sounds of an overstressed motor bearing. The sense of touch can discern a moist surface where perhaps moisture is not meant to be; taste can detect the faint hint of tainted food, and so on. Consider annual 'desk-top' reviews of 'safe work procedures' (SWP). A SWP will outline step-by-step procedures for carrying out a task. Each step can be considered in isolation and any hazards identified. Manual handling, hazardous machinery and hazardous substances in particular can be revealed in studying a SWP. Investigate and review all incident reports.

**ASSESS** the risk associated with a hazard by considering three aspects: the likelihood of the hazard becoming uncontrolled; the degree of injury/illness/damage should it become uncontrolled; the exposure to the hazard including such things as frequency of interaction with the hazard, types of personnel (children/aged/public etc.).

**A simple assessment tool is this matrix. Hazards are given a risk rating from 1 to 6, with the numbers allowing for a prioritisation of hazards.**

<b>RISK MATRIX</b>	<b>HOW LIKELY IS IT TO HAPPEN?</b>			
	Very likely: could happen at any time  ++	Likely: could happen some time  +	Unlikely: could happen, but very rarely  -	Very unlikely: could happen, but probably never will  --
Kill or cause permanent disability or ill health ☠	<b>1</b>	<b>1</b>	<b>2</b>	<b>3</b>
Long term illness or serious injury !!!	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Medical attention and several days off work	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
First aid needed !	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>

**CONTROL** of the hazard is what our safety programme is all about. Ideally, we should **ELIMINATE** the need for the hazard altogether, but if we can't, we might be able to **SUBSTITUTE** a safer hazard instead, and so on down the hierarchy. Sometimes, a combination of the steps will apply. EG Personal Protective Equipment (step 5) might still be worn in step 2 (Substitute), and so on.

Steps and examples in the **Hierarchy of Hazard Control** are:

**1 ELIMINATE -**

Can the hazard be left out of the equation altogether? In the planning stage, ask if there is any need to use or have the hazard around. An example might be (say) a vacuum cleaner that is going to be used in a high-traffic area. You know the electric lead to it is going to create a trip hazard, so the need for a lead is eliminated by using a battery powered cleaner.

## **2 SUBSTITUTE -**

There is a need to paint some stage materials, and the plan has been to use some epoxy paint that happens to emit toxic fumes. Is there a water-based, less-toxic paint available that will do the job?

## **3 ISOLATE/VENTILATE -**

Perhaps a noisy drive motor for some gadget or other is able to be isolated by being placed in a less-frequented part of the building, or a sound-proofed cage built around it. Unpleasant smells, contaminated or stale air might be ventilated from an area by use of an exhaust fan.

## **4 MITIGATE -**

If there are no other options, perhaps the only way around the problem is to rotate staff who have to work with the hazard, ensuring they are only in contact with the hazard for limited amounts of time. EG Keyboard entry; exposure to heat and cold, and so on.

Training also falls into this area of hazard control, and includes appropriate methods of operating plant or 'how to install...' and so on.

## **5 PERSONAL PROTECTIVE EQUIPMENT (PPE) -**

PPE is always the 'last resort' of control. Don't forget, this usually means there is nothing between the hazard and ourselves other than a layer of protective clothing or a mask or glasses. If this layer breaks down, then there is nothing between ourselves and the hazardous situation.

EG Protective gloves to handle chemical cleaning agent.

*Note that steps 1,2 and 3 above are ENGINEERING CONTROLS and generally remove the opportunity of human failings to step into a hazardous situation. (EG a machine guard will protect the smartest and the dumbest persons. The old miners' saying, "You are only as safe as the stupidest man in the mine..." may well be recalled here.) Steps 5 and 6 are ADMINISTRATIVE CONTROLS and can breakdown when weaknesses in human behaviour occur. (EG I might forget to take a break from a particularly debilitating task, or from a proximity to a hazardous substance; I might forget to put on a piece of essential personal protective equipment.)*

**The following essay will assist you in understanding the philosophy behind the 'Hierarchy of Hazard Control', along with how we 'Profit from Safety':**

### **Profiting from an WHS programme: Expense vs. Investment**

**"Nulle terre sans siegneur" vs. "L'argent n'a pas de maitre"**

*('There is no land without its master' vs. 'Money knows no master'.)*



The first is a proverb of the mediaeval period of history, where feudalism reigns; the second comes a little later, when modern economic perspectives have well and truly taken root. We can apply both proverbs to the modern WHS arena. The first proverb may be paraphrased so we read 'There is no part of the workplace that is without its master'. Because of this, every breakdown in the WHS system will be found to have a person or persons with the absolute responsibility for that breakdown.

The second - later - proverb is more interesting to paraphrase. In effect it clearly hints to the modern reader that 'He who can muster the best legal defence may win the case, right or wrong!'

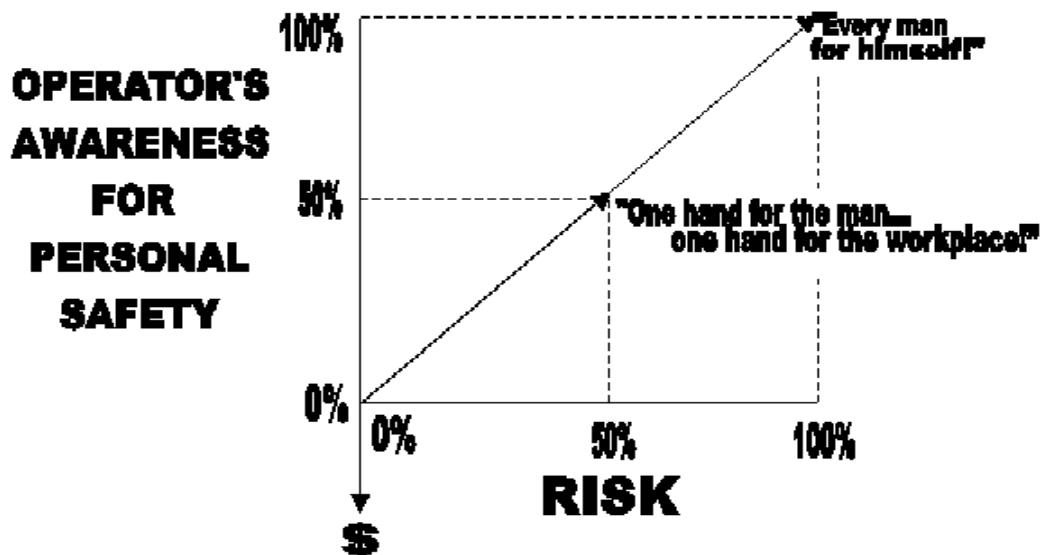
Either way, it can amount to a very costly affair to have a breach in the WHS system!

In our dealings with matters of an WHS nature, it is very tempting for economic rationalists to see WHS systems as an expense. In fact, they are an investment in the quality delivery of goods and services.

This is illustrated in the next graph:

**Risk vs. Awareness for Personal Safety**

*"Concurrent with a rise in RISK is the need to increase operator AWARENESS for their own safety...awareness that could go to the company if the place were safe..." DRW.*



The implication is that the *higher the risk* faced by an employee, the less concentration he/she can dedicate to the core of the task at hand (which, ultimately, is a task designed to increase the employer's profit). The analogy of ship at sea is used, where, once the situation is grim enough, the command

of 'Every man for himself' will be given. Which means no more thought for the employer's enterprise, just total dedication to *saving oneself*.

If we step back to a *fifty percent risk factor*, the 'One hand for the ship and one for the man' illustrates the employer now has at least *half* of the employee's attention dedicated to the business enterprise, and *half* for himself (or herself), and so on.

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Stepping back to a *fifty percent risk factor*, the 'One hand for the ship and one for the man' illustrates the employer now has at least *half* of the employee's attention dedicated to the business enterprise, and *half* for himself (or herself), and so on.

If we link this graph to the risk control methods outlined in the *Hierarchy of Hazard Control*, we can see how we *reduce* the RISK factor by moving *up* the hierarchy. Also, the higher up the hierarchy we progress, we can feel more comfortable with an operator who may not be fully aware of the potential for the HAZARD to cause injury, illness and/or damage. That is, the higher up the hierarchy, the more likely we are to protect the trained *and* the untrained worker, the physiologically-affected and the psychologically-affected worker; the conscious and the unconscious worker in the workplace - and beyond! In the long-term, this means *less time spent on worrying* about negotiating hazardous situations, and *more time concentrating 'on the job'...* *an important incentive to increasing the profit making potential of each and every employee!*

This is realising the profit from the earlier investment in WHS!

## Part 3.05 Auditing

**Occasionally, every firm needs to carry-out an *audit*, a *check*, of its systems.**

In its simplest form, an audit is to ensure that what we *say* we are doing is, *in truth and fairness*, what we are *actually* doing, and – hopefully – this will match what we are *supposed* to be doing. (The short essay at the end of this document referring to '*gap analysis*' will discuss this further.)

**The first considerations of an audit are:**

- i) Check that a system exists, and then**
- ii) Challenge that system.**

Standards Australia defines a safety audit (AS/NZS 4804:2001) as:

“A systematic examination against defined criteria to determine whether activities and related results conform to planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve the organisation’s policy and objectives.”

To assist the various stakeholders there a range of audits from internal audits to external, third-party audits, each with its own scope of services. These are defined in the book 'Safety Plus Risk Management Auditing' (Tony Lawrence, Sydney 2003) as:

*Quote:*

- Validation Audit: Determines if the occupational health and safety management system (WHSMS) is capable of delivering the required performance of WHS.
- Compliance Audit: Determines the extent to which the organisation complies with its policies, procedures, standards and legislation. This is the common type of audit that is undertaken in Australia.
- Technical Audit: Determines compliance with specific procedures, legislation, regulations, high-risk and hazards in the workplace.
- Full Audit: Will encompass the total WHSMS and all its elements.
- Partial Audit: Will be confined to a certain section of the WHSMS, specified activities, processes or work locations.
- Phased Audit: This is a scheduled system of partial audits.
- Follow-up Audit: This is an audit undertaken to verify that the corrective actions suggested by an earlier audit have been effectively implemented.
- Surveillance Audit: This audit is conducted by a customer or a certification body to confirm the continuing compliance of the WHSMS with specified procedures, standard, regulations, and legislation.
- First Party Audit: An internal audit undertaken by people from within the organisation and often conducted as part of a systematic audit schedule. This type of audit can be applied to the whole or part of the WHSMS.

- Second Party Audit: An external audit undertaken by a major customer or interested party. It is usually at no cost to the auditee and may be conducted to establish or renew contracts between parties. They are usually restricted to specified aspects of the WHSMS related to the customer's request.
- Third Party Audit: Sometimes referred to as a 'certification audit', these audits are carried out by an external, independent organisation (usually a certifying body/regulatory agency). The fees and costs are paid by the auditee and may be full, partial or phased, follow-up or surveillance audits. This type of audit assesses the whole WHSMS covered by the certification.
- Desk-top Audit: This is a document review process, and will be included in any of the above.

*Unquote.*

If the question is asked: "Does a system exist?" and there *is no* system presented to the Auditor, legislation will become the 'safety net' system to audit against. That is: *all measures will be made against the conformance or non-conformance to the appropriate regulations, etc.*

A firm about to undergo an audit is well-advised to ensure all its documentary evidence is on hand and accessible to the auditor (whether internal or external), since a lot of time will be saved. All the better when supervisory staff actually go over their documentary evidence of systems ahead of the auditor and ensure everything is in compliance, since – apart from the potential embarrassment of *not* having systems that work and/or that exist and are not implemented – it reduces the time an Auditor is on site, thus reducing costs (Auditors rarely come cheap – even internal ones!) Another aspect of having this sort of preparedness is the instance where a statutory officer - such as a state's WorkCover/Worksafe/Etc. or Environmental Protection Agency inspector – may come calling unannounced. Inspectorates are impressed when an organisation's management can display key documents and demonstrate compliance within a few minutes of initial enquiry. Although such positive response can never guarantee 'no prosecution', it can greatly *minimise* any fine arising from such prosecution.

## Part 3.06 Internal Auditing

Internal auditing at XYZ WHSMS is currently carried out by the WHS Representatives, within the framework of the consultative method agreed upon between management and employees.

**The internal audit tool used at XYZ is based on historic tried-&tested generic tools provided in some state authority publications, & focus is on 'Due Diligence at Work'.  
A collection of checklists is included from page 3.06-3 below**

One authority states:

“This guide on due diligence in the workplace is to help employers, directors, managers and supervisors determine whether they are adequately protecting the health, safety and welfare of employees at their workplace...

... At it simplest, due diligence means take care. In the workplace, it means taking every precaution reasonable in the circumstances to protect the health, safety and welfare of all of your workers. Evidence of due diligence is one of the two defences available to a director or person concerned with the management of a corporation charged with an offence...”

**\* NOTE THAT THE ABOVE CAME FROM 1997 – AND DEFINITIONS OF THE DUTY HOLDERS HAS CHANGED (E.G. GENERALLY YOU CAN REPLACE 'EMPLOYER' WITH 'PCBU, ETC.)**

The key elements of due diligence in the audit tool are:

- [Component 1.0 – Health and safety policy and programme](#)
- [Component 2.0 – Duties of PCBUs and others](#)
- [Component 3.0 – Occupational health and safety committees\\*](#)
- [Component 4.0 – Contractors](#)
- [Component 5.0 – Hazard identification, assessment and control](#)
- [Component 6.0 – Instruction and training](#)
- [Component 7.0 – Communication](#)
- [Component 8.0 – Human resources](#)
- [Component 9.0 – Notification of accidents and WHS authority infringement notices](#)
- [Component 10.0 – Auditing and review.](#)

**\*NOTE DISCUSSION ON COMMITTEES WILL NOW ENCOMPASS ALL CONSULTATIVE METHODS THAT ARE ACCEPTABLE TO THE MAJORITY OF WORKERS – AT XYZ, THIS INCLUDES THE WHS REPRESENTATIVES.**

**At XYZ, the questionnaires provided for each of the components may be checked for compliance in an internal audit by the WHS Representatives.**

Generally, the auditing consists of site inspections and comparison of what is sighted, to the various internal policy demands and those of various statutory authorities. *It is this comparison that ensures a more analytical approach to safety than the straight-forward inspection process using the checklists provided in Chapter 9.* Occasionally, *ad hoc* situations may arise (eg incident occurs that demonstrates potential breakdown of an internal WHS procedure, or information indicates a system needs an update) where the WHS Representatives need to carry out a very localised audit – a ‘partial audit’ -of the WHSMS as it applies to that area.

**WHS Representatives have access to core XYZ WHSMS documents, including this WHS manual, and the right to compare theoretical, documented procedures with the actual, physical application of those procedures.**

The WHS Representatives have a duty to report any non-compliance issues to the XYZ General Manager at the earliest possible convenience. Notwithstanding this requirement, *all* audit reports are to be presented in a timely manner to the General Manager.

## **Timing of Audits**

Audits are not to confused with inspections, which may occur daily – even hourly - in some situations. Audits tend to apply to the longer-term operations of a business, and include checks and comparisons of documentation, including WHS programmes, policies and procedures.

As is suggested in the section on the [safety management plan](#) (page 3.02-1), XYZ management could instigate an internal audit as soon as possible after the two WHS Representatives have been trained. These two representatives would apply the ‘Due Diligence’ audit tool provided, prepare a report which would include conformance and non-conformance issues. From this, plans of appropriate control are made by management, and hopefully implemented. The WHS Reps may then carry out another audit to check non-compliance issues have been corrected, and to what degree. It may then be decided a two yearly audit is sufficient for XYZ (with the proviso that any major alteration may demand an ad hoc decision to be made to instigate another audit).

## **Audit questions**

In the pages that follow, various questions relating to the elements outlined in the ‘Due Diligence’ publication are provided in a checklist format, and allow for the auditor to tick whether or not the relevant question has been adequately answered or not, along with space for ‘action plan’ notes for later discussion.

## Key Component 1.1 HEALTH AND SAFETY POLICY

Item	In Place		Action Plan (if answer is "No")
	Yes	No	
1 Does the company have a written health and safety policy? Is it endorsed by a senior manager or operating officer?			
2 Does the policy indicate the commitment of the PCBU to health, safety and welfare in the workplace?			
3 Does the policy contain a reference to your health and safety programme and the related procedures for implementing your policy objectives?			
4 Does the policy statement list in general terms the standards and objectives expected of all people?			
5 Is the policy posted in a conspicuous place (e.g. Lunchroom, Main Hallway, Foyer)?			
6 Is the policy effectively communicated to every Worker in the workplace?			
7 Is the health and safety policy reviewed at least annually by the PCBU to ensure that it remains applicable?			

## Key Component 1.2 HEALTH AND SAFETY PROGRAMME

Item	In Place		Action Plan (if answer is "No")
	Yes	No	
1 Does the written health and safety programme indicate the PCBU's commitment to health, safety and welfare (stated also in general terms in the policy)? Is it endorsed by the senior manager or operating officer?			
2 Are health, safety and welfare responsibilities clearly defined, assigned and understood by everyone at the workplace?			
3 Is there a person who is responsible for developing and implementing the health and safety programme and for ensuring the programme's compliance with all legislation? Is this a senior position in the organisation and does this person have authority to take action?			
4 Are supervisors and managers aware of their responsibilities under the WHS Act? Do they ensure that people under their control work in compliance with the Act and Regulations?			
5 Is there a hazard identification and reporting system in place and is there active participation by the WHS representatives?			
6 Are there written safe operating procedures for every job and task in the workplace?			
7 Does your programme contain written procedures for dealing with:			



<ul style="list-style-type: none"> <li>• Hazardous activities?</li> <li>• Equipment?</li> <li>• Materials?</li> <li>• Jobs and tasks?</li> <li>• Work processes?</li> <li>• Environment?</li> <li>• People issues?</li> </ul>			
<p>8 Are there written procedures in place that are regularly updated to incorporate changes in the environment, equipment, materials, processes, or personnel? Do these procedures serve to eliminate or minimise the hazards introduced by such changes?</p>			
<p>9 Does the programme outline specific things that need to be done to ensure compliance with health and safety legislation (e.g. accident reporting and investigations, provision of training, working with the consultative mechanism)?</p>			
<p>10 Are there specific standards set in the health and safety programme so that performance of each activity or element can be measured?</p>			
<p>11 Is an annual review conducted of the health and safety programme to ensure that it is consistent with the policy?</p>			
<p>12 Is equipment maintained in safe operating condition?</p>			
<p>13 Are details of each safety procedure set out in a manual and given to each Worker? Do supervisors ensure that all Workers comply with safety procedures (e.g. lock-out procedures, machine</p>			

guarding, safe lifting techniques, hot-work permit procedures)?			
14 Is there regular and on-going communication between workers, supervisors and managers on hazards and potential hazards?			
15 Do hiring practices specify the obligations as set out under the WHS Act?			
16 Does the health and safety programme contain provisions for disciplinary action to enforce safety rules?			

## Key Component 2.1 PCBU's DUTIES

Item	In Place		Action Plan (if answer is "No")
	Yes	No	
Does the PCBU: 1 Provide information, instruction, training and supervision to Workers to protect their health, safety and welfare?			
2 Appoint competent supervisors? Competent persons are persons who: <ul style="list-style-type: none"> <li>• Are qualified because of their knowledge, training and experience to organise work and its performance;</li> <li>• Are familiar with the provisions of the Act and associated legislation that apply to the work; and</li> <li>• Have knowledge of actual or potential dangers to health and safety in the workplace.</li> </ul>			
3 Inform workers of any hazards in the workplace and how to safely handle, store, use, dispose of and transport any article, device, equipment or biological, chemical or physical agent?			
4 Provide equipment, materials and personal protective equipment as prescribed by the Act and associated legislation?			
5 See that equipment is maintained in good condition?			
6 See that the equipment, materials and personal protective equipment provided are used as prescribed?			
7 Carry out the measures			

and procedures required by the Act and the Regulation?			
8 Assist and cooperate with the WHS Representatives?			
9 Take precautions that are reasonably practicable in the circumstances to protect workers?			

## Key Component 2.2 SUPERVISORS' DUTIES

Item	In Place		Action Plan (if answer is "No")
	Yes	No	
<i>Do Supervisors:</i> 1 Advise workers under their control of potential or actual hazards?			
2 Provide workers with written instructions on the measures and procedures that are to be followed?			
3 Ensure that workers under their control work, use, or wear the equipment, personal protective equipment, or clothing that the employer requires or that is required by the Act and Regulation?			
4 Ensure that workers work in the manner and with the personal protective equipment, measures and procedures required by the Act and Regulation?			
5 Take precautions that are reasonably practicable in the circumstances to protect worker health and safety?			

## Key Component 2.3 WORKERS' DUTIES

Item	In Place		Action Plan (if answer is "No")
	Yes	No	
<i>Do Workers:</i> 1 Take reasonable care of the health and safety of other persons at the workplace?			
2 Use or wear the equipment, personal protective equipment or clothing that is required by the employer?			
3 Cooperate with respect to legislative requirements?			
4 Follow all lawful instruction?			
5 Report hazards and hazardous situations?			
6 Apply training they have been provided?			

## Key Component 2.4 DIRECTORS' AND SENIOR MANAGERS' DUTIES

Item	In Place		Action Plan (if answer is "No")
	Yes	No	
<i>Do Directors and Managers:</i> 1 Ensure that there is a system in place for complying with the law?			
2 Review health, safety and welfare issues at every board meeting to ensure that the company is in compliance with the Act (e.g. are procedures in place? Is there a functional consultative process)?			
3 Act promptly when they become aware of a problem (e.g. if an improvement notice is issued)? Do they promptly issue instructions, in writing, to the appropriate company official to ensure that any contraventions are quickly corrected?			
4 Follow-up to ensure instructions have been carried out?			
5 Keep documentation on file to demonstrate their involvement in major health and safety issues?			
6 Take the appropriate steps after an injury or incident in terms of reporting or rectifying procedures?			

## Key Component 3.0 WHS CONSULTATION

Item	In Place		Action Plan (if answer is “No”)
	Yes	No	
1 Is the consultation process in compliance with the requirements of the Act and the Regulation (e.g. in terms of its composition and structure)?			
2 Has the consultative process considered the term-of-office for its representatives; how the different departments will be represented; how meetings will be chaired, etc?			
3 Are the WHS reps provided with sufficient time and financial, and other resources to carry out effectively its functions (e.g. time to prepare for meetings, secretarial support)?			
4 Have all WHS reps attended the five day training course for HSRs?			
5 Is additional training available as required to enable the WHS reps to carry out WHS research from time-to-time?			
6 Are there responses in writing to WHS representative recommendations, with an implementation timetable or with reasons for disagreement?			
7 Are the WHS reps provided with information, such as copies of any reports dealing with WHS issues?			
8 Is relevant training developed and implemented by the PCBU in consultation with the WHS reps.			



9 Is the above training and workers' familiarity with it reviewed at least annually in consultation with the WHS reps.			
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## Key Component 4.0 CONTRACTORS

Item	In Place		Action Plan (if answer is "No")
	Yes	No	
1 Has the PCBU conducted training and testing programmes for the contractors it regularly retains?			
2 Do the contractors understand and agree to comply with their obligations under the Act? Is the agreement obtained in writing?			
3 Is there documentation to ensure that the contractor is aware of and willing to work in compliance with all company safety rules and procedures?			
4 Has the PCBU or its representative met with the contractor prior to the start of work to review safe work practices and obligations?			
5 Is the workplace visited regularly by the PCBU to ensure that the safety measures and procedures detailed in the contract are being met?			
6 Does the PCBU receive regular confirmation from the contractor that all safety measures and procedures are being carried out?			
7 Does the PCBU ensure that contractors take disciplinary action for breaches of safe work practices?			
8 Are all meetings and discussions with the contractor documented?			
9 Does the PCBU ensure the Contractor has appropriate insurances in place before work commences?			



Key Component 5.0 HAZARD IDENTIFICATION, ASSESSMENT AND CONTROL

Item	In Place		Action Plan (if answer is "No")
	Yes	No	
1 Is there a system in place for identifying, reporting and responding to hazards or potential hazards at work?			
2 Does the PCBU take corrective action when hazards are reported?			
3 Are all potential and actual hazards identified and communicated to the Workers?			
4 Are regular workplace inspections conducted by WHS Reps?			
5 Do supervisors and Workers monitor their work areas and equipment on an ongoing basis to identify and correct hazardous situations?			
6 Are written procedures established for different types of inspections (e.g. production, equipment, vehicle)? Do the written procedures have specific checklists for reporting hazards?			
7 Are supervisors actively involved in all aspects of audits, inspections and other means of hazard identification so that systems are in place to address all actual or potential hazards?			
8 Is there an assessment procedure for hazards that is based on degree of risk, probability of occurrence, number of persons exposed, and duration of exposure?			
9 Are high risk activities (e.g. confined space entry,			

working with electricity) identified and safe procedures put in place?			
10 Are the assessment criteria (listed in item 8 above) taken into account when determining priorities for action?			
11 Are appropriate control mechanisms (such as engineering controls, work practices, hygiene practices and procedures, personal protective equipment, emergency plan, etc.) in place and maintained?			
12 Are standards set for each hazard control element? Do these standards take the applicable regulations, standards, codes, manufacturing specifications, etc. into account?			

## Key Component 6.0 INSTRUCTION AND TRAINING

Item	In Place		Action Plan (if answer is “No”)
	Yes	No	
1 Are supervisors, managers, directors and Workers trained to understand their obligations under the Act and associated legislation?			
2 Are Workers trained to work safely and efficiently, in accordance with health and safety laws and company rules and procedures?			
3 Is induction training provided to all Workers on general hazards and safety rules of the workplace? In addition, is job-specific training provided on specific hazards, safety rules, and practices related to specific work assignments?			
4 Can recipients understand the training? For example, have language and literacy barriers to understanding training been addressed (e.g. by translating materials into the language(s) used in the workplace, by using videos and demonstrations, by using a ‘buddy’ system)?			
5 Does training cover: <ul style="list-style-type: none"> <li>• Applicable WHS laws and company safety rules and procedures?</li> <li>• Hazardous materials that workers may be exposed to and how to safely handle, store, use and dispose of these materials?</li> <li>• Hazardous physical agents that workers may be exposed to (e.g.</li> </ul>			

<p>heat, cold, vibration, radiation)?</p> <ul style="list-style-type: none"> <li>● How to safely use equipment?</li> <li>● How to use and care for personal protective equipment (e.g. respirators, welding goggles, safety boots)?</li> <li>● What to do in an emergency (eg first aid, exit routes)?</li> </ul>			
<p>6 Have Workers been evaluated or tested to ensure that they understand and can apply what they've been taught? (Tests can be performance-based, oral, written etc.) Are test results kept on file? Is additional training and testing carried out, if a person doesn't pass any tests given?</p>			
<p>7 Is refresher training provided regularly?</p>			
<p>8 Is training updated on a regular basis to ensure that it covers the equipment, materials and processes that are currently being used in the workplace?</p>			
<p>9 With respect to hazardous substances specifically:</p> <ul style="list-style-type: none"> <li>◆ Is training on hazardous substances developed and implemented by the employer in consultation with the HSRs?</li> <li>◆ Is this training and the worker's familiarity with it reviewed at least annually, and whenever there is a change in circumstances that may affect the health or safety of workers? Is this review done in consultation with the committee?</li> </ul>			

<p>10 Have all training activities been documented (date of training, content, who delivered the training, who received the training)? Are these records kept on file?</p>			
<p>11 Is there a procedure in place to monitor and enforce the health and safety training given to workers?</p>			



## Key Component 7.0 COMMUNICATION

Item	In Place		Action Plan (if answer is “No”)
	Yes	No	
1 Does management regularly communicate on health and safety issues and encourage two-way communication between Workers and themselves?			
2 Do supervisors regularly communicate to their workers the hazards and potential hazards involved in their tasks and provide training in how to work safely to protect against those hazards?			
3 Are changes to tools, equipment, materials, processors and procedures communicated to Workers before they are implemented? Are Workers given specific instructions in how to work safely when these workplace changes are made?			
4 Is health and safety regularly discussed at supervisory, managerial, and department meetings? For example, are safety rules, practises and procedures regularly reviewed? Are requirements of the law discussed (e.g. SDS)? Are Worker questions and concerns about health and safety discussed?			
5 Are safety rules and procedures posted in prominent places to remind workers how to work safely?			

## Key Component 8.0 HUMAN RESOURCES

Item	In Place		Action Plan (if answer is “No”)
	Yes	No	
1 Are recruitment processes and placement processes in compliance with obligations under the Act? For example, are <b>competent</b> persons put into supervisory positions?			
2 When recruiting new Workers (incl. contractors), are they asked for proof of any certificates of competency and other qualifications required for the job (e.g. forklift operator, crane driver)? <ul style="list-style-type: none"> <li>◆ Are these certificates checked to ensure that they are current and valid?</li> <li>◆ Does the certificate meet the requirements of applicable health and safety laws?</li> <li>◆ Are certificates periodically verified to ensure that they remain current?</li> </ul>			
3 Do job descriptions contain specific requirements for health, safety and welfare? Is employee performance measured against these requirements?			
4 Is there written policy for violations of safety rules?			
5 Is there a procedure in place to ensure that safety rules and practices that are implemented are followed by all parties in the workplace?			
6 Are adequate staffing levels maintained to ensure the health, safety and welfare of workers?			

7 Are relevant health, safety and welfare procedures discussed with all Workers and is written documentation kept showing that these subjects have been covered?			
8 Are warning letters given to Workers and kept on file, before action is taken, if they breach the requirements of the Act or company safety rules, procedures and standards?			
9 Are written records kept of measures taken against Workers for health, safety and welfare breaches? Do these records include the date and time of breach, type of breach, disciplinary action taken by management and name of person initiating the discipline?			

- Key Component 9.0 ACCIDENT NOTIFICATIONS AND WHS AUTHORITY INFRINGEMENT NOTICES

Item	In Place		Action Plan (if answer is “No”)
	Yes	No	
1 Is there a comprehensive injury/incident investigation reporting procedure in place and is it monitored on a regular basis to ensure that it is being followed?			
2 Is there an internal procedure that requires management to undertake its own investigation after an incident/accident? Is this investigation thorough and detailed? Are immediate steps taken to correct and implement remedial solutions?			
3 Are the WHS Reps involved in the procedure of investigating critical injuries or fatalities?			
4 Are Accident Report Forms filed with the State’s WHS authority (in the case of fatalities, serious personal injury, serious work related illnesses and dangerous occurrences) within the allotted time frames?			
5 In the event of a serious injury or fatality, is the workplace secured and left undisturbed until all investigations have been completed by the appropriate authorities (e.g. police, fire-brigade)?			
6 Is follow-up action taken to ensure that corrective measures have been implemented and are functioning?			
7 Is a management person (other than an WHS Rep)			

designated as the other contact person for <b>any</b> accident or incident? Does this person have a sufficient authority to implement corrective action and be the spokesperson with a state/federal WHS authority (eg Comcare)?			
8 Does the designated management person accompany an inspector and prepare his or her own notes during an inspection or investigation by the WHS authority's inspector?			
9 Are injury/incident investigation reports reviewed to determine the causes of accidents and the means of preventing similar accidents in the future?			
10 Is full cooperation given to the WHS authority's inspector or WHS Rep during their investigation?			
11 Are Prohibition, Improvement and Penalty Notices complied with within the relevant times within the Notice? Is a procedure for appeal in place in case of disagreement with the WHS authority?			

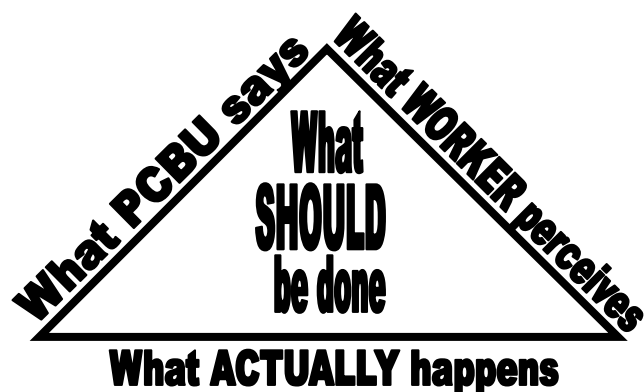
## Key Component 10.0 AUDITING AND REVIEW

Item	In Place		Action Plan (if answer is "No")
	Yes	No	
1 Is your WHS system audited to identify and correct deficiencies or areas where standards are not being met?			
2 Are audits carried out by qualified persons who are familiar with health and safety legislation and practices and procedures that need to be in place?			
3 Do auditors use recognised audit techniques, such as interviews with key people, record checks, observations, on-the-spot interviews with Workers, Others, sampling, and surveys?			
4 Are audit results examined and priorities established for taking action on identified problem areas?			
5 Is corrective action promptly taken by management so as to bring system components up to standard? Is there adequate follow-up?			
6 Are all audits documented in writing (who did the audit, when, deficiencies identified, corrective actions taken by the PCBU, when action was taken)?			

## Part 3.07 Gap Analysis

'Gap Analysis' is an easy-to-use tool for an Auditor. The four major concerns are listed below:

### The Four Elements of Gap Analysis



**What SHOULD be done:** this is the 'perfect' action. The ideal situation which fulfills all needs and expectations. The activity required to achieve total quality control. Whether this is ever achieved enters the realms of philosophy, but it certainly provides the benchmark from which gaps are measured.

**What PCBU says:** much of what the employer says - via management - is in the form of written policies and procedures. In its rawest state, this documentation is based on how to turn a profit while staying within the bounds of the multitudinous laws of the land.

**What WORKER perceives:** this is usually closer to what is actually going on. The Worker, being involved in the day-to-day grass-roots of a business' operations, is obviously closer to what standards are being kept - or not being kept. The Worker can see what short-cuts may be surreptitiously sanctioned within a department. However, a problem can arise if a judgement is made on an Worker's perception alone. The same *closeness* to a particular operation may not allow the Worker to take in the 'big' picture of what is going on, and the initial perception may be misleading.

**What ACTUALLY happens:** this is observable in the outcome: the finished product/service/result.

*By examining the elements above, the various gaps can be - and, indeed, should be - closed to the point where each part of the business is achieving exactly what should be achieved: Total Quality.*

"To improve is to change... To become perfect is to change often..."

Winston Churchill

# CHAPTER 4: Legislation

## Part 4.01 Introduction

### WHS Act 2011, WHS Regulation(s) 2011, Standards & Codes of Practice

For our purposes, the WHS Act 2011 (the Act) became active on January 1, 2012, along with the release of the WHS Regulation(s) 2011 (the Reg.).

Copies of the relevant Act and the Reg. are available from the relevant state/federal WHS authority (eg [http://www.comcare.gov.au/the\\_scheme/the\\_whs\\_act](http://www.comcare.gov.au/the_scheme/the_whs_act)) and should be referred to at the earliest convenience to assist in clarifying issues.

Note the 'regulation' may be 'regulations' depending on the jurisdiction. For example, in Queensland, the 'regulation' is a singular document, with 'clauses 1, 2, 3, etc.' and in the Federal arena, it is 'regulations', with 'regulations 1,2,3, etc.' Generally, the wording is the same.

#### **THE LAW**

**IMPORTANTLY, IT IS THE ACT OF PARLIAMENT AND ITS SUPPORTING REGULATION THAT COMPRISE THE MANDATORY 'LAW' AND *MUST* BE ADHERED TO. AUSTRALIAN STANDARDS, CODES OF PRACTICE, INDUSTRY GUIDANCE NOTES. AND SO FORTH, ARE *NOT* LAW, *UNLESS THEY ARE CALLED-UP* WITHIN THE ACT OR REG. OF COURSE, IT IS HIGHLY RECOMMENDED FOR A PCBU AND ITS STAKEHOLDERS TO READ AND UNDERSTAND ANY RELEVANT STANDARDS, CODES, ETC. BUT IT MAY BE POSSIBLE TO ACHIEVE A SIMILAR OUTCOME WITHOUT NECESSARILY FOLLOWING THE STANDARDS, CODES, ETC. – PROVIDED THE OUTCOME RESULTS IN EQUAL OR BETTER WHS OUTCOMES.**

XYZ, being a PCBU, is obliged to adhere to the Act 2011, any amendments to the Act, and the Regulation(s) and any amendments to the Regulation(s).

Various other documentation will affect the business, and includes Australian Standards, Codes of Practice, the Building Code of Australia, and environmental statutory laws. Local government laws also have affect in the way the Building Code and environmental legislation is interpreted.

This section specifically concentrates on the WHS Act 2011, the WHS Regulation(s) 2011, Standards, and Codes of Practice.



## Part 4.02      **WHS Act 2011:**

Safe Work Australia ([www.safeworkaustralia.gov.au](http://www.safeworkaustralia.gov.au)) provides this overview of the WHS Act 2011, (the Act) its supporting Regulation(s) (the Reg.) and recommended standards, codes-of-practice, etc.

“The WHS Act like that of most other jurisdictions is based on the ‘model’ WHS Act developed by Safe Work Australia.

The aim is to provide all workers in Australia with the same standard of health and safety protection regardless of the work they do or where they work.

A stronger national approach means greater certainty for businesses (particularly those operating across state borders) and over time reduced compliance costs for business.

More consultation between businesses, workers and their representatives, along with clearer responsibilities will make workplaces safer for everyone.

The harmonised work health and safety laws apply in the majority of jurisdictions. For more information about whether they apply in your jurisdiction check with your local regulator.

### **Purpose of the WHS Act (section 3)**

The WHS Act provides a framework to protect the health, safety and welfare of all workers at work and of other people who might be affected by the work. The WHS Act aims to:

- protect the health and safety of workers and other people by eliminating or minimising risks arising from work or workplaces
- ensure fair and effective representation, consultation and cooperation to address and resolve health and safety issues in the workplace
- encourage unions and employer organisations to take a constructive role in improving work health and safety practices
- assisting businesses and workers to achieve a healthier and safer working environment
- promote information, education and training on work health and safety
- provide effective compliance and enforcement measures, and
- deliver continuous improvement and progressively higher standards of work health and safety.

In furthering these aims regard must be had to the principle that workers and other persons should be given the highest level of protection against harm to their health, safety and welfare from hazards and risks arising from work as is reasonably practicable.

For these purposes ‘health’ includes psychological health as well as physical health.

## **WHS regulations and codes of practice etc. (outlined in sections 274-276 of the Act)**

### **WHS Regulations**

The WHS Regulations specify the way in which some duties under the WHS Act must be met and prescribes procedural or administrative requirements to support the WHS Act (for example requiring licences for specific activities and the keeping of records).

### **Codes of Practice**

Codes of Practice provide practical guidance on how to meet the standards set out in the WHS Act and the WHS Regulations. Codes of Practice are admissible in proceedings as evidence of whether or not a duty under the WHS laws has been met. They can also be referred to by an inspector when issuing an improvement or prohibition notice.

It is recognised that equivalent or better ways of achieving the required work health and safety outcomes may be possible. For that reason compliance with Codes of Practice is not mandatory providing that any other method used provides an equivalent or higher standard of work health and safety than suggested by the Code of Practice.

### **Interpretive guidelines**

Interpretive guidelines are a formal statement on how WHS regulators believe key concepts in the WHS Act operate and in doing so provide an indication of how the laws will be enforced.”

So, broadly, the Act obliges PCBUs, their Officers and Workers to have regard to health, safety and welfare at work (including the output from workplaces, whether goods or services), and the effect such work, goods and services may have on persons (whether Workers or Others) in the workplace, or using goods and services provided by the workplace.

Particular attention is drawn to Sections 19 to 26 of the Act, which outline the PCBU's duties relating to health, safety and welfare at work.

The objects mentioned by Safe Work Australia (above) are in Section 3 of the Act which states:

- (1) The main object of this Act is to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces by:
  - (a) protecting workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work; and
  - (b) providing for fair and effective workplace representation, consultation, co-operation and issue resolution in relation to work health and safety; and
  - (c) encouraging unions and employer organisations to take a constructive role in promoting improvements in work health and safety practices, and assisting persons conducting businesses or undertakings and workers to achieve a healthier and safer working environment; and
  - (d) promoting the provision of advice, information, education and training in relation to work health and safety; and
  - (e) securing compliance with this Act through effective and appropriate compliance and enforcement measures; and
  - (f) ensuring appropriate scrutiny and review of actions taken by persons exercising powers and performing functions under this Act; and
  - (g) providing a framework for continuous improvement and progressively higher standards of work health and safety; and
  - (h) maintaining and strengthening the national harmonisation of laws relating to work health and safety and to facilitate a consistent national approach to work health and safety in this jurisdiction.
- (2) In furthering subsection (1)(a), regard must be had to the principle that workers and other persons should be given the highest level of protection against harm to their health, safety and welfare from hazards and risks arising from work as is reasonably practicable.

## Part 4.03      **WHS Regulation(s) 2011**

The Reg. talks more in specific than the Act. For example, regulation/clause 425 in the Reg. discusses *in-depth* what is likely to be need so far as an 'asbestos register' is concerned. It points out a register must exist in any building built prior to January 1, 2004, *even if no asbestos exists there*. That is, a PCBU must ensure some proof of a professional assessment for the presence of asbestos.

One authority has stated a regulation '*... adopts a systematic risk management approach, which means that hazards and their associated risk must be managed systematically, in response to the results of risk assessments.*'

*The Reg. covers such issues as:*

- *places of work - risk management and other matters;*
- *workplace consultation and dispute resolution;*
- *work premises and working environments;*
- *plant;*
- *hazardous substances;*
- *construction work;*
- *certification of workers;*
- *licensing of certain businesses;*
- *permits for certain work;*
- *high risk and major hazard facilities;*
- *miscellaneous.*

Emphatically, the Act and the Reg. may adopt and/or incorporate other relevant publications arising from standards and/or codes of practice, which ensures that adopted/incorporated information becomes *law*.

## Part 4.04      **Approved Industry Codes of Practice**

Codes of Practice are released by the relevant WHS authorities from time-to-time to provide practical guidance in the fulfilment of the demands of the Act and the Regulation. It is emphasised PCBUs, Workers, designers, manufacturers, suppliers, installers and importers and so forth, can apply an approved industry code of practice in conjunction with the Act and Reg. and generally ensure their workplaces is healthy and safe, provided the information, instruction, training and supervision associated with the application is also followed-up.

Codes of Practice particularly recommended for access include:

- **WHS Consultation;**
- **Manual Handling;**
- **Drugs & alcohol in the workplace;**
- **Violence in the workplace.**

Codes of Practice are available from the various WHS authorities free if downloaded from their websites.

## Part 4.05      **Standards**

Standards generally outline acceptable minimum requirements in a system or engineered manufacture. Standards can cover such areas as construction, quality and performance (including endurance, strength and wear-and-tear) and tolerances. Though we may exceed the expectations of any prescribed Standards, we must not deliver anything less.

Standards apply to many parts of a business operation, and include fire and pressure vessel standards, personal protective equipment minimum requirements (including anti-skid resistance on footwear and ultra violet radiation -UVR- ratings), plumbing and electrical requirements and so forth.

An example that electrical workers must adhere to, is the AS/NZS 3000 wiring rules.

Standards are available from SAI Global, at a fee.

Their website is: [www.saiglobal.com](http://www.saiglobal.com)

# CHAPTER 5: **WHS Policy and Procedures**

## Part 5.01 **Content of WHS Policies and Procedures**

### **1. PURPOSE**

Since any policy and procedure should be considered 'living' in the sense they will require change from time-to-time, instruction in what is likely to be required in making such change becomes an element in an WHS manual.

Whereas the general WHS policy is a public statement of XYZ commitment to its duty-of-care for all employees and others carrying out work on behalf of, or likely to be affected by outcomes arising from work on behalf of, and the under the control of, XYZ, other policies will need consideration from time-to-time (e.g. Grievance and discipline procedures; Manual Handling, etc.).

This chapter exists to provide a guide of what to do, what commitment means, etc., when considering the elements to include in the various policies and procedures.

### **2. SCOPE**

Since WHS policies and procedures will apply either generally or specifically to *all* operations under the control of XYZ, the scope of this chapter applies to those operations. This will include, but not be limited to, geographic and systems-based areas likely to impact on any person(s) entering those areas, or affected by outcomes from those areas. 'Person(s)' includes Workers (as defined by the Act), as well as Others, such as guests and visitors.

### **3. RESPONSIBILITY**

#### **XYZ General Manager**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- must ensure the general WHS Policy is prepared and signed on behalf of XYZ;
- must ensure all policies and procedures considered relevant to XYZ workplaces and the goods and services arising from those workplaces are documented;
- must participate in annual review of policy and procedures.

#### **Supervisory Staff**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- must ensure their department's staff have been given the opportunity to read and comment on the WHS policy;
- must gather feedback from Workers on policy and procedural issues;
- must ensure reciprocal feedback from management to Workers is given within a reasonable time;
- must consult with XYZ General Manager, if policy and procedural problems are out of the supervisor's control.

## **WHS Representatives**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- audit, advise and assist the various stakeholders in both creating and understanding the various responsibilities and elements contained in the programmes, policies, and procedures;
- publicise the existence of the various policies and procedures via various mediums such as meetings, intra-nets, notice boards and circulars;
- ensure a timely review of all programmes, policies, and procedures;
- facilitate consultation on the WHS Policy with Workers and others likely to be regularly affected by XYZ activities (including contractors and visitors).

## **Workers**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), Workers:*

- are obliged to raise safety issues with management to assist management identify and address these issues;
- where possible should address all WHS policy and procedural issues in consultation with their supervisory staff;
- must attend to, and apply, any training required to ensure policies and procedures are followed at all times;
- must bring WHS policy and procedures problems to the attention of their supervisor and/or HSR.

## **Others:**

Where other stakeholders, such as suppliers, buyers, service users and the like may be constituted as 'regular' visitors to XYZ facilities or works arising from XYZ activities, these stakeholders shall be invited to comment on the final draft of the policy and have the opportunity to comment on any reviews.



## 4. PROCEDURE

- The WHS policy shall be developed in consultation with all XYZ stakeholders. This shall not be limited to XYZ employees, but will include consultation with other Workers and any Others interacting with the day to day operations of XYZ including 'regular' visitors as outlined above;
- The WHS policy shall be prominently displayed in XYZ foyer areas, employee staff area, Worker Handbook, and also in XYZ contracts with other stakeholders;
- The Policy shall be reviewed annually with all XYZ staff and stakeholders as outlined above, where such stakeholders are regularly interactive with XYZ activities. This may be carried out via the XYZ WHS Consultative mechanism in place at the time of review;
- The XYZ General Manager and a senior Worker representative shall sign and date the WHS Policy. This shall also be carried out at the end of each annual review.

## 5. TRAINING

All personnel in the employ of, or carrying out work on behalf of, XYZ must be made aware of the WHS policy. All stakeholders shall be apprised of the existence of the policy when first introduced to the facility.

## 6. REFERENCES

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) page 4.01-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 2: [Grievance and Discipline](#) p.6.02.1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 8: [Contractor Management](#) p8-1.
- WHS Act 2011
- WHS Reg 2011
- Safe Work Australia publications:
  - Model Codes of Practice (COPs). COPs will sometime be referred to by your state's regulator without that regulator making any adjustment, so be sure to check for variation within the context of location.

Model codes of practice include:

- How to safely remove asbestos
- How to Manage and Control Asbestos in the Workplace
- Abrasive Blasting
- Confined Spaces
- Construction Work
- Work Health and Safety Consultation Co-operation and Co-ordination
- Demolition Work
- Managing Electrical Risks at the Workplace
- Excavation Work
- Managing the risk of Falls at Workplaces

- Preventing Falls in Housing Construction
- Managing the Work Environment and Facilities
- First Aid in the Workplace
- Labelling of Workplace Hazardous Chemicals
- Preparation of Safety Data Sheets for Hazardous Chemicals
- Managing Risks of Hazardous Chemicals in the Workplace
- Hazardous Manual Tasks
- Management of workplace facilities
- Managing Noise and Preventing Hearing Loss at Work
- Managing Risks of Plant in the Workplace
- How to Manage Work Health and Safety Risks
- Safe Design of Structures
- Spray Painting and Powder Coating
- Welding Processes
- Australian Standard; AS/NZS 4804 "Occupational health and safety management systems - General guidelines on principles, systems and supporting techniques".

## Part 5.02      **XYZ Occupational Health and Safety Policy**

**XYZ** is an office-based PCBU operating in various Australian States and Territories.

***XYZ** recognises the holistic needs of Workers and Others in this environment can only be fully met when the work health, safety and welfare needs of those Workers and Others are not compromised.*

**XYZ** commits itself to the objectives of the WHS Act 2011 and associated regulation and legislature, and takes responsibility to ensure all Workers and Others (as defined by the Act) are maintained, as far as is practicable, in a safe and healthy environment. This responsibility includes establishing and documenting safe and healthy systems of work, including policies and procedures for all aspects of WHS, including, but not limited to:

- Manual handling
- Consultation, grievance & discipline procedures
- Emergency procedures
- Injury management
- Monitoring and review of WHS issues
- WHS Training

**XYZ Senior Management** accepts its responsibility in, and commits itself to, providing, maintaining and promoting WHS throughout the enterprise, including the provision of adequate resources to ensure the WHS of all Workers and Others.

**Line-Managers and Supervisors** are committed and are held individually responsible for taking all practicable steps to ensure all areas of **XYZ** under their control are without risk to the safety, health and welfare of Workers and Others entering that area. The line-managers and supervisors are responsible for the detection and control of unsafe conditions, including unsafe acts or omissions. Should the line-managers and supervisors not have control over risk from any hazard they encounter, they are to notify their manager or responsible party as soon as possible.

**Workers** (employees, volunteers, etc.) have an individual responsibility to know and adhere to their safe work guidelines. They must notify their supervisor of any hazards identified in the workplace and assist in any remedial action. Workers must ensure their own safety, health and welfare is not compromised, and must also take reasonable care for the health, safety and welfare of all others at **XYZ**.

**Workers** (Contractors and Sub-Contractors) engaged to carry out work considered under the control of the XYZ are obliged to adhere to XYZ WHS policies and procedures, or, if their own procedures are demonstrably better practice, to their own policies and procedures.

**The XYZ WHS Consultative** process involves regular management and employee interaction, in accordance with the WHS Act 2011, via Employee and Management WHS Representatives, under the consultative method of 'Other Agreed Arrangements'. This provides a valued method of assisting XYZ fulfil its obligation to demonstrably consult with each and every section of the workforce, and visitors where appropriate, in all matters to do with WHS.

Signature (XYZ General Manager) .....

Signature (Senior Employee Representative) .....

Date: (Date for review: )

### Part 5.03 Sample Manual Handling Policy

It is the policy of XYZ to prevent **manual handling** injuries occurring. In situations where such injuries do occur, XYZ also commits itself to reducing the severity of the injury, and will ensure adequate return-to-work programmes are applied as is practicable.

In order to fulfill the obligations outlined in the Act and Reg., XYZ will implement a process to identify, assess and control **manual handling** risks. Steps will include:

- a) ensuring consultation occurs at all levels of the workplace, including consultation with Workers and any other relevant stakeholders;
- b) provision of **manual handling** to all affected Workers and stakeholders, appropriate to their job description/role;
- c) plant, equipment, containers, work practices, systems of work and the working environment are designed and maintained as far as is practicable without risk to health and safety;
- d) specialist advice will be sought where appropriate.

XYZ General Manager will ensure adequate resources are available to enable line-managers and supervisors to apply practical risk controls.

Line-managers and supervisors will respond to employee requests for **manual handling** risk assessments and controls.

Workers will adhere to **manual handling** guidelines as appropriate to their job description, including applying **manual handling** training.

XYZ management will ensure all standard **manual handling** procedures are reviewed as a process of the WHS Consultative mechanism once a year, or after any incident. The consultation process will ensure true and fair consultation with all appropriate members of the workforce.

Signed: XYZ General Manager

Date:

Signed: Senior Employee Representative

Date:

Date for review:

# CHAPTER 6: Management Procedures

## Part 6.01      WHS Roles & Responsibilities

### 1. PURPOSE

The main object of the Act [s.3(1)(a)] is ‘... to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces by... protecting workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work’.

This places an *absolute* duty-of-care on the PCBU, and may also include all persons nominated by the PCBU to take control and manage elements of the workplace, including all inputs, processes and outputs relevant to its business and undertakings.

The Act also places a duty on Workers generally to take reasonable care for the health and safety of people who are at the Worker's place of work and who may be affected by the Worker's acts or omissions at work.

***All XYZ staff who supervise personnel\* must take responsibility for the meaningful and practical management of WHS for all areas and personnel under their respective control.***

***All Workers & Others involved with XYZ functions must assist management in fulfilling this duty-of-care.***

**Therefore, the purpose of this programme is to inform all stakeholders of their duties and responsibilities under the Act and its supporting Reg.**

**\*'PERSONNEL' WILL NOT BE LIMITED TO WORKERS, BUT INCLUDE OTHERS, SUCH AS VISITORS AND GUESTS.**

### 2. SCOPE

**XYZ Officers (as defined by the Act)** including senior management with capabilities of substantially altering the way XYZ conducts its affairs. This includes the General Manager (GM) and those managers who report directly to the GM. These will include the Chief Financial Officer (CFO), the Chief Production Officer (CPO), the Marketing and Sales Manager (MSM) and the Human Resource Manager (HRM).

**XYZ Supervisory Staff** includes staff (apart from Officers) designated as supervisors of other Workers, and will occasionally include those Workers designated as Temporary Team Leaders.

**XYZ Workers (as defined by the Act)** include temporary staff (even agency-hired); casual and part-time employees, as well as full-time employees, volunteers, contractors and sub-contractors and work-experience personnel.

### **3. RESPONSIBILITY**

#### **XYZ Officers**

##### **- XYZ General Manager**

*"Tasks may be delegated: WHS responsibilities may not."*

As the executive officer in charge of the day-to-day functioning of the business of XYZ, with executive powers from, and reporting functions to, the directors of XYZ, the XYZ General Manager has responsibility for all persons likely to be affected by XYZ activities. As such, the General Manager must ensure the development and implementation of an effective WHS programme, including compliance with the Act, the Reg., and all other statutory obligations likely to impact on the organisation and its environs.

***The XYZ General Manager has the responsibility to (among other things):***

- coordinate, or assign a direct subordinate (who reports direct to the XYZ General Manager) to coordinate, the WHS function (if required);
- publish a policy expressing the XYZ attitude on, and commitment to, WHS;
- ensure an effective safety management plan (see [Chapter 3](#) page 3.02-1) is in place including objectives and targets;
- ensure an effective means of consultation is in place for all Workers to address WHS issues;
- ensure XYZ management is represented in any WHS consultation process, and any such representative has authority to act meaningfully on WHS matters;
- ensure that any WHS research is given sufficient resources (time, assistance, equipment, funding) to ensure all WHS consultation is kept up-to-date with latest developments in WHS relevant to the core operations of XYZ;
- monitor WHS performance including compliance with external regulations/standards – whether required by statutory bodies or Principal Contractors or Principal Clients – as well as internal policy and procedures;

- ensure appropriate resources and budget allocations for WHS improvement, training and equipment;
- review and ratify annual WHS budget;
- attend WHS related events as is reasonable;
- be seen to practice healthy and safe work practices and attend emergency drills and training as required of other staff;
- liaise with relevant statutory authorities as required;
- ensure appropriate procedures are in place for informing contractors and subcontractors to XYZ of their WHS obligations while fulfilling their contract(s) to XYZ. Also ensure such contractors and subcontractors are aware their WHS performance will be monitored by XYZ staff from time to time (refer Chapter 8);
- liaise as necessary with third parties to discuss XYZ Worker WHS needs vs third party WHS needs;
- monitor, and review as necessary, the WHS performance of managers and supervisors, as well as contractors;
- include WHS appraisals in performance reports of various parties;
- be prepared to discipline (and support discipline of) any breaches of the WHS system.

### **- XYZ Senior Management**

Though the duty-of-care remains with the XYZ General Manager and cannot be delegated, the various *tasks* associated in achieving good quality WHS *may* be delegated to subordinates

- Those Workers designated as 'Officers' of XYZ should refer to the duties of the GM (above) and reflect on their capabilities to effectively support and respond where appropriate. The Act (s. 18 re. 'reasonably practicable'; and s.27 re. duties of Officers) carries a succinct outline of what is expected. Particular attention is called-for in 'what is known, and what OUGHT to be known' by Officers to ensure the WHS of all stakeholders.

### **XYZ Supervisory staff, including Workers occasionally designated as team leaders**



Those subordinates who are delegated with roles involving the supervision of other staff shall be held accountable for the application of all WHS functions in their department over which they can be shown to have reasonable control.

***Supervisory staff have the responsibility to (among other things):***

- comply with the Act, its supporting Reg. and all [codes-of-practice, standards](#), etc. likely to impact on the department;
- ensure appropriate resources are available to ensure good quality WHS outcomes are achieved from all operations within the department;
- assist in preparation of [safe work procedures](#) (SWP) (see page 9.08-1) for all tasks in the department, and ensure relevant staff are consulted during the process;
- ensure Workers are adequately informed, instructed, trained and supervised regarding their duties. This includes regularly assessing the competency of the Workers as they perform their designated tasks;
- ensure Workers are informed about WHS issues relevant to their work environment;
- ensure all personnel in the department, or likely to be affected by the department, are safe and without danger, and assist in identifying, assessing and controlling hazards within the department;
- assess new work practices, plant or substances introduced to the department;
- ensure WHS inspections are part of the routine running of the department (refer [Chapter 9 – page 9-1](#));
- assist WHS consultation within the department, and provide reasonable assistance to any department personnel involved with the XYZ WHS consultation process;
- be seen to practice healthy and safe work practices and attend emergency drills and training as required of other staff;
- include WHS monitoring, review and appraisal (read Chapter 3, page 3.01-1 [Planning for Safety](#) for ideas on this) as part of regular departmental reporting procedures to the XYZ Manager;
- discipline personnel if breaches of the XYZ WHS system occur;
- ensure grievance procedures are in place and are known by all staff;
- ensure reporting procedures are in place, are known and are followed, for injuries, illnesses and incidents that occur within the department;
- ensure illness reports, etc., are investigated and outcomes are followed-up;

- ensure all health and safety concerns raised by employees (including injuries, illnesses and incidents sustained inside *and* outside the Supervisor's area of control) are addressed, and feedback given to the employees as to outcomes, etc. arising from those concerns;
- ensure return-to-work and other employee assistance programmes are followed;
- ensure contractors and subcontractors to XYZ are appraised of their WHS obligations to XYZ and are kept under surveillance for adherence to the XYZ WHS management systems;
- notify the XYZ General Manager immediately should any WHS issue arise that is out of the control of the Supervisor.

### **WHS Representatives**

XYZ Workers have chosen one frontline Worker representative and XYZ management have appointed one management representative, under the 'other agreed arrangements' allowed in the Act regarding consultative methods. Both representatives have a duty to ensure the efficient and timely distribution of information to both frontline Workers and Officers. WHS representatives have the GM's authority to access information on any part of the workplace likely to give rise to injury, illness or damage.

Among other tasks as may arise from time-to-time, WHS Representatives have the responsibility to apply their discretion and may:

- audit, advise and assist all stakeholders in fulfilling their respective WHS duties;
- consult with Workers at all organisational levels in matters pertaining to health, safety and welfare arising from the workplace and/or goods and/or services arising from the workplace;
- assist senior management in the preparation of WHS policies and procedures and other WHS documents as required;
- assist supervisory staff and Workers in the preparation of safe work procedures;
- stay abreast of WHS developments likely to affect XYZ stakeholders;
- carry-out timely inspections of the workplace and its systems;
- carry-out timely audits of the workplace and its systems;
- request attendance by a statutory WHS inspector;
- accompany that inspector around the XYZ workplace;
- investigate and review any incident where health, safety, welfare and/or damage has been or was likely to have been affected;
- keep under review the measures taken to ensure health, safety and welfare of persons at work;

**NOTE THAT WHS REPRESENTATIVES DO NOT NECESSARILY HAVE IMPLEMENTATION OR DISCIPLINARY POWERS. IT IS THEIR DUTY TO HIGHLIGHT**

**WHS ISSUES FOR THE RELEVANT SUPERVISORY STAFF TO APPLY *THEIR* DISCIPLINARY AND IMPLEMENTATION POWERS. WHERE AN AREA OF WHS CONCERN APPEARS IN A PART OF THE WORKPLACE THAT *IS* NORMALLY UNDER THE CONTROL OF THE WHS REPRESENTATIVE, *THEN* THERE WILL BE THE DISCIPLINARY AND IMPLEMENTATION POWER ENDOWED ON THAT PARTICULAR WHS REPRESENTATIVE, NOT AS THE WHS REPRESENTATIVE, BUT AS THE PERSON WITH RESPONSIBILITY FOR THAT PART OF THE WORKPLACE.**

## **Frontline Workers**

Frontline Workers are obliged, under s.28 of the Act to take reasonable care for the health and safety of themselves and others who are at the PCBU's place of work and who may be affected by the Worker's acts or omissions at work. Workers must also cooperate with the PCBU – and others - to assist the PCBU comply with the requirements of the Act.

### ***At XYZ, Workers' duties include, but are not limited to:***

- comply with the XYZ' WHS policies and procedures;
- follow the [workplace safety rules](#) (page 9.11-1).
- know, and be capable of performing, the tasks associated with their job;
- accurately apply training they have received;
- bring to the attention of their supervisor any task the Worker feels is outside of their level of competency;
- follow safe work method instructions and carry out tasks in a healthy and safe manner;
- know who their supervisor is;
- communicate with their supervisor on all matters, and bring hazards they have identified to the attention of their supervisor;
- know the grievance procedures;
- know the WHS consultative method;
- assist in the consultative process on matters to do with WHS;
- encourage other Workers to participate in the consultative process;
- know and apply all reporting procedures regarding illness, injury, or near-hit incidents;
- deal with visitors in a manner that does not compromise the WHS policies and procedures of XYZ;
- bring any issues arising from visitors – including contractor and sub-contractor dealings - to the attention of the supervisor;
- take care to follow good hygiene and housekeeping practices in the XYZ environment;
- ensure they wear personal protective equipment supplied appropriate to the task;
- have a reasonable understanding of the consequences of their actions;
- not put others at risk through practical jokes, misuse of plant or substances, drugs (legal – including medicinal - and/or illegal) and/or alcohol, etc.;
- participate in any emergency drills and training;
- participate in reviews of WHS systems;
- participate in return-to-work programmes;

- respond to any call for assistance in an emergency.

### **Duties of Workers who are Contractors to XYZ:**

- Contractors must firstly adhere to the safety rules outlined for XYZ Workers generally;
- Due to the complexity of interfacing with contractors, a separate document is included for reference: see document 8 '[Contractor Control](#)' - *Note that agency firms are advised to refer to this area also. The potential for prosecution against both the hiree and the hirer exists in breaches of the Act.*

### **Others (i.e. anyone who is not a 'Worker' but may be in attendance at - or affected by – the XYZ workplace, its inputs, processes and outputs:**

Though the Act makes it clear XYZ has a duty to care for 'others' in the workplace, with the apparent obligation to accept total responsibility, those 'others' may be given some responsibility for their actions once it can be demonstrated they were provided 'reasonable' information regarding the safe procedures of going about their affairs while under the control of XYZ. There may be the need to ensure 'Others' are provided equipment that ensures their safety (eg safety goggles in an area where soldering may be carried out), but once supplied and informed, those visitors are obliged to use of that equipment in the manner instructed by XYZ. The [Visitor Sign-in Sheet](#) is shown on page 9.10.1.

## **4. PROCEDURE**

**All government (including regional and local government) legislation and regulation, standards and codes of practice must be adhered to wherever *practicable*.**

This procedure provides an overview of steps the various nominated parties can take to ensure they are sufficiently informed so as to take on their responsibilities. In part, this can assist in fulfilling the 'what you know and what you should know' factors demanded by the terms of 'reasonably practicable (as defined in s.18 of the Act and as discussed in the WHS Encyclopaedia, under the heading "[Practicability](#)" - page 10-20).

Procedures shall include (but not be limited to) the following steps:

- All XYZ personnel are to be advised of programmes and policies relevant to their tasks;
- [Safe Work Procedures](#) (SWP) (page 9.08-1) must be prepared for each task required to operate the facility. This will enable senior management to clearly, and unambiguously assign responsibility for each task, and to create 'SWPs' where hazards associated with the

task are *identified*, and *assessed*. *Control* methods will then be provided and implemented where appropriate, and the risk of injury and damage from workplace-related incidents eliminated or reduced so far as is reasonably practicable. In order to ensure allotted tasks are carried out in a healthy and safe manner with no, or minimal risk to, or from, the workplace activity, any personnel considered at risk are to be provided:

- up-to-date information and instruction;
  - appropriate training and supervision;
  - means of monitoring plant and substances where applicable;
  - appropriate control methods, including personal protective equipment and supplies;
  - health monitoring if reasonable need is identified.
- Workers in general shall be consulted when developing and assessing tasks associated with their job description. An external adviser may provide additional expertise.
  - Purchasing and hiring controls must be implemented and adhered to, to ensure the WHS needs and expectations of all stakeholders are met. This will include ensuring contractors and sub-contractors to XYZ are aware of XYZ WHS requirements and that they are advised any breach of these requirements may mean cancellation of any contract or subcontract;
  - Facilities for the personal use of all persons attending XYZ workplaces must also be considered in fulfilling the requirements of the Act;
  - Personnel (including Others) at risk from any hazard will be consulted and informed of health, safety and welfare risks associated with tasks involving that hazard. Such personnel will be provided with appropriate means to avoid injury or illness from interacting with the hazard. This may include signage, supply of PPE and/or appropriate training.
  - As in XYZ health and safety policies and procedures generally, all WHS policies and procedures will be reviewed annually, or sooner should the need for such review arise. Any WHS incident shall be considered just cause for a review of the policies and procedures by an appropriate authority.

## 5. TRAINING

### **XYZ General Manager, Supervisory Staff, and other Relevant Workers**

All personnel involved in managing the control of risks associated with hazards shall receive specific training in hazard identification, risk assessment and the development of cost-effective control options in line with

the *hierarchy of hazard control* (refer to page 3.04-1 – [Risk Management](#)). The application of "due diligence" is the basis of the WHS auditing used at XYZ and key elements may be accessed on page 3.06-1 – [Internal Auditing](#).

## **WHS Representatives**

Health and safety representatives at XYZ are to undergo the regulator approved five day training course for HSRs.

## **Workers**

- Upon induction (but ideally before formally being employed) Workers must be made aware of health and safety issues, including controls, outlined in their work method statements. Special note is to be made of WHS issues already identified as being of a high risk nature;
- Any Worker advising they require training to achieve WHS standards (*or any other standards for that matter*) demanded by their work method statement shall be given such training within a reasonable time;
- All Workers are to be informed of emergency control procedures appropriate to their area and the facility in general;
- All Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.

## **6. REFERENCES**

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) page 4.01-1; Chapter 5: [WHS Policy and Procedures](#) p.5.01-1; Chapter 6, part 2: [Grievance and Discipline](#) p.6.02.1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 8: [Contractor Management](#) p.8-1.
- WHS Act 2011: ss. 3; 18; 19-29
- WHS Reg 2011
- Safe Work Australia codes of practice  
<http://www.safeworkaustralia.gov.au/sites/swa/model-whs-laws/model-cop/pages/model-cop>

## Part 6.02 Grievance and Disciplinary Procedures

<b>ALL GRIEVANCE AND DISCIPLINARY ACTION MUST BE TRANSPARENT AND CONSISTENT</b>
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### Grievance

***XYZ is a PCBU with Workers including occasional contractors comprising its workforce. Accordingly, occasional issues arise requiring resolution. This is the general procedure to be followed by all stakeholders with the aim of resolving issues in such a way as to minimise distress to all parties to the process.***

#### Step 1

- Discussion between the Worker and the Worker's immediate supervisor.

#### Step 2

- Should either party not feel comfortable with the outcome of the initial discussion – or feel they cannot participate in an initial discussion, they may approach the General Manager who will attempt resolution.

#### Step 3

- Should an issue be unresolved, an official external mediator may be invited to attend by either party.

#### Generally

- Workers may invite a witness to any grievance discussion.
- The witness does not have to be a Worker from XYZ.
- Each party is entitled to obtain, and be accompanied by, a legal and/or industrial advisor should either party feel the grievance is significant enough to warrant such support. Note that the other party is to be advised in writing if a legal and/or industrial adviser is to be in attendance at least 24 hours before the scheduled meeting.

<p style="text-align: center;">“TELL ME WHAT YOU WANT... LET ME KNOW HOW I'M DOING...” THE KEY TO HUMAN RESOURCE MANAGEMENT <i>DRW</i></p>
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### Discipline

Discipline procedures are essential in any workplace. Many unfortunate industrial relations and WHS issues have occurred simply because a Worker was not disciplined early enough, and the Worker's poor actions/behaviour became the 'norm'.

*A simple analogy would be to consider standing three metres away from a friend, and then walking toward that friend. If you are even several degrees off in your direction as you move forward, you will still reach your friend. However, place yourself in Sydney, and your friend in Perth, then even one*

*degree off will leave you many kilometres away from your friend when you finally travel the distance at the slightly skewed angle.*

***An early intervention to correct the apparently slight deviation, greatly assists in achieving longer term goals.***

Generally, XYZ has adapted the standard four steps for discipline.

In its simplest form, the discipline steps are as follows:

- 1 Verbal counselling/warning;
- 2 Written warning 1;
- 3 Written warning 2;
- 4 Dismissal.

### **Step 1:**

- This is a first warning, and is verbal, with the supervisor noting the discussion in his/her diary. Workers are also advised to make a note for themselves.
- Immediate supervisor verbally counsels Worker considered to have breached a policy or procedure.
- This warning may occur at the place where work is actually being carried out.
- The first step is to demonstrate a gap exists between what the Worker was doing and what was expected of them. This is demonstrating a 'gap analysis'.
- The supervisor:
  - makes it clear what policy or procedure was in place, or what instruction had been given, at the time of the alleged breach;
  - the supervisor then highlights the action/inaction of the Worker that has led to the breach and/or unsatisfactory performance.
- The Worker should be encouraged to demonstrate if there were any extenuating factors or circumstances that contributed to the breach.
- Though this is considered a 'verbal' counselling, the supervisor is to record the occurrence in the day-diary for the site, and notify the General Manager of the occurrence.
- The Worker is to be advised he/she has 24 hours to consider why the action is unjust, and that otherwise the warning will last for four weeks.
- If no other disciplinary action has been required over that four weeks, the warning is removed, and the Worker's disciplinary record (over the original type of incident) is back to normal.
- The Worker is also to be advised of the right to approach the General Manager if the Worker feels he/she was unfairly chastised.

### **Step 2:**



- This is the 'second warning', but 'first *written* warning'.
- Supervisor to prepare a *written* complaint about the Worker's actions/inactions that are considered unacceptable.
- A meeting is arranged with the Worker.
  - The Worker should be encouraged to bring a witness/representative to the proceedings.
  - The witness does not have to be a Worker at XYZ.
  - Each party is entitled to obtain, and be accompanied by, a legal and/or industrial advisor should either party feel the issue is significant enough to warrant such support. (Note that the other party is to be advised in writing if a legal and/or industrial adviser is to be in attendance at least 24 hours before the scheduled meeting.)
  - The meeting should be removed from the immediate workplace, especially if it is a noisy and distracting work environment, to allow each party to concentrate on the issue.
- The report is to be presented to the Worker. The Worker must also be told verbally what the content of the letter is about, including clear advice on what policy, procedure and/or instruction was breached.
- The Worker must be informed of the potential for dismissal should the action/inaction continue.
- The General Manager is to be notified a second breach has occurred;
- The Worker is to be advised he/she has 24 hours to consider why the action is unjust, and that otherwise the warning will last for four weeks;
- If no other disciplinary action has been required over that four weeks, the warning is removed, and the Worker's disciplinary record (over the original type of incident) is back to a 'first warning.'
- The Worker is also to be advised of the right to approach the General Manager if the Worker feels he/she was unfairly chastised.

### **Step 3:**

- This is the 'third warning', and 'second written warning'.
- Compounded issues from the second warning must be further detailed in writing.
- A meeting is arranged with the Worker.
  - The Worker should be encouraged to bring a witness/representative to the proceedings.
  - The witness does not have to be a Worker at XYZ.

- Each party is entitled to obtain, and be accompanied by, a legal and/or industrial advisor should either party feel the issue is significant enough to warrant such support. (Note that the other party is to be advised in writing if a legal and/or industrial adviser is to be in attendance at least 24 hours before the scheduled meeting.)
- The meeting should be removed from the immediate workplace, especially if it is a noisy and distracting work environment, to allow each party to concentrate on the issue.
- The Worker must be told verbally what the content of the letter is about, including clear advice on what policy, procedure and/or instruction was breached. The Worker must be informed of the immediate potential for dismissal should the action/inaction continue.
- The Worker also has 24 hours to prepare any reason they feel they do not deserve the third warning and present this to the supervisor/manager.
- The General Manager is to be notified a third breach has occurred;
- The Worker is to be advised he/she has 24 hours to consider why the action is unjust, and that otherwise the warning will last for four weeks;
- If no other disciplinary action has been required over that four weeks, the warning is removed, and the Worker's disciplinary record (over the original type of incident) is back to a 'second warning.'
- The Worker is also to be advised of the right to approach the General Manager if the Worker feels he/she was unfairly chastised.

#### **Step 4:**

*This is usually the 'dismissal'.*

- The compounded issues from the earlier warnings must be further detailed in writing.
- A meeting is arranged with the Worker.
  - The Worker should be encouraged to bring a witness/representative to the proceedings.
  - The witness does not have to be a Worker at XYZ.
  - Each party is entitled to obtain, and be accompanied by, a legal and/or industrial advisor should either party feel the issue is significant enough to warrant such support. (Note that the other party is to be advised in writing if a legal and/or industrial adviser is to be in attendance at least 24 hours before the scheduled meeting.)
  - The meeting should be removed from the immediate workplace, especially if it is a noisy and distracting work environment, to allow each party to concentrate on the issue.

- The Worker now has 24 hours to prepare any reason they feel they do not deserve the dismissal.
- The Worker must be told verbally what the content of the letter is about, including clear advice on what policy, procedure and/or instruction was breached. The Worker must be informed of the immediate potential for dismissal should the action/inaction continue.
- The Worker also has 24 hours to prepare any reason they feel they do not deserve the third warning and present this to the supervisor/manager.
- The General Manager is to be notified a third breach has occurred;
- If, on an appeal, the discipline is delayed, the Worker's disciplinary record (over the original type of incident) is back to a 'third warning.'
- The Worker is also to be advised of the right to approach the General Manager if the Worker feels he/she was unfairly chastised.

**NOTE THAT ALL WORKERS ARE OPEN TO INSTANT DISMISSAL SHOULD A BREACH OF POLICY, PROCEDURE OR INSTRUCTION BE CONSIDERED SERIOUS.**

***Generally, dismissal can be applied as a disciplinary tool for the following:***

*1) After routine discipline procedures as in:*

- *poor performance of duties as outlined in the contract of employment (in effect, the dismissal is because the contract of employment was unfulfilled);*
- *unwillingness to adhere to an official return-to-work programme;*
- *regular poor conduct (eg regularly abusive toward customers; regularly late for work);*

*2) Immediate (without intermediary steps), as in:*

- *serious poor conduct (stealing; illegal drug-taking; physically attacking a person);*
- *redundancy (eg the majority of tasks that comprise the job description are no longer required).*

## 1. PURPOSE

Once upon a time there were an elephant, a rhinoceros, a zebra and a giraffe. They formed an unusual, but respectful friendship, and one day happened to come across a tree that they knew to have the most wonderful fruit.

Climbing on one another's shoulders, they found they were just too short to reach the fruit. They tried different positions. The giraffe stretching her neck as far as possible could not reach it. Even the Elephant with her long trunk was foiled in her attempt to bring the fruit within reach. The Rhino gave a few sweeps of her horn and failed altogether, as did the Zebra when she waved about with her tail.

They were about to give up when a small mouse emerged and offered her assistance. She climbed to the top, reached out her length to the branch holding the fruit and gnawed through. Down came the fruit for them to all share.

*Moral of the story?*

The smallest, quietest squeaker might contribute the one percent you need to accomplish an WHS system that is 100% effective.

**Consult! Consult!! Consult!!!**

### **One statutory authority has this to say about consultation:**

*"Consultation between employers and employees is an essential part of effectively managing health and safety at work. Consultation adds value to the decision making process, facilitating health and safety and injury management solutions that meet the needs of employees whilst fulfilling duty of care obligations.*

*"Meaningful consultation and communication may take many forms.*

*Factors such as the size, location, legal obligations and activities undertaken in the workplace will determine arrangements most appropriate to the needs of the organisation and its employees. For the employer, this means identifying their consultative arrangement options and communicating this to employees through suitable activities such as training and provision of information. The employer, together with employees, will need to consider the*

*consultative mechanism best suited to their workplace and the way work is organised and conducted."*

In accordance with the above XYZ has chosen the consultative path of 'other agreed arrangements', as outlined in the Act and the supporting Safe Work Australia code of practice "Work Health and Safety Consultation, Cooperation and Coordination". This WHS consultation programme outlines the processes involved, as well as the allowance for future direction in the field.

## **2. SCOPE**

There is an absolute duty on XYZ to allow for all Workers of XYZ to comment on WHS issues arising from work activities. Further, in accordance with XYZ general consultative practices, all other persons (including, but not limited to, clients, guests and visitors) are invited to contribute to achieving best practices in WHS. Therefore, all XYZ activities are covered by this programme.

## **3. RESPONSIBILITY**

### **XYZ General Manager:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- must ensure the provision of, and allowance for, financial capital and time toward the canvassing of all persons likely to be affected by XYZ activities and who may wish to comment on the WHS issues arising from those activities;
- must ensure all persons likely to be affected by XYZ activities and who may wish to comment on the WHS issues arising from those activities, are given the opportunity to join in meaningful and effective consultative processes;
- must ensure grievance and disciplinary procedures regarding consultation are adhered to (in particular, refer to Reg. 22 and 23 re 'dispute resolution');
- must participate in review of consultative processes, with all relevant parties, including major Clients, at least once a year.

### **Supervisory Staff:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- must ensure all persons in the department are presented with an opportunity to comment on WHS issues in a timely and effective manner;
- must ensure comprehension of, and adherence to, all consultative and reporting issues relevant to the department;
- must ensure sufficient resources are available, including money and time, to address consultation issues in the supervised department in a meaningful and practicable manner;
- must ensure grievance and disciplinary procedures regarding consultation are adhered to (in particular, refer to Reg. 22 and 23);
- must ensure XYZ General Manager is appraised of any consultation incident considered out of the supervisor's control.
- must gather feedback from the Workers on consultation issues, along with other workplace health and safety issues, and pass this up to the General Manager;
- must ensure reciprocal feedback from management to Workers is given within a reasonable time;

### **WHS Representatives**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- must facilitate Workers consultation in relation to health, safety and welfare issues, including consultation itself;
- must provide communication link for all concerned parties.
- must allow for canvassing of staff (at all levels of the enterprise), as well as contractors, guests, and visitors, regarding the consultative processes, during periodic workplace inspections.

### **Workers:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), Workers:*

- must participate in the consultative processes ;
- should encourage fellow Workers to speak-up on WHS issues;
- must ensure grievance and disciplinary procedures regarding consultation are adhered to;

- if any health, safety and welfare issues – consultative or otherwise – are identified, the Workers must bring these to the attention of their supervisor, and the WHS Consultative mechanism.

#### **Workers who are Contractors to XYZ:**

- are to follow [Contractor Control](#) (page 8-1) procedures.

## **4. PROCEDURE**

**A COPY OF THE SAFE WORK AUSTRALIA “WORK HEALTH AND SAFETY CONSULTATION, COOPERATION AND COORDINATION” CODE OF PRACTICE IS RECOMMENDED AS A GUIDANCE REFERENCE.**

XYZ has three options for consultation in its business and undertakings:

- a) The election of one or more WHS Representatives;
- b) The establishment of one or more WHS Committees;
- c) Other arrangements agreed between the PCBU and the Workers.

***XYZ has chosen to apply a consultative system under the auspices of ‘other agreed arrangement’. With the management as the driving force, consultation with Workers is assured by allowing direct discussion with management, as well as allowing for one management team-member and one employee team-member to be trained as ‘Health and Safety Representatives’ (HSRs) within the five day accredited course for HSRs. These representatives will further allow for a meaningful method of ensuring consultation with all stakeholders. (Note that in the spirit of the requirements of the Act and Reg., XYZ recognises and accepts the consultative process may change from time to time);***

- The chosen consultative method allows for each and every Worker to raise WHS issues in a timely manner with management, either directly or via one or another of the HSRs, without the fear of victimisation, etc. Concurrently, management commits itself to provide timely feedback to Workers regarding outcomes from any issues raised. *Note that major Client and Principal Contractor input is also dealt with in a timely manner, and outcomes discussed with Workers;*
- Regular and timely consideration is given to the consultation process itself by the XYZ management, and aims to:
  - Identify consultation needs of the workplace;
  - Ensure a true and fair representation of the various groups is reflected in management meetings and its deliberations;

- Present options to the various groups to allow a free and unhindered flow of WHS information, requests and responses to, and from, management and Workers alike.

*The aim is provide a forum for WHS issues that truly reflects the needs and expectations of each and every person likely to be affected by XYZ activities.*

- In accordance with the functioning of the consultative mechanism, a copy of the minutes from each meeting of the HSRs, as well as management meetings, dealing with WHS issues shall be signed and dated by the XYZ General Manager and a 'shop floor' Workers representative and displayed on various staff notice boards.
- A 'WHS Consultation Statement' (appendix number: 6.31) exists to highlight the consultative process accepted by the staff in consultation with XYZ management, and is an integral part of the XYZ' Worker Manual.

## 5. TRAINING

### All personnel

- All persons regularly entering XYZ control must be apprised of the existence of the WHS consultation statement.
- From time to time, some specialist training may be required to ensure adequate consultation is in place relevant to a particular circumstance (eg conflict resolution, manual handling, etc.). It may only be necessary for an individual to receive such training and become the reference for the particular special hazard. It is recommended specialist training be given to personnel who already have some interest in the field, so as to enrich the pool of experience in XYZ for the addressing of WHS issues.

## 6. REFERENCES

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 5, part 2: [General WHS Policy](#) p.5.02-1; Chapter 5, part 3: [Manual Handling Policy](#) p.5.03-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 2: [Grievance and Discipline](#) p.6.02.1; Chapter 6, part 4: [Consultation Statement](#) p.6.04-1; Chapter 6, Part 5: [Training](#) p.6.05-1; Chapter 8: [Contractor Management](#) p.8-1; Chapter 9, part 1: [WHS Inspection Checklists](#) p.9.01-1; Chapter 9, Part 8: [Job safe analysis and safe work procedures](#) p.9.08-1.
- WHS Act: Part 5.
- WHS Reg.: 22,23
- Safe Work Australia "Work health and safety consultation, cooperation and coordination" code of practice
- Standards Australia: AS/NZS 4804:2001 "Occupational health and safety management systems - General guidelines on principles, systems and supporting techniques."



- Standards Australia: AS/NZS 4801:2001 "Occupational health and safety management systems – Specification with guidance for use"

## Part 6.04 Draft 'WHS Consultation Statement' for XYZ

To fulfill the consultation requirements outlined in Part 5 of the Act, XYZ Officers and Workers have chosen "Other agreed arrangements" for the purpose of consultation. (As the organisation grows, it is anticipated the consultative method will grow to include an *WHS Committee* if required by the workforce and the nature of the business.)

For the time being, it has been agreed that XYZ will appoint a manager to bear the folio for WHS, and the rank-and-file Workers will elect a fellow Worker to represent Worker WHS issues. Both the management appointee and the Worker-elect will attend the accredited five-day HSR course within two months of election of the rank-and-file Worker representative.

Each and every Worker of XYZ is invited to, and is empowered by the General Manager to, comment whenever an issue concerning WHS becomes a concern to that Worker or others in that Worker's work area.

Under XYZ' grievance procedures, Workers are encouraged to speak firstly to their immediate supervisor regarding any issue – WHS or otherwise. However, should the Worker feel it is necessary to go direct to either the Worker HSR or the management HSR, this is an allowable second-choice. Should the Worker feel no satisfaction has been attained, the Worker is to raise the issue directly with the General Manager as a third step.

The general consultative process will include a regular monthly meeting between the management HSR and the Worker HSR, as well as possible irregular meetings (eg in the event of workplace change and/or an incident).

WHS meetings between the HSRs may also include invited outsiders, including contractors and sub-contractors, and will address any foreseeable WHS issues expected during the upcoming month, within XYZ-controlled workplaces.

From time to time, it is also anticipated XYZ will be required to send a representative to attend meetings of other contractor and principal client representatives to ensure WHS information is passed back and forth between the various teams carrying out work in the same environment.

This Statement, along with all other WHS functions of XYZ, is subject to annual review, in consultation between the general manager & all stakeholder representatives.

Documents to be referred to in context with this Statement include the XYZ WHS Manual, with particular reference to the following documents:

- XYZ WHS Policy;
- WHS Consultative Programme;
- XYZ Management Responsibilities;
- XYZ Workers' Responsibilities;
- Contractor Controls.

Signed:

XYZ Manager

Rank-and-file Worker Representative

Date:

Date for next review:

## 1. PURPOSE

***The timely and appropriate training of staff will ensure XYZ is capable of at least addressing the foreseeable WHS issues it is likely to confront, as well as having a good probability of mitigating issues as yet unidentified.***

**One authority has this to say about training:**

“Regardless of the policies, systems and controls an organisation institutes, the occupational health and safety program will not function unless employees are sufficiently and appropriately trained.”

The authority further emphasise training is a specific requirement under the Act, covering such things as:

- training in the use of equipment, substances, work practices and other safety matters
- information relating to work processes and substances, such as warning labels on chemical containers and safety data sheets
- instruction in how to carry out tasks in a safe and healthy manner
- supervision to ensure that instructions are understood and that the person is capable of carrying out the task.

The PCBU has a responsibility to ensure that Workers have appropriate WHS skills. Access to relevant training helps to ensure that this responsibility is met. All workplace personnel have a right to be trained to ensure their own health and safety and that of others.

The principles of access and equity should form the basis of all education and training activities.

The form, content and delivery of WHS education and training for XYZ Workers must be targeted to meet the needs of each individual.

**This Chapter provides an overview of the training needs of XYZ, as well as recommended – as well as statutory – steps to fulfil those needs.**

## 2. SCOPE

Since training impacts on each and every individual in the *control* of XYZ, this programme is applicable in each and every operation on behalf of the organisation. This may occasionally entail training Workers not in the direct *employ* of XYZ (refer to Contractor Control document 8).

## 3. RESPONSIBILITY

## **XYZ General Manager:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- Must ensure grievance and disciplinary procedures regarding training are adhered to. This will include action against *any* personnel who refuse (without good cause) to attend and participate in job-specific training as well as fire and evacuation drills;
- Must participate in consultative review of training needs analysis, programmes and procedures, with all relevant parties, including HSRs, at least once a year.

## **Supervisory Staff:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- Must assist in consultation, development and compliance with regard to training needs and analysis of area;
- Must ensure comprehension of, and adherence to, all training needs and associated issues relevant to the department;
- Must ensure grievance and disciplinary procedures regarding training are adhered to. This will include action against any personnel who refuse (without good cause) to attend and participate in job-specific training and fire and evacuation drills;
- Must gather feedback from the Workers on training issues, along with other workplace health and safety issues, and pass this up to XYZ General Manager;
- Must ensure reciprocal feedback from management to Workers is given within a reasonable time;
- Must ensure XYZ General Manager is appraised of any incidence of training needs, especially those incidents considered out of the control of the supervisory staff.

## **WHS Representatives:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- Must participate in WHS Consultation training and refresher courses as appropriate;

- Must facilitate Worker consultation in relation to training needs;
- Must provide communication link for all concerned parties.

### **Workers:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), Workers:*

- Must attend to any training required to ensure a safe and healthy environment exists for all;
- Must apply all training, and meaningfully use equipment and information supplied for relevant tasks;
- Must ensure grievance and disciplinary procedures regarding training are adhered to. This includes an understanding that action may be taken against any personnel who refuse (without good cause) to attend and participate in job-specific training and fire and evacuation drills;
- Must report any training deficiency they identify in themselves *or others if it is likely to impact on fellow Workers or any others* in the course of carrying out workplace duties.

### **Contractors:**

- are to follow [Contractor Control](#) (page 8-1) procedures.

## **4. PROCEDURE**

- Training needs analysis by a professional educator is usually most beneficial at an early stage of an organisation's development. Once the organisation is well-and-truly running, such an analysis may be carried out on an *ad hoc* basis by the WHS consultative team's inspection and investigation, since gaps in the established system provide trends and hopefully identify needs in an undeniable manner (we now have the benefit of hindsight!). Site-based supervisory staff must also be apprised of their duty to observe personnel in action and assess whether more training in an area of competency is required. Early intervention in an Worker's inability to carry out a task is a way of saving a future reparation, and also ensures quality control on the delivery of final service to the clients;
- Refer to appendices 6.41 *Training Need*; 6.42 *Trainee's Duties*; 6.43 *Training Session*;
- A log for an individual's pre-existing skills and XYZ's sponsored training and refresher courses should be made available to each Worker at

induction to the facility. The log should record all certificates, licences held, etc., along with upgrades and new competencies gained while at XYZ. These logs also provide a valuable resource to XYZ should some untoward circumstance result in a Worker being unable to attend to their particular task. Perhaps someone else has the credentials to do this recorded in their log, etc.?

- ***Training necessary for the functioning of XYZ WHS system must be paid for by XYZ. This includes the allowance of necessary fares and time off work where necessary.***
- Supervisory Staff must especially be allowed financial support and adequate time to allow for their staff to attend such courses as may be necessary without placing undue *dy*-stress on the remaining Workers in the department. Nor should the trainee be placed in a position where 'catch-up' pressure is likely to be applied;
- Training should be carried out in such a manner as to be conducive to learning. Six hours of face-to-face training, plus at least three breaks, is generally enough for one day!
- Trainers should be selected in a manner that is suitable to the subject and the needs of the trainees. Occasionally, for example, XYZ may have a course which is overtly for 'manual handling', but we need a trainer who, apart from being an accredited trainer in manual handling, also has a speciality in the physical handling of *animate* objects. Do not hesitate to prepare a list of the little 'extras' to ask a potential trainer, since many trainers *do* have specialities which the trainees (and therefore XYZ overall) may find very rewarding;
- All government (including regional and local government) legislation and regulation, standards and codes-of-practice relating to training in, and around, XYZ workplaces must be adhered to wherever practicable;
- Safe work procedures (SWP) must be prepared, and training needs relevant to the SWP shall be identified and assessed. This shall include any licences or certificates required by the incumbent;
- The WHS Consultative mechanism and Workers in general shall be consulted when developing and assessing training needs. An external adviser may provide additional expertise;
- As in XYZ health and safety policies and procedures generally, all training procedures will be reviewed annually, or sooner should the need for such review arise. Every incident shall be assessed as to whether a review of the policies and procedures by an appropriate authority is necessary.

## 5. TRAINING

## **XYZ Administrator and Supervisory Staff**

Must be aware of the obligation to ensure the XYZ workforce is adequately educated in safe work procedures. The supervisory staff training must include:

- strong overview in legislative obligations, including legal action likely to arise where the withholding of information, instruction, training and supervision, etc. may be regarded as a breach of the Act and/or the Reg.
- establishing, applying and reviewing WHS management systems, including hazard identification, assessment and control techniques;
- strengthening communication skills, including written and verbal skills, and conflict resolution techniques.

## **Workers**

At induction and refresher training, all XYZ Workers shall receive training which includes coverage of the following areas:

- overview of training problems in industry generally;
- summary of the legislative and consultative approach;
- hazard identification techniques;
- explanation of the risk factors;
- hierarchy of control measures and options for control of risk;
- training procedures relevant to their particular duties, as identified in their work method statements;
- training assessment and reporting procedures.

***All Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.***

## **Contractors and Others**

There may be occasion when Workers/Others not considered in the *direct* employ of XYZ – e.g. visitor, contractor or any other – require training in some special operation, to be integrated into the XYZ safe-work procedures. Examples would include the training of contracted fire wardens, and the training of a contract cleaner in the safe use of any specialist equipment XYZ supplies for such persons.

## 6. REFERENCES

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 5, part 2: [General WHS Policy](#) p.5.02-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 2: [Grievance and Discipline](#) p.6.02.1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 6, Part 6: [Training Need](#) p.6.06-1; Chapter 6, Part 7: [Trainee's Duties](#) p.6.07-1; Chapter 6, Part 8: [Training Session](#) p.6.08-1; Chapter 6, Part 9: [Trainee's Risk Mgt Workbook](#) p.6.09-1; Chapter 8: [Contractor Management](#) p.8-1; Chapter 9, Part 8: [Job Safety Analysis & Safe Work Procedures](#) p.9.08-1.
- The Act.
- The Reg.





**TRAINING NEED:** of the organisation. Indicators may be incidents of operator incompetency. Poorly maintained equipment, incorrectly calibrated and damaged machinery are signs of incompetent behaviour which may improve with relevant training. There may be obvious break-downs in communication deserving of attention and training. At a minimum, new Workers require an orientation of the workplace which includes a safety element covering emergency and first-aid procedures. Legislation may require specific training (eg Five day HSR course; high risk equipment certification, etc.).

**WHY train?:** This provides skills and competencies within the human resources of the organisation. Skills and competencies that can assist the organisation achieve its goals in the safest ways possible, fulfil legislative requirements, assist in delegation of tasks, provide back-up to other skilled personnel and so on.

**WHO is to receive training?:** This is an area deserving of close scrutiny by senior management. Are personnel being considered for training who have indicated they may not be around the organisation for too much longer? Maybe someone is retiring? Too often, quality training is wasted on the wrong people. Training days can be monopolised by senior staff when it is their subordinates who should be put through the paces of a good training session. Conversely, it may save training funds to ensure a good communicator is put through appropriate training they can then bring back to the workplace and pass on to the rest of the team. Remember, too, that such personnel identified for training are usually obliged by industrial relations laws to actually attend training sessions. To not attend may be considered a breach of employment contract.

Although more of a human resource observation, a further consideration to support the benefit of *documenting* training is found when we:

***Quantify the work; qualify the person.***

Organisations sometimes use a strong 'key people' approach to their operations.

For example, supposing a long-standing firm finally decides to computerise its systems. There may be long-standing staff whose work thus far has been fine, but none of the current staff know about computers. The senior management are clear about the need to change, but have no understanding of computers, so they decide to bring in a 'computer guru' to help. The guru arrives and sets-up an 'IT' (Information Technology) department. It becomes staffed with IT specialists, but no documentation is made of the training needed commensurate with the various tasks. It is when a firm lacks a *formalised* definition of the various functions to be carried out, that it discovers the difficulty in bringing training costs down. It finds itself having to pay for the 'high-end' of the Worker pool.

*There is no doubt a 'key people' approach will assist an organisation to achieve very positive goals. However, it is this same 'key people' approach that presents potential long-term weaknesses to the operation.*

Perhaps the simplest negative example is to imagine a key person being taken from, or leaving the firm. Without definition of the key person's function, it becomes difficult to duplicate the work of that person.

Once adequate *documentation* outlining the job's requirements is established, we may even discover some tasks associated with the job that can immediately be passed-on to another Worker who does not need such a high skill level. This may, in turn, allow our incumbent to concentrate on more of the core tasks they do so well in achieving the goals of the group (and even bring more job satisfaction in the long-term because they do not feel snowed-under by the 'small stuff!').

Define the function, then define the qualities required of a person ideal for the role. (A simple example: would we want an alcoholic in charge of the liquor cabinet?)

*In this regard, the preparation of 'Safe Work Procedures' - mentioned elsewhere - becomes an excellent base - quite apart from identifying WHS needs - from which to identify training needs*

**WHAT is to be integrated into the training session?:** Are we training personnel to be panel beaters, when in fact we need to train personnel to be better drivers? Do we want to train injury management specialists when we should have training in risk control? As with the other questions, patient consideration is demanded to achieve the best result in fulfilling our training need.



**TRAINEE:** the newcomer to the job is in a particularly vulnerable position so far as safety is concerned. Training should be fully supervised by a competent person. A general rule regarding training is that the PCBU is responsible for *supplying* training; the Worker is responsible for *applying* that training. Implicit in this, is the *quality* of the supply and *review* of the application.

**LEARN:** the way to carry out tasks in an appropriate and safe manner. There is an obligation on the trainer to ensure the trainee becomes competent in their tasks. This means ensuring key elements of the task are identified and passed on to the trainee.

**APPLY:** what is learned. In our area of health and safety, a trainee must not be placed in a hazardous situation until the supervisor is sure of the trainee's competency. This may include such things as not allowing operation of a particular machine until an official licence-to-operate is produced by the trainee. EG a fork-lift operator's licence. It may include passing on the knowledge of where personal protective equipment is located and how to fit and maintain that equipment.

**REVIEW:** the way the trainee applies their learning. A timely review can save lives by discovering deviations and correcting them before major incidents occur. The old maxim "a stitch in time saves nine" applies here. In fact, a review process of all operational aspects of the job should be carried out annually, which includes competencies of each and every Worker in the organisation. Note that such things as ageing or injury can affect the way a person applies their training. Changes to operating procedures and systems of work may impact on an existing task and require a training update.



**TRAINING SESSION:** is the consideration we must give to the delivery of the package to fulfil the training need.

**HOW:** will the training session be delivered? It may be appropriate to use a computer generated system. EG there are easy-to-follow, inter-active computer programmes available to teach a variety of machine and office tasks. These can often be understood and practiced by the trainee, then followed through by the supervisor in a hands-on exercise. Face-to-face sessions with relevant trainers will be of use in the majority of cases, but do look into the inter-active package. Included in method of delivery, of course, is the choice of an appropriate trainer. Are they experienced in the particular package of information they are delivering or have they 'bought it off the shelf' and have no actual experience in the application of the product? Costs associated with training in some areas may be reduced by approaching companies selling goods and services to us and asking 'what training can you supply us?' EG cleaning materials suppliers will supply training sessions on the use of their product; fire equipment suppliers may give staff a 'hands-on' demo of the fire protection gear.

**WHERE:** will we send our team for training? Do we want it done inhouse? Is there a suitable facility which allows for easy access of relevant equipment? Is there a facility which has all the training necessities on hand? Do we need a quiet place, far from interruptions? Are there adequate toilet and refreshment facilities? Is there any part of the course likely to need special ventilation? Heating? Cooling? Lighting? Are tables needed? Is any part of the course out-doors? Is the seating arrangement sufficient for the amount of time allocated for the course? EG Some courses may be legislative requirements and have a minimum amount of time allocated to them. If you plan to have twenty (the maximum number prescribed by some government authorities in some accredited courses) builder's labourers packed into a standard site shed for that time: forget it! Make a place comfortable and conducive to the passing on of information.

**WHEN:** will the training be carried out? Have we taken into account shifts? Is there overtime to consider? Are there factors such as school holidays/public holidays to consider? Is there the possibility of rain affecting the course? Daylight? Intense sunshine? Are we being unrealistic to expect someone who started work at 6am to remain at work to attend an extra 4 or more hours of training later in the afternoon? Is there a brass band scheduled to rehearse in the room next door?

# RISK MANAGEMENT AWARENESS TRAINING

▪

**Doug Wakefield CPMSIA RSP(Aust)**

**SafeMeasure**

Balancing the odds in workplace safety

[safemeasure.com.au](http://safemeasure.com.au)

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## Introduction

This WHS booklet providing an overview of risk management techniques has been prepared for XYZ using – so far as is possible – the latest information from WHS legislation, as well as drawing from XYZ's industry data. The approach has been to use 'best practice' procedure at all times, so XYZ may continue to aim to exceed the expectations of all stakeholders, including statutory WHS bodies.

The booklet has been prepared – again, so far as possible – to make it accessible and useful to all persons likely to need reference to health, safety and welfare risk management in their day-to-day, as well as long-term, employment and business operations on behalf of XYZ. The booklet also attempts to educate in, and provide an overview of, WHS in the workplace in general. Ideally, all parties will recognise the aim is to achieve a 'no injury' workplace, with the concurrent 'win/win' for all stakeholders - whether management, Workers, customers, visitors, neighbouring businesses and those concerned with the environment.

The booklet is a 'living' document, since it must be monitored and reviewed regularly (a 'programmed' annual check *at least*) and occasionally irregularly (the result of changed circumstance – whether legislative change or operational change, or in the unfortunate event of an incident occurring that reveals an unforeseen risk). Your own feedback on WHS issues is very useful for future training, and is part of the overall XYZ consultative process. The aim is to ensure we use all possible data to be truly proactive in the approach to WHS issues. It may be the useful comment from you *today* that saves the life of your best mate *tomorrow!*

At the end of the booklet, there is a reference to various XYZ documents that will provide further guidance, as well as a reference to several useful websites, which provide a doorway link to sites all over the world. From these references, it is possible to access valuable safety data that can ensure all stakeholders return home safe and sound at the end of each day – not just from work, of course, but from any activity they undertake. You will find the skills associated with Risk Management may be applied to many other aspects of life, not just the WHS issues!

Finally: please take the opportunity to participate in the health, safety and welfare of your workplace. It is your right and responsibility to yourself, your relatives and your friends - inside and outside the workplace - as well as to the wider community who enjoy the privileges of our democratic, but fragile, state.



## **Summary of relevant sections of WHS Act 2011 & their application at places of work**

- **Preliminary**

Section 3	Objects of Act;
Sections 4-9	Definitions;
Section 17	Management of risk;
Section 18	'Reasonably practicable';

- **Duties relating to health, safety and welfare at work**

Section 19	Primary duty of <i>any</i> PCBU;
Section 20	Duty of PCBU managing or in control of workplace;
Section 21	Duty of PCBU managing or controlling fixtures, fittings and plant at workplace;
Section 22	Duty of PCBU designing plant, substances, or structures
Section 23	Duty of PCBU manufacturing plant, substance or structures;
Section 24	Duty of PCBU importing plant, substances or structures;
Section 25	Duty of PCBU supplying plant, substances or structures;
Section 26	Duty of PCBU installing, constructing or commissioning plant, substances or structures;
Section 27	Duties of Officers of the PCBU;
Section 28	Duties of Workers of the PCBU;
Section 29	Duties of Others;
Sections 30-34	Potential penalties for breaches of the Act;
Sections 35-39	Duties re. reporting and treatment of 'notifiable incidents';

- **WHS Consultation**

Sections 46 to 103	Various requirements of Consultation, representation and participation in the WHS processes
Sections 104-115	Various implications of discriminatory, coercive and misleading conduct toward WHS consultative processes;

- **Workplace Entry Permit Holders**

Sections 116-151	Various implications of Workplace entry by WHS entry permit holders;
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- **Statutory authorities**

Sections 152-267	Various implications of interventions by the statutory authority;
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- **General**

Section 268	Offence to give false or misleading information;
Section 269	Act does not affect legal professional privilege;

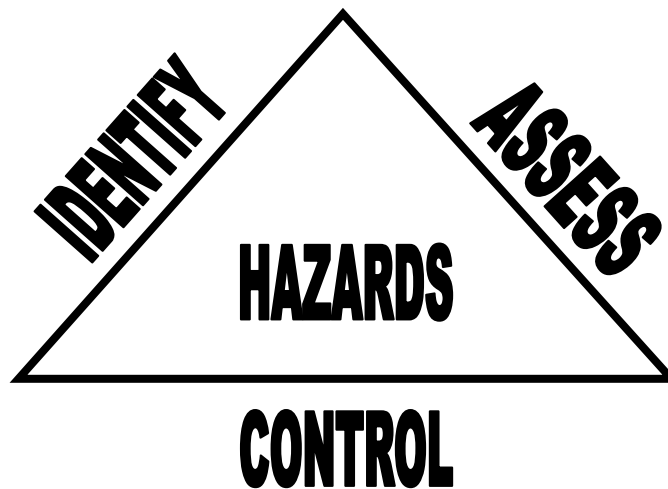
Section 270	Immunity from liability;
Section 271	Confidentiality of information;
Section 272	No contracting out;
Section 273	Person not to levy workers;
Section 273A	Conferral of jurisdiction;
Section 273B	Application of the Legislative Instruments;
Section 274	Approved codes of practice;
Section 275	Use of codes of practice in proceedings;
Section 276	Regulation making powers.

## Risk Management

"Change the attitude of 'It can't happen here' to one of 'It can happen here' or else 'It will happen here'." DRW

Risk Management is at the core of any functional WHS system. It is about *'managing risks'* not *'taking risks'*.

The key to quality Risk Management rests in this simple triangle:



**"HAZARD - a source or a situation with the potential for harm in terms of human injury or ill-health, damage to property, damage to the environment, or a combination of these."**

**Standards Australia**


**HAZARDS** surround us in varying forms and degree of risk. A Risk Management programme must take into account all hazards likely to affect, or be affected by, the tasks associated with the job. This includes anticipating outcomes from the completed job (eg a power point may be incorrectly installed by an electrician, resulting in an injury occurring to a future user).

**IDENTIFY** hazards in your work area by making regular inspections of the site; use all your senses - including intuition - to ascertain whether you are in a safe situation. Your nose may be the first indicator of a leaking hazardous substance or smoke from a fire; your ears may pick-up the obvious potential of noise being too loud, or the less-obvious sounds of an overstressed motor bearing. The sense of touch can discern a moist surface where perhaps moisture is not meant to be; taste can detect the faint hint of tainted food, and so on. Consider annual 'desk-top' reviews of 'safe work procedures' (SWP). A SWP will outline step-by-step procedures for carrying out a task. Each step can be considered in isolation and any hazards identified. Manual handling,

hazardous machinery and hazardous substances in particular can be revealed in studying a SWP. Investigate and review all incident reports.

**ASSESS** the risk associated with a hazard by considering three aspects: the likelihood of the hazard becoming uncontrolled; the degree of injury/illness/damage should it become uncontrolled; the exposure to the hazard including such things as frequency of interaction with the hazard, types of personnel (children/aged/public etc.).

**A simple assessment tool suggested by many authorities is this matrix. Hazards are given a risk rating from 1 to 6, with the numbers allowing for a prioritisation of hazards.**

<b>RISK MATRIX</b>	<b>HOW LIKELY IS IT TO HAPPEN?</b>			
	Very likely: could happen at any time  ++	Likely: could happen some time  +	Unlikely: could happen, but very rarely  -	Very unlikely: could happen, but probably never will  --
Kill or cause permanent disability or ill health 	<b>1</b>	<b>1</b>	<b>2</b>	<b>3</b>
Long term illness or serious injury <b>!!!</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Medical attention and several days off work <b>!!</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
First aid needed <b>!</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>

**CONTROL** of the hazard is what our safety programme is all about. Ideally, we should **ELIMINATE** the need for the hazard altogether, but if we can't, we might be able to **SUBSTITUTE** a safer hazard instead, and so on down the hierarchy. Sometimes, a combination of the steps will apply. EG Personal Protective Equipment (step 5) might still be worn in step 2 (Substitute), and so on.

Steps and examples in the **Hierarchy of Hazard Control** are:

### **1 ELIMINATE -**

Can the hazard be left out of the equation altogether? In the planning stage, ask if there is any need to use or have the hazard around. An example might be (say) a vacuum cleaner that is going to be used in a high-traffic area. You know the electric lead to it is going to create a trip hazard, so the need for a lead is eliminated by using a battery powered cleaner.

### **2 SUBSTITUTE -**

There is a need to paint some stage materials, and the plan has been to use some epoxy paint that happens to emit toxic fumes. Is there a water-based, less-toxic paint available that will do the job?

### **3 ISOLATE/VENTILATE -**

Perhaps a noisy drive motor for some gadget or other is able to be isolated by being placed in a less-frequented part of the building, or a sound-proofed cage built around it. Unpleasant smells, contaminated or stale air might be ventilated from an area by use of an exhaust fan.

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### **4 MITIGATE -**

If there are no other options, perhaps the only way around the problem is to rotate staff who have to work with the hazard, ensuring they are only in contact with the hazard for limited amounts of time. EG Keyboard entry; exposure to heat and cold, and so on.

Training also falls into this area of hazard control, and includes appropriate methods of operating plant or 'how to install...' and so on.

### **5 PERSONAL PROTECTIVE EQUIPMENT (PPE) -**

PPE is always the 'last resort' of control. Don't forget, this usually means there is nothing between the hazard and ourselves other than a layer of protective clothing or a mask or glasses. If this layer breaks down, then there is nothing between ourselves and the hazardous situation.

EG Protective gloves to handle chemical cleaning agent.

*Note that steps 1,2 and 3 above are ENGINEERING CONTROLS and generally remove the opportunity of human failings to step into a hazardous situation. (EG a machine guard will protect the smartest and the dumbest persons. The old miners' saying, "You are only as safe as the stupidest man in the mine..." may well be recalled here.) Steps 5 and 6 are ADMINISTRATIVE CONTROLS and can breakdown when weaknesses in human behaviour occur. (EG I might forget to take a break from a particularly debilitating task, or from a proximity to a hazardous substance; I might forget to put on a piece of essential personal protective equipment.)*

The following essay will assist you in understanding the philosophy behind the '*Hierarchy of Hazard Control*', along with how we '*Profit from Safety*':

Profiting from an WHS programme: Expense vs. Investment

"Nulle terre sans siegneur" vs. "L'argent n'a pas de maitre"

(*'There is no land without its master' vs. 'Money knows no master'.*)

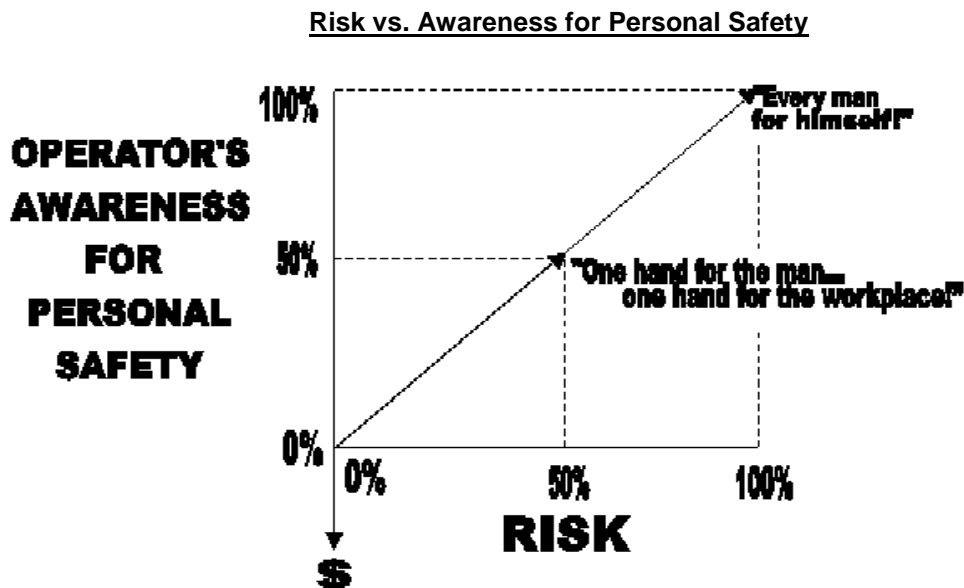
The first is a proverb of the mediaeval period of history, where feudalism reigns; the second comes a little later, when modern economic perspectives have well and truly taken root. We can apply both proverbs to the modern WHS arena. The first proverb may be paraphrased so we read 'There is no part of the workplace that is without its master'. Because of this, every breakdown in the WHS system will be found to have a person or persons with the absolute responsibility for that breakdown.

The second - later - proverb is more interesting to paraphrase. In effect it clearly hints to the modern reader that 'He who can muster the best legal defence may win the case, right or wrong!'

Either way, it can amount to a very costly affair to have a breach in the WHS system!

In our dealings with matters of an WHS nature, it is very tempting for economic rationalists to see WHS systems as an expense. In fact, they are an investment in the quality delivery of goods and services.

This is illustrated in the following graph:



*AWARENESS for their own safety...awareness that could go to the company if the place were safe..." DRW.*

The implication of the graph is that the *higher the risk* faced by a Worker, the *less concentration he/she can dedicate to the core of the task at hand* (which, ultimately, is a task designed to increase the PCBU's profit). The analogy of ship at sea is used, where, once the situation is grim enough, the command of 'Every man for himself' will be given. Which means no more thought for the PCBU's enterprise, just total dedication to *saving oneself*.

If we step back to a *fifty percent risk factor*, the 'One hand for the ship and one for the man' illustrates the PCBU now has at least *half* of the Worker's attention dedicated to the business enterprise, and *half* for himself (or herself), and so on.

If we link this graph to the risk control methods outlined in the *Hierarchy of Hazard Control*, we can see how we *reduce* the RISK factor by moving *up* the hierarchy. Also, the higher up the hierarchy we progress, we can feel more comfortable with an operator who may not be fully aware of the potential for the HAZARD to cause injury, illness and/or damage. That is, the higher up the hierarchy, the more likely we are to protect the trained *and* the untrained worker, the physiologically-affected and the psychologically-affected worker; the conscious and the unconscious worker in the workplace - and beyond! In the long-term, this means *less time spent on worrying* about negotiating hazardous situations, and *more time concentrating 'on the job'...* *an important incentive to increasing the profit making potential of each and every Worker!*

**This is realising the profit from the earlier investment in WHS!**

## **SOME COMMON HAZARDS:**

Listed in the following pages are some common hazards, and perspectives about them.

Each hazard has a section asking:

- 'What is the Hazard';
- 'Potential health and safety effects';
- 'Risk factors';
- 'Controlling the Risk'. *This final section provides suggestions from the 'hierarchy of hazard control' (dealt with elsewhere in the booklet).*

Remember: these notes are *suggestions* only, and each hazard, its risk assessment and control must be considered 'out in the field', since every workplace is different and there will be other factors to consider.

- For example, on board a clearance or salvage vessel at sea, we can consider ELIMINATION of the hazard of *Electricity* by using air driven tools on the work below the surface (eliminating electric drive tools and thus the threat of electrocution), but there will still be the *other* plant and equipment hazards of sharp edges, contact with moving machinery, etc.
- Also, where we might consider SUBSTITUTION of extra-low voltage driven equipment, there is still the potential for arcing and sparks, with the outcome of fire or explosion. So while we may have substituted a voltage less likely to present an electrocution problem, the threat of ignition by sparking stays with us.

**The common hazards outlined in the following pages are:**

- Electricity
- Manual Handling
- Hazardous Substances
- Noise
- Plant
- Ultra-violet Radiation (UVR)
- HIV and Blood Borne Pathogens
- Traffic and Mobile Plant
- Working at Heights
- Drugs and Alcohol.



## **Electricity**

### **What is electricity?**

Electricity is potential energy that provides power to run or use various plant and equipment.

### **Potential health and safety effects**

- Electric shock, temporary tingling or numbness
- Electrocution leading to death, burns or brain damage
- Fire or explosion
- Damage to property

### **Risk factors**

- Overheating or fusion of equipment
- Arcing, sparks or short-circuits
- Excess current, excess voltage
- Lightning strike
- Static electricity
- Overcharging of batteries
- Dirty or dusty work environments
- Contact with overhead power lines
- Excavation of underground power lines
- Contact with flammable substances (gases or liquids)
- Arcing across flames themselves
- Hazardous areas
- Contact with water
- Current storing devices (capacitors, batteries)
- Exposed conductors, cables and terminals
- Magnetic fields

### **Controlling the risk**

*Eliminate* the hazard of electricity

- Perhaps there is the opportunity to use air-driven plant and equipment

*Substitution*

*Isolation*

- Insulating materials (mats, covers)

*Engineering controls*

- Voltage limitation devices (transformers)
- Current limiting devices (fuses and circuit breakers)
- Earth leakage protection and residual current devices (RCDs)

*Administrative controls*

- Identification of underground and overhead services (tiger tails)
- Isolation, lockout and permit to work systems
- Work only on dead circuits
- Test circuits before commencing work

- Training and information
  - Competent electrical tradespersons
  - Emergency stops
  - Warning signs
  - Testing and inspection of electrical equipment ('tagging')
  - Maintenance
  - Emergency equipment and first aid
- Personal protective equipment*
- Insulating gloves and footwear

## **Manual Handling**

### **What is manual handling?**

Any activity where you use force to lift, lower, push, pull, carry, move, hold or restrain objects.

### **Potential health and safety effects**

- Muscle fatigue or stress on joints and nerves
- Sprains and strains of muscles, tendons and other soft tissue, including tearing of skin
- Broken bones, bruising, arthritis

### **Risk factors**

- Lifting, lowering, pushing, pulling or carrying
- Twisting, reaching, bending
- Repetitive activity or movement
- Frequent manual handling or extended duration
- Location of loads and distances
- Shape, weight, size and other characteristics of the load
- Handling large, unusual, unstable or unpredictable objects
- Clothing, age, skills and experience or other special needs
- Actions and movements required of the task
- Restricted work areas or unsuitable workplace layout
- Awkward postures or working positions
- Handling people or animals

### **Controlling the risk**

*Eliminate the hazard*  
*Substitution*

- Lighten the load
- Modify the object

*Isolation*

*Engineering controls*

- Modify the layout of the workplace

- Modify the actions and forces required
- Minimise lifting and lowering forces
- Use mechanical lifting equipment

#### *Administrative controls*

- Team lifting
- Training and information re handling and lifting
- Job rotation
- Rearrange work flow
- Consultation with workers

#### *Personal protective equipment*

- Gloves with grip
- Apron/wrap

## **Hazardous Substances**

### What is a hazardous substance?

A hazardous substance is one that has the potential to harm the health of an individual.

There are thousands of natural and artificial hazardous substances used or produced at work. Some examples include:

- Chemicals, liquids, solids, gases
- Dusts, fumes, vapours, mists
- Mineral fibres, asbestos, silica (sand)
- Reactive, toxic, corrosive substances
- Acids, alkalis

### Potential health and safety effects

- Vomiting, headaches, skin or respiratory irritation and other minor physical complaints
- Allergies or reactions to substances
- Cancer and long term effects on reproduction/health of unborn babies
- Damage to the brain/central nervous system
- Burns to skin, eyes and other organs
- Explosion, fire or spills

### Risk factors

- Type and nature of the substance and its effects
- Exposure levels – duration, frequency and dose
- Route of entry (swallowing, breathing, skin absorption)
- Work and environmental conditions such as confined spaces, airflow, humidity
- Combining different substances and amounts
- Individual differences
- Smokers

## Controlling the risk

*Eliminate the hazard*

*Substitution*

- Substitute for less hazardous chemicals
- Substitute physical processes for chemical processes

*Isolation*

- Enclosed container

*Engineering controls*

- Atmospheric monitoring
- Ventilation and extraction systems

*Administrative controls*

- Showers and wash areas
- Minimise frequency or duration of exposure
- Emergency procedures
- First aid equipment
- Spill control equipment
- Cleaning and housekeeping
- Consultation with workers
- Training and information
- Health surveillance
- Material Safety Data Sheets
- Job rotation
- Warning signs
- Labels

*Personal protective equipment*

- Gloves
- Aprons
- Respiratory protection
- Goggles
- Hats/caps

## **Noise**

### What is noise?

All sound in the workplace whether wanted or unwanted. Maximum noise levels are set out in the Regulation because people react or perceive noise differently.

### Potential health and safety effects

- Fatigue, stress, headaches
- Ringing or buzzing in the ear (tinnitus)
- Loss of hearing (temporary and permanent)

- Communication difficulties eg unable to hear warning alarms, instructions, normal conversation
- Social isolation

#### Risk factors

- Loudness
- Very high or very low frequency sounds
- Constant/intermittent noise
- Duration and frequency of exposure
- Noise reflecting off surfaces causing echo resonance
- Distances from the noise source
- Type, size, working condition, location and number of noisy machines or other equipment
- Type, number and location of work processes that create noise

#### Controlling the risk

*Eliminate the hazard*

*Substitution*

- Purchase quieter plant
- Modify existing plant to reduce noise

*Isolation*

- Enclose noise sources (sound reducing booths)
- Noise absorbent materials and surfaces
- Isolate noisy equipment
- Mufflers and noise dampening equipment
- Distance - increase separation between noise source and people

*Engineering controls*

- Reduce metal to metal impacts
- Reduce vibrations

*Administrative controls*

- Regular maintenance
- Job rotation
- Minimise frequency and/or duration of exposure
- Safety signs
- Warning labels
- Training and information
- Hearing assessments

*Personal protective equipment*

- Earplugs or earmuffs

## **Plant**

### What is plant?

Plant is any machinery, equipment or appliance. Some examples include:

- Scaffolding, lifts, elevating work platforms, ladders
- Boilers, pressure vessels, gas cylinders
- Forklifts, excavators, cranes, vehicles
- Hand tools, power tools, appliances

### Potential health and safety effects

- Physical external and internal injury such as cuts, bruises, burns, bone and muscle damage
- Electrocution
- Amputation (loss of limbs)
- Death
- Crushing
- Falls, entrapment and entanglement
- Explosion

### Risk factors

- Design standard of plant (safety guards, operational and emergency controls, warning devices, fittings etc)
- Number and location of nip and pinch points
- High pressure, explosive or electrical equipment
- Workplace conditions (high or low temperatures, hot or cold surfaces, other activities/equipment in use etc.)
- Steam or compressed air
- Remote or automatic operation
- Available information, maintenance
- Operator skills and knowledge, clothing

### Controlling the risk

*Eliminate the hazard*

*Substitution*

*Isolation*

- Machine guarding
- Insulation

*Engineering controls*

- Compliance with standards
- Emergency stops
- Pressure relief devices
- Interlocks and guarding
- Control systems
- Warning devices

*Administrative controls*

- Registration of plant

- Certification of operators
- Maintenance
- Lockouts, safety tags and permit to work systems
- Information and training
- Operating manuals
- Alarms

*Personal protective equipment*

## **Ultraviolet (UV) Radiation**

### What is UV radiation?

Ultraviolet radiation is electromagnetic energy. It includes such things as:

- Sun exposure
- Lasers
- Welding equipment
- Other high intensity lighting

### Potential health and safety effects

- Minor and more severe sunburn effects such as redness, blistering, peeling skin
- Premature ageing and wrinkling
- Temporary and permanent eye damage
- Skin cancer

### Risk factors

- Frequency and duration of time spent outdoors or using welding or other UV generating equipment
- Location of work
- Time of day and season
- Individual characteristics such as fair or freckled skin, number of moles and sunspots, extent of existing skin damage
- Combined effects of other substances such as using tar based products
- No personal protection

### Controlling the risk

*Eliminate the hazard*

*Substitution*

*Isolation*

- Work indoors
- Portable shade/umbrella
- Welding flash screens

*Engineering controls*

*Administrative controls*

- Warning signs

- Outdoor work scheduled in early morning or late afternoon
- Limit time spent in direct sunlight
- Job rotation
- Training and information

*Personal protective equipment*

- Protective clothing and hats
- Sunscreen
- Sunglasses
- Welding filters

## **HIV and Blood Borne Pathogens**

### What are HIV and other blood borne pathogens?

Diseases that can be contracted by humans through viruses contained in blood and other body fluids (ie saliva, vomit, mucous, faeces, semen, vaginal fluid). Such diseases include:

- HIV/AIDS
- Hepatitis (A, B & C)

### Potential health and safety effects

- Range of minor and severe health effects eg vomiting through to major organ failure or death
- Short or long term illness depending on the nature of the disease

### Risk factors

- Potential for contact with needles and syringes, broken glass or other surfaces that may hold viruses
- Amount and type of infected body fluid and its route of entry to the body (splashes to the skin or eyes, penetration of skin, swallowing etc)
- Workplace layout and equipment for dealing with potential exposure
- Inappropriate first aid practice
- Inadequate personal hygiene
- Inadequate infection control practices

### Controlling the risk

*Eliminate the hazard*

*Substitution*

*Isolation*

*Engineering controls*

- Sharps disposal containers
- Bodily fluids spill cleanup equipment
- Hand-washing facilities

*Administrative controls*

- Vaccinations
- Cleaning and sterilization procedures



- Redesign work practices
- Housekeeping
- Personal hygiene
- First aid equipment
- First aid officers
- Pre-employment screening
- Drug prevention programs (counseling, employee assistance programs)
- Training and information

*Personal protective equipment*

- Protective uniforms
- Goggles/splash shields
- Gloves

## **Traffic and Mobile Plant**

### What is traffic and mobile plant?

Cars, trucks, vans, forklifts, hoists, cranes are all examples of traffic and mobile plant that can be found on or near workplaces.

### Potential health and safety effects

- Physical injury (minor and severe) as a result of being hit by moving object
- Long term physical disability or death
- Collision of moving objects with each other

### Risk factors

- Density and speed of traffic
- Environmental conditions - smoke, fog, rain, darkness, glare
- Number of workers, and proximity to traffic
- Time of day (school times, peak traffic times, special events)
- Conditions that limit visibility of work site – bends, hills, railway lines, buildings, structures, vegetation, storage of materials
- Altered road conditions (road closures, detours, changes to lane configuration, direction of traffic flow)
- Restricted visibility from inside moving vehicles (forklifts, heavy vehicles, load)
- Worksite access restrictions
- Congestion
- Excavation

### Controlling the risk

*Eliminate the hazard*

- Consider planning that may enable goods to be shifted via fixed plant such as conveyors (eliminates forklifts, etc.)

#### *Substitution*

- Schedule work for low-traffic periods

#### *Isolation*

- Separate traffic from workers (road closure, detours, barricades, bollards, separation distances)

#### *Engineering controls*

- Adequate lighting
- Visibility
- Rear-vision mirrors
- Closed circuit television
- Convex mirrors
- Reversing alarms

#### *Administrative controls*

- Designated pedestrian zones and pedestrian crossings
- Reduce speed limits
- Traffic controllers
- Traffic control plans
- Warning signs
- Headlights and flashing lights used on moving plant lights
- Training and instruction

#### *Personal protective equipment*

- Torches and light wands
- High visibility reflective garments

## **Working at Heights**

### **What is working at height?**

Generally accepted as work carried out at or above 2 metres. However falls from less than 2 metres can also cause injury. Risk should be assessed for every task that is not done at ground level.

### **Potential health and safety effects**

- Falls
- Slips, trips
- Bruising and other physical injury to muscles or bones
- Head injury, concussion or internal organ damage depending on the fall
- Death

### **Risk factors**

- Climatic conditions such as high winds, rain

- Environmental and workplace conditions such as uneven, slippery or steep surfaces
- Untidy work area
- Unsecured ladders, scaffolds or platforms
- Unidentified or unprotected openings or holes
- Unsuitable footwear and clothing
- Number of people working in vicinity
- Materials falling onto roadways or footpaths
- Pendulum effect
- Fear of working at heights

### **Controlling the risk**

#### *Eliminate the hazard*

- Do work at ground level

#### *Substitution*

#### *Isolation*

- Overhead protective structures
- Edge protection (rails, toe-boards, barricades) on roofs and scaffolds

#### *Engineering controls*

- Mechanical lifting equipment
- Ladders used within limitations
- Scaffold or mobile work platforms used for work at height of an extended nature
- Secure anchorage points
- Scaffolds, work platforms and ladders secured
- Walkways with guard rails for maintenance points
- Adequate storage facilities

#### *Administrative controls*

- Certification of workers (eg scaffolding)
- Training and information
- Housekeeping and rubbish disposal

#### *Personal protective equipment*

- Safety harness and fall arrest system
- Non-slip footwear

## **Drugs and Alcohol**

### **What are drugs and alcohol?**

Substances that affect the functioning of the body and brain such as alcohol, cigarettes and cigars, cannabis, heroin, morphine, sleeping pills, tranquilisers, caffeine, antihistamines, cocaine, LSD, magic mushrooms, ecstasy, solvents and inhalants (petrol, hydrocarbons, chlorinated hydrocarbons, pesticides).

### Potential health and safety effects

- Various short and long term health effects depending on the substance resulting in headaches and nausea through to seizures and possible death
- Decrease in response to stimulus (hearing, sight, touch, smell, taste)
- Altered perception or psychotic behavior
- Lack of coordination or increased reaction time
- Risk taking behaviour
- Impaired judgment and decision making skills
- Sleep deprivation
- Unpredictable behaviour or loss of memory
- Absenteeism
- Aggression and violence
- Criminal activity

### Risk factors

- Type of drug, dose and its effects
- Individual differences (tolerance levels, weight, sex, etc.)
- Interaction with other substances (medication or exposure to work substances such as solvents)
- Nature of the work and location (working at heights, complex tasks etc)

### Controlling the risk

*Eliminate the hazard*

*Substitution*

*Isolation*

*Engineering controls*

- Breathalyzer interlocks (start control)

*Administrative controls*

- Pre-employment screening
- Drug prevention programs (counselling, employee assistance programs)
- Training and information
- Drug and alcohol testing
- Organisational policies

*Personal protective equipment*

**NOTE THE DISCUSSION POINTS ABOVE ARE FOR GENERAL GUIDANCE ONLY. EACH ON-SITE HAZARD MUST BE CONSIDERED IN CONTEXT WITH ITS SPECIFIC SURROUNDINGS, AVAILABLE RESOURCES, USEAGE, PERSONNEL, ETC.**

**MAXIMUM PENALTIES FOR BREACHES OF THE WHS ACT 2011 (at June, 2014)**

	<b>PCBU</b>	<b>OFFICER</b>	<b>WORKER/ OTHER</b>
<b>Category One Offence – Reckless behaviour resulting in serious injury/damage/fatality</b>	<b>\$3 million</b>	<b>\$600,000 +/- 5 years gaol</b>	<b>\$3000,000 +/- 5 years gaol</b>
<b>Category Two Offence – Negligent behaviour resulting in serious injury/damage/fatality</b>	<b>\$1.5 million</b>	<b>\$300,000</b>	<b>\$150,000</b>
<b>Category Three Offence – Failure to comply with H&amp;S duties</b>	<b>\$500,000</b>	<b>\$100,000</b>	<b>\$50,000</b>

References

**XYZ WHS Manual**

Statutory authority websites – (EG [www.comcare.gov.au](http://www.comcare.gov.au);  
[www.safeworkaustralia.gov.au](http://www.safeworkaustralia.gov.au))

SafeMeasure website – [www.safemeasure.com.au](http://www.safemeasure.com.au)

Presentation power point slides

The slides presented by the Trainer are included here, along with space for your own notes.

Please make use of the information and ask questions if there is some point you wish to have clarified. There may be issues you feel are incorrectly presented, and your feedback becomes invaluable should this occur. Your Trainer welcomes constructive criticism.

## CHAPTER 7: **Operational Procedures**

**The following documents relate to practical discussion and procedures regarding various hazards associated with XYZ core- business.**

Whilst every attempt has been made to address the various issues considered likely to arise in, or from, XYZ workplaces, it is anticipated issues will arise from time-to-time *outside* the current scope of this manual. *This places a demand on all staff and any other stakeholders to bring issues to the attention of XYZ management as soon as health, safety and/or welfare becomes a concern.*

**Since XYZ management is committed to the health, safety and welfare of all stakeholders, the early identification and raising of concerns – especially where the concern is *not touched on in documentation* - will allow XYZ to fulfil its legislative *and ethical* obligations.**

## **1. PURPOSE**

**The purpose of this section is to address Manual Handling issues in XYZ controlled workplaces.** Manual handling is a major contributor to workplace incidents across all industry (approximately 40% of Workers Compensation claims), and is defined by the Australian National Occupational Health Safety Commission (NOHSC) as being "...any activity requiring the use of force exerted by a person to lift, lower, push, pull, carry or otherwise move, hold or restrain any animate or inanimate object."

Manual handling legislation, along with associated regulations, requires a 'Risk Management Approach' incorporating consultation at all levels of the organisation, along with hazard identification, risk assessment and risk control. This approach demands that all members of the workplace are involved with establishing safe manual handling techniques and, where possible, the complete elimination of manual handling hazards.

## **2. SCOPE**

**There are no areas under the control of XYZ where some form of manual handling and associated occupational overuse syndrome (OOS) is *not* an issue.** Therefore the scope of this section covers all XYZ activities. It covers all geographic areas falling under the legislated control of XYZ, including, but not limited to, the following:

- external businesses where XYZ staff are required to carry out XYZ-sponsored work;
- all areas owned, leased or hired by, or to, XYZ, whether for training, business or administrative purposes.

The Manual Handling policy shall cover all XYZ Workers, as well as visitors and guests to workplaces controlled by XYZ.

## **3. RESPONSIBILITY**

### **XYZ General Manager:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- must ensure safe work procedures exist for all work. Manual handling issues must be addressed in each work method statement, and any control methods must be outlined and allowed for;



- must ensure grievance and disciplinary procedures regarding manual handling hazards are adhered to;
- must participate in consultative review of manual handling programmes and procedures, with all relevant parties, at least once a year.

### **Supervisory Staff:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- must assist in consultation, development and compliance with regard to safe working methods, including manual handling systems;
- must ensure appropriate purchasing and hiring etc of ergonomically friendly goods and services are adhered to. This must include assisting Principal Contractors & Principal Clients to make appropriate choices, especially when employees may be placed at risk;
- must ensure comprehension of, and adherence to, all manual handling regulations relevant to the department;
- must gather feedback from the Workers on manual handling issues;
- must ensure reciprocal feedback from management to Workers is given within a reasonable time;
- must ensure grievance and disciplinary procedures regarding manual handling are adhered to;
- must consult with XYZ General Manager, especially when identified hazards are out of the supervisor's control.

### **WHS Representatives:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- must adhere to XYZ' WHS policies and procedures;
- must facilitate Worker consultation in relation to health, safety and welfare issues, including manual handling procedures;
- must provide communication link for all concerned parties.

### **Workers:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), Workers:*

- must apply all manual handling training, equipment and information supplied for relevant tasks;
- if any manual handling issues are identified, the Worker must bring these to the attention of their supervisor, or HSR;

#### **Workers who are Contractors:**

- are to follow [Contractor Control](#) (page 8-1) procedures.

## **4. PROCEDURE**

- All government (including regional and local government) legislation and regulation, standards and codes-of-practice relating to manual handling issues in, and around, XYZ workplaces must be adhered to wherever practicable;
- Safe work procedures must be prepared, and manual handling risks shall be identified and assessed;
- Where a conflict of interest exists between Principal Contractor or Principal Client needs and Worker needs, if a mutual resolution cannot be found, the Worker's right to a healthy and safe workplace must over-ride Principal Contractor or Principal Client needs (for example, Principal Contractor or Principal Client refusing use of mechanical lifter on parquet floor);
- Control methods will be implemented where appropriate, and the risk of injury from manual handling incidents eliminated or reduced so far as is practicable;
- **Procedures shall include (but not be limited to) the following steps:**
  - Obtain a copy of document 9.7 from the WHS Manual. This is the Manual Handling Worksheet that will provide the user with a broad guide to identifying and assessing potential problems;
  - All identifiable manual handling tasks with a potential risk of injury to persons (whether Worker, guest or visitor) who enter an area under the control of XYZ, will be noted. All persons likely to be affected by any such task must be made aware of the risks associated with the tasks, and the recommended control measures.
- Manual handling tasks must be assessed, and ways to eliminate or reduce any associated manual handling risks applied. Manual handling codes-of-practice and any industry standards and examples of best

practice should be accessed during this process. [Recommended reading is the Safe Work Australia Code of Practice for “Hazardous Manual Tasks”.]

- Assessments must take into account the following:
  - Actions and movements: *consider repetitiveness; twisting*
  - Workplace and workstation layout: *poor housekeeping; too-high; too-low; poor storage*
  - Working posture and position: *kinetic or static load bearing; continual bending and/or stretching*
  - Duration and frequency: *how often and for how long is body under load*
  - Location of loads: *hard-to-get-at; too high; too far away; too low*
  - Paths to be taken while moving load: *soft; slippery; uneven; narrow; stairs; slopes; corners*
  - Distances moved: *how far away*
  - Weights and forces: *too heavy*
  - Characteristics of loads and equipment: *slippery; animate; shifts; sharp; bulky; rough; smooth; awkward shape; dirty; dusty*
  - Work organisation: *no-one else around to help; insufficient breaks; uneven workload*
  - Skills and experience: *insufficient training; awareness of issues*
  - Age: *body deterioration*
  - Clothing: *too loose; too tight; not wanting to get dirty*
  - New tasks: *changes in procedure; re-assessment*
  - New time frames: *pressure to get job done;*
  - New equipment: *changes in procedure; re-assessment; training;*
  - Special needs: *physically challenged personnel;*
  - Previous injury: *pre-existing injury; exacerbation of existing injury.*
  
- Workers in general shall be consulted when developing and assessing the list of tasks involving manual handling issues. An external adviser may provide additional expertise.
  
- Manual handling implications shall be considered in the selection, purchase, hire and loan, of all plant, equipment and substances brought onto XYZ controlled premises. Where physically challenged personnel are involved in XYZ workplaces, any manual handling assistance required on their behalf shall also be taken into account, and appropriate people handling skills and training provided.
  
- As in XYZ health and safety policies and procedures generally, all manual handling policies and procedures will be reviewed annually, or sooner should the need for such review arise.

- Any manual handling incident shall be considered just cause for a review of the policies and procedures by an appropriate authority.

## 5. TRAINING

### **Managers, Supervisors, and Workers**

- All personnel involved in managing the control of manual handling risks shall receive specific training in manual handling hazard identification, risk assessment and the development of cost-effective control options in line with the hierarchy of controls;
- All personnel must be made aware of grievance and disciplinary procedures regarding WHS, and manual handling hazards in particular;

### **Workers**

- All Workers shall be appraised for manual handling competencies on induction to their job. At induction and refresher training, all XYZ Workers shall receive training covering the following areas:
  - overview of manual handling problem in industry generally;
  - the effect of manual handling and occupational overuse syndrome (OOS) on the body;
  - explanation of the risk factors;
  - summary of the legislative approach;
  - hierarchy of control measures and options for control of risk;
  - manual handling programme;
  - specific manual handling requirements/procedures in their work area, and their work in general.
- Such training will take into account any manual handling issues identified in the safe work procedures relevant to the job description;
- Special note will be made of any manual handling tasks already identified as being of a high risk nature, especially that of handling tools and equipment at height;
- Workers shall not use plant and equipment supplied to assist in manual handling unless they have received training in the use of that plant or equipment.
- All personnel must be made aware of grievance and disciplinary procedures regarding WHS, and manual handling hazards in particular;
- All Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.

## 6. REFERENCES

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 5, part 2: [General WHS Policy](#) p.5.02-1; Chapter 5, part 3: [Manual Handling Policy](#) p.5.03-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 2: [Grievance](#)

[and Discipline](#) p.6.02.1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 8: [Contractor Management](#) p.8-1; Chapter 9, Part 8: [Job Safety Analysis and Safe Work Procedures](#) p.9.08-1. Chapter 9, part 11: [Manual Handling Worksheets](#) p.9.11-1.

- The Act: ss.17-29.
- The Reg.: 39,60,61.
- Safe Work Australia: Code of Practice for Hazardous Manual Tasks.

## **1. PURPOSE**

XYZ is a company that occasionally involves its Workers in working around uneven surfaces, and working at height, and thus slips, trips and falls are assessed as possible outcomes. Since the Act emphasises the need for a PCBU to protect its Workers against harm, and since XYZ may assign staff to work on behalf of Principal Contractors and Clients who may have uneven surfaces, the prevention of slips trips and falls deserves consideration when carrying out assessment of all workplaces. This programme is to provide an overview of the sorts of thing such an assessment must take into account. A PCBU must ensure all premises (under its control for the purposes of carrying on trade) are 'safe and without risks to health' for all persons other than its own Workers. It is worthy of note that the cost to an employer of a slip, trip or fall in some jurisdictions is averaged at approximately \$12,000-00 per incident. The Worker will be affected by other, more emotional costs, along with the loss of income. There is also the potential for a public liability claim. *Therefore, XYZ must give a strong consideration to establishing procedures to prevent slips, trips and falls.*

## **2. SCOPE**

**'Very fiendish... wherever you walk, the floor is always underfoot...'**  
*(Goonshow script)*

Since the floor is, indeed, always under foot, XYZ must consider the possibility of slips, trips and falls in each and every workspace considered under the control of XYZ. This may also include the entry and egress points to any area under the control of XYZ, where any risks are to be noted and passed on to the relevant external authority.

The scope of this section covers all geographic areas falling under the legislated control of XYZ, including, but not limited to, the following:

- all areas owned, leased or hired by, or to, XYZ, whether for training, business or administrative purposes;
- commercial and industrial business houses normally under the control of a Principal Contractor and/or Principal Client.

This procedure shall cover all XYZ Workers, visitors and guests to workplaces controlled by XYZ.

## **3. RESPONSIBILITY**

### **XYZ General Manager:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- Must ensure the integrity of all XYZ controlled walkways, pathways, driveways, roads, ramps, bridges, flooring etc. Where poorly maintained areas under the control of neighbouring properties or public authorities are identified, the relevant external parties must be notified by XYZ;
- Must ensure the provision of, and allowance for, money and time toward the prevention of slips, trips and falls where demanded;
- Must participate in consultative review of slip, trip, fall programmes and procedures, with all relevant parties, as per the WHS Consultative Statement, at least once a year.

### **Supervisory Staff:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- Must assist in consultation, development and compliance with regard to safe working methods, including slip, trip and fall controls;
- Must ensure comprehension of, and adherence to, all slip, trip and fall issues relevant to the workplace;
- Must gather feedback from the Workers on slip, trip and fall issues;
- Must ensure reciprocal feedback from management to Workers is given within a reasonable time;
- Must ensure XYZ General Manager is apprised of any slip, trip and fall incidents out of the control of the supervisor.

### **WHS Representatives:**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- Must adhere to XYZ' WHS policies and procedures;
- Must facilitate Worker consultation in relation to slip, trip and fall procedures;
- Must provide communication link for all concerned parties.

### **Workers:**

Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), *Workers*:

- If any slip, trip and fall problems are identified, the Worker must bring these to the attention of their supervisor, and the WHS Consultative mechanism.

**Worker Contractors:**

- are to follow [Contractor Control](#) (page 8-1) procedures.

**4. PROCEDURE**

- In context with this procedure, the word 'pathway' shall mean all walkways, roads, driveways, stairs, lift-floors, bridge walkways and flooring. It shall include all surfaces over which persons walk or are carried over by any means of transport;
- All government (including regional and local government) legislation and regulation, standards and codes-of-practice relating to slips, trips and falls in, and around, XYZ workplaces must be adhered to wherever practicable;
- Work method statements must be prepared, and slips, trips and falls risks shall be identified and assessed;
- Where a conflict of interest exists between Principal Contractor and/or Principal Client needs and XYZ Worker needs, if a mutual resolution cannot be found, the interest that is considered the 'best practice' is the practice that is to be followed;
- Control methods will be implemented where appropriate, and the risk of injury from slip, trip and fall incidents eliminated or reduced so far as is practicable. The hierarchy of hazard control may be applied as follows:
  1. Eliminate slip, trip and fall hazards with better design;
  2. Eliminate spills;
  3. Remove trip hazards;
  4. Treat flooring with anti-slip coatings;
  5. Ensure housekeeping is adequate;
  6. Provide adequate staff training and supervision;
  7. Provide PPE;
- Procedures shall include (but not be limited to) the following steps:
  - All pathways (as defined above) shall have sufficient strength to support all personnel, plant and substances relevant to the quality running of the day-to-day business of XYZ in such a way as to not cause injury, illness or damage;



- Where practicable, all surfaces on pathways shall be of anti-slip surfaces relevant to the particular day-to-day usage of that pathway;
- All surfaces on pathways must be considered in context with irregular situations, such as spillages of water or other liquids or substances that may greatly alter the anti-slip nature of the surface involved;
- High-risk areas will include, but not be limited to, roofs and gutterings, large tanks, bathrooms and kitchens, balconies, stairs and gradients, outdoor and rustic pathways, and roadways - particularly where personnel and traffic mix, such as at pedestrian crossing areas. These areas will be noted, and all persons likely to be affected by any such area, must be made aware of the risks associated with tasks being carried out in that area, and the recommended control measures. Management should be vigilant for opportunities to upgrade flooring with modern 'best practice' anti-skid products wherever possible.

Flooring which is continually exposed to quantities of fluids should ideally be constructed to encourage the drainage of the fluids. The surface material should be impervious and concavely curved up the surrounding wall to a height of 75mm above the floor. Some high risk areas and considerations are:

- Wet-weather greatly increases the likelihood of slips, trips and falls, particularly in open areas. The wearing of closed-in, anti-skid soled footwear is recommended, as is an increased staff awareness of such conditions;
- Stairs and gradients: edging should be anti-slip and there should be well-maintained carpetting to discourage trips. Where guard-rails are present, these must be of strong enough construction to support a falling person. In many other industries, walkways may have a gradient of 1 in 8. Where personnel are likely to be in wheelchairs, it may be that more gentle gradients of 1 in 12 exist (the standard for disabled access).
- Assessments must take into account the following:
  - Workplace and workstation layout: *poor housekeeping, leads, rubbish in pathway; poor lighting;*
  - Pathways to be taken in day-to-day operations: *soft; slippery; uneven; narrow; stairs; slopes; corners; wobbly paving; subsidances, holes in ground;*
  - New equipment: *changes in procedure; re-assessment; training;*

- Special needs: *physically challenged personnel*;
  - Previous injury: *pre-existing injury*; *exacerbation of existing injury*.
- Surfaces where Workers spend a lot of time standing should be semi-resilient and thermally non-conductive. This means metal flooring, concrete, brick and tile flooring, where staff are required to stand for long periods, should be covered where practicable;
  - Where safety footwear is required, this shall be issued without charge to the Worker;
  - The WHS Consultative mechanism and Workers in general shall be consulted when developing and assessing the list of tasks associated with high-risk slips, trips and falls areas. An external adviser may provide additional expertise.
  - As in XYZ health and safety policies and procedures generally, all slips, trips and falls procedures will be reviewed annually, or sooner should the need for such review arise. Any slip, trip or fall incident shall be considered just cause for a review of the policies and procedures by an appropriate authority.

## 5. TRAINING

### **Managers, Supervisors, and Workers**

*All personnel involved in managing the control of slip, trip and fall risks shall receive specific training in slip, trip and fall hazard identification, risk assessment and the development of cost-effective control options in line with the hierarchy of controls.*

### **Workers**

At induction and refresher training, all XYZ Workers shall receive training which includes coverage of the following areas:

- overview of slips, trips and falls problems in industry generally;
- the potential effect of slips, trips and falls on the body;
- explanation of the risk factors;
- summary of the legislative and consultative approach;
- hierarchy of control measures and options for control of risk;
- slips, trips and falls procedures relevant to their particular duties, as identified in their work method statements;
- slip, trip and fall hazard reporting procedures.

Special note will be made of any slip, trip and fall task already identified as being of a high risk nature.

- All Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.

## 6. REFERENCES

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 5, part 2: [General WHS Policy](#) p.5.02-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 8: [Contractor Management](#) p.8-1; Chapter 9, part 1: [WHS Inspection Checklists](#) p.9.01-1; Chapter 9, Part 8: [Job Safety Analysis and Safe Work Procedures](#) p.9.08-1.
- The Act: s20.
- The Reg.: 78,79,80.
- Recommended reading: "Managing the risk of falls at workplaces" Safe Work Australia Code of Practice.

## **1. PURPOSE**

There are very few circumstances where electricity does not impact on an organisation. Since even a slight contact with the normal voltages used in day-to-day electrical plant and equipment can lead to death, the safe usage and maintenance of that equipment is an absolute necessity.

Since electrical equipment is in regular use within the business, XYZ is committed to establishing, and enforcing, safe work methods for all persons when involved with the use of electricity. This will apply to staff moving fixtures such as computer terminals, printers and so forth, as well as staff using the kitchen's electrical facilities.

*As a business that also subcontracts to other organisations, XYZ is also fully committed to including Principal Contractor and Principal Client workplaces in these procedures.*

## **2. SCOPE**

XYZ personnel use equipment that is generally powered from 240 volt single phase power outlets. Even battery pack charging devices are plugged into these outlets. This voltage can kill. Therefore, the scope of this document generally covers voltages up to, and including, single phase, 240 volts in general usage. However, it will also apply to the work of any personnel entering XYZ controlled areas where higher voltages may be encountered (for example, if three-phase, 415 volt electrical distribution boards are in office areas).

## **3. RESPONSIBILITY**

### **XYZ General Manager**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- must ensure safe work procedures exist for all work. Electrical issues must be addressed in each work method statement, and any risk control methods must be outlined and allowed for;
- must ensure all electrical work is carried out by suitably qualified and licenced personnel, including contractors and sub-contractors;
- must participate in consultative review of electrical programmes and procedures, with all relevant parties, at least once a year.

## **Supervisors**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), *Supervisory Staff*:*

- must assist in consultation, development and compliance with regard to safe working methods, including electrical risk control systems;
- must ensure appropriate purchasing and hiring etc of electrically safe goods and services are adhered to;
- must ensure safe work lock-out procedures are followed by personnel working on electrical equipment;
- must ensure all electrical equipment is tested (and tagged where appropriate – eg 'construction sites') in accordance with appropriate standards (AS 3760);
- gather feedback from the Workers on electrical issues;
- ensure reciprocal feedback from management to Workers is given within a reasonable time;
- must ensure grievance and disciplinary procedures regarding electrical hazards are adhered to;
- must consult with XYZ General Manager, especially when identified electrical hazards are out of the supervisor's control.

## **WHS Representatives**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), *WHS Representatives*:*

- must adhere to XYZ WHS policies and procedures;
- must facilitate Worker consultation in relation to health, safety and welfare issues, including electrical procedures.
- provide communication link for all concerned parties.

## **Workers**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), *Workers*:*

- must apply all practicable electrical controls – whether systems, procedures, plant, substances or training - supplied by management for any electrical issue concerned with the Worker's tasks;
- must report all hazardous situations, including those seen in Principal Contractor or Principal Client areas not normally in the control of XYZ;
- must assist XYZ management meet legislation and regulation, standards and codes of practice. If any health, safety and welfare issues – electrical or otherwise – are identified, the Worker must bring these to the attention of their supervisor or HSR.

#### **Worker Contractors:**

- are to follow [Contractor Control](#) (page 8-1) procedures.

## **4. PROCEDURE**

### **What is electricity?**

Electricity is potential energy that provides power to run or use various plant and equipment.

#### **Potential health and safety effects**

- Electric shock, temporary tingling or numbness
- Electrocuting leading to death, burns or brain damage
- Fire or explosion
- Damage to property

#### **Risk factors**

- Overheating or fusion of equipment
- Arcing, sparks or short-circuits
- Excess current, excess voltage
- Lightning strike
- Static electricity
- Overcharging of batteries
- Dirty or dusty work environments
- Contact with overhead power lines
- Excavation of underground power lines
- Contact with flammable substances (gases or liquids)
- Arcing across flames themselves
- Hazardous areas
- Contact with water
- Current storing devices (capacitors, batteries)
- Exposed conductors, cables and terminals

- Magnetic fields

## Controlling the risk

### *Eliminate the hazard of electricity*

- Perhaps there is the opportunity to use air-driven plant and equipment

### *Substitution*

- Change equipment to extra-low voltage

### *Isolation*

- Insulating materials (mats, covers)

### *Engineering controls*

- Current limiting devices (fuses and circuit breakers)
- Appropriate housings around control panels, switchgear, etc.
- Earth leakage protection and residual current devices (RCDs)

### *Administrative controls*

- Identification of underground and overhead services (tiger tails)
- Switch-off power supply and work only on dead circuits
- Establish permit-to-work systems
- Test circuits before commencing work
- Training and information
- Competent electrical tradespersons
- Emergency stops
- Warning signs
- Testing and inspection of electrical equipment ('tagging')
- Maintenance
- Emergency equipment and first aid

### *Personal protective equipment*

- Insulating gloves and footwear

**Note that individual 'safe work procedures' outline specific actions to take when working with electrical plant. For example, the safe work procedure for using a 240 volt vacuum cleaner in an area where other personnel are passing-by will include such outlines as 'When using the cleaner, care must be taken to avoid causing a trip hazard with the electric lead'; 'When removing electric plugs from power points, switch off power at the outlet, grasp plug and remove. Do not pull on lead as this can cause excess tension between the electric cable and the connections in the plug, possibly causing a short circuit;' and so on.**

## **General Procedures:**

*The following are general procedures covering all activities concerning use of electricity:*



- All government (including regional and local government) legislation and regulation, standards and codes-of-practice relating to electrical installation, usage and maintenance in, and around, XYZ controlled workplaces must be adhered to wherever practicable;
- Only persons suitably qualified are to carry out electrical installation work and electrical plant maintenance;
- Safe work procedures (SWP) must be prepared, and risks associated with electricity must, as far as is practicable, be identified and assessed;
- Control methods must be implemented where appropriate, and the risk of injury from electrical incidents eliminated or reduced so far as is practicable;
- Procedures shall include (but not be limited to) the following steps:
  - all tasks involving electrical installation, useage and maintenance likely to present a risk of injury to persons (whether Worker, contractor, guest or visitor) who enter an area under the control of XYZ, will be noted. All persons likely to be affected by any such task must be made aware of the risks associated with the tasks, and the recommended control measures;
  - tasks must be examined, and ways to eliminate or reduce risks associated with electricity applied. Standards for electrical installation, usage and maintenance, along with codes-of-practice and any industry standards, along with examples of best practice associated with electricity, should be accessed during this process;
  - the WHS Consultative Mechanism must be applied when developing and assessing the list of tasks associated with the use of electricity. An external adviser may provide additional expertise;
  - whenever XYZ personnel are in areas under the control of Principal Contractors or Principal Clients, if an electrical problem is noticed (frayed lead, etc.) this should be brought to the attention of the Principal Contractor or Principal Client, as well as noted in the XYZ' Incident Book for consideration of management and the WHS Consultative Mechanism (refer form 9.3 *Incident report form*);
  - WHS implications shall be considered in the selection, purchase, hire and loan, of all electrical items brought onto XYZ controlled premises;
  - where equipment must meet specific Australian standards, then only such equipment is to be purchased, or where non-compliant equipment is purchased for supply to a third party, that equipment shall be re-engineered to comply;

- all electrical equipment on the XYZ site shall be tested and tagged in accordance with statutory requirements. Special attention applies whenever an area is deemed a 'construction site', when testing and tagging must be carried out monthly (refer Australian Standard 3760);
- residual current devices/earth leakage circuit breakers will be acquired and used in line with all electric portable power appliances. These devices should be tested every 3 months to ensure efficacy;
- worker contractors and sub-contractors involved in the installation, use of, or maintenance of, electricity within areas under the control of XYZ, are to be made aware of their WHS obligations, including qualifications, under the terms of their agreement with XYZ;
- worker contractors etc are to be monitored in their installation, use, or maintenance, of electricity in areas under the control of XYZ and any breaches of WHS policies and procedures noted and appropriate disciplinary action taken;
- double adapters should not be used in workplaces under the control of XYZ, and multi-outlet power boards should be used with caution;
- electric extension leads should be kept to a minimum, and should not be allowed to become trip hazards when in use;
- all electrical plant should be appraised:
  - prior to entering into service;
  - prior to being re-entered into service after repair;
  - at least once every twelve months;
- all electrical plant that is considered damaged is to be removed from service and tagged accordingly, to ensure it does not accidentally get returned to service before repair or disposal. *Note that in the case of faulty plant belonging to a Principal Contractor or Principal Client, diplomacy must be used. The power point must be switched off, and the Principal Contractor or Principal Client informed of their obligation to have the fault corrected before using the plant. The Principal Contractor or Principal Client should be referred to their duty to ensure a safe workplace exists for all parties, and faulty electrical equipment may place them in jeopardy. If a Principal Contractor or Principal Client asks for faulty plant to be removed for repair, a receipt should be issued for that plant;*
- any electrical plant not being used should be switched off when not in use;

- any plant of a sensitive nature (computers, faxes, printers, etc.,) should be switched off during any electrical storm, unless protected by appropriate electrical surge devices;
- appropriate controls must be considered when electrical emergencies occur. These include:
  - Installing a residual current device (RCD) at each distribution boards, or providing RCD protection at the individual general power outlet (GPO), or extension lead;
  - CO2 or Vaporising Liquid fire extinguishers being adjacent to areas considered at higher risk;
  - Ensuring ease of access to all electrical cabinets (1 metre clearance around doors);
  - Ensure electrical cabinets are not used for storage purposes;
  - Appropriate first aid signage being displayed;
  - Back-up power supply to essential services if required;
- as in XYZ health and safety policies and procedures generally, all policies and procedures regarding electricity will be reviewed annually, or sooner should the need for such review arise. Any incident involving electricity shall be considered just cause for a review of the policies and procedures by an appropriate authority.

## 5. TRAINING

### **Managers, Supervisors, and Workers**

- all personnel involved in managing the control of hazards associated with electricity shall receive specific training in identification, risk assessment and the development of cost-effective control options in line with the hierarchy of controls;
- all personnel should be aware that obviously faulty electrical plant (cracked casings, bare wires and frayed leads, broken plugs, etc.) must be isolated where possible, and removed from service immediately;
- all personnel must be aware of plant and switch gear safety tagging and lock-out procedures where a tag and/or a lock will be fixed to a switch or plant while repairs and/or maintenance work is being carried out. **All personnel must be aware unauthorised operation or removal of such tags and/or locks will result in instant dismissal.**

### **Workers**

- all Workers must be apprised of hazards associated with electricity upon induction to their job. At induction and refresher training, all XYZ Workers shall receive training covering the following areas:
  - overview of problems with electricity in industry generally;
  - likely effects arising from incidents involving electricity;
  - explanation of the risk factors;
  - summary of the legislative approach;
  - hierarchy of control measures and options for control of risk;
  - electrical work procedures.
- such training will take into account any issues involving electricity identified in the SWP relevant to the job description. Special note will be made of any area already identified as being of a high risk nature.
- maintenance personnel must be apprised of the hazards of electricity and the need for precise care when servicing machinery powered by electricity. They must have access to, and use when appropriate, lock-out tags warning personnel that work on equipment is in progress and switchgear must not be operated.
- all Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.

## 6. REFERENCES

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 5, part 2: [General WHS Policy](#) p.5.02-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 2: [Grievance and Discipline](#) p.6.02.1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 8: [Contractor Management](#) p.8-1; Chapter 9, part 1: [WHS Inspection Checklists](#) p.9.01-1; Chapter 9, Part 8: [Job Safety Analysis & Safe Work Procedures](#) p.9.08-1.
- Australian Standards: AS3000: "SAA Wiring Rules"; AS3012: "Electrical Installations - Construction & Demolition Sites"; AS3760: "In Service Inspection & Testing of Electrical Equipment".
- Safe Work Australia's Code of Practice "Managing electrical Risks at the workplace".
- The Act: ss17-29.
- The Reg.: 144 to 166.

**ATTENTION ALL PERSONNEL**

**In this policy, the term 'drugs' includes drugs taken for medicinal purposes, as well as illegal and/or recreational drugs.**

## 1. PURPOSE

One authority's guide to developing a workplace drug and alcohol policy has this to say:

"Drug and alcohol use in the workplace creates a range of problems.

Employees with drug and alcohol problems can cause injury to themselves and others, can lose their job or family and damage their physical and mental health.

Workmates of a drug and alcohol user are faced with a risk of accidents, covering for poor work performance, disputes and the need to 'dob in' a mate for their own good. Employers are faced with lateness and absenteeism, lost time and production from accidents and inefficiency and damage to plant, equipment and other property.

The workplace is an ideal place to run effective drug and alcohol prevention programs because the peer support network in a workplace can be used to shape behaviour. Workers have a better chance of recovery from drug and alcohol problems if they are still working."

**XYZ is committed to achieving best practice in all its WHS dealings.**

This includes all matters concerned with the use of drugs and alcohol by Workers of, visitors to, and guests of XYZ, while such Workers and/or visitors/guests are carrying out work on for, or on behalf of, XYZ, or representing a Principal Client in commissioning finished plant considered under the control of XYZ.

Since the use of drugs and alcohol may impair an individual's capacity to perform their work safely, XYZ commits itself to ensuring the maintenance of a workplace in which the use of illegal and inappropriate use of legal recreational drugs is prohibited. Further, that drugs intended for an individual's medicinal use are responsibly used, and that any such person will not place themselves, their workmates, nor others at risk.

*The aim is to achieve a workplace free of the hazards associated with mental and physical dysfunction arising from the influences of drugs and alcohol.*

## 2. SCOPE

**“YOU ARE ONLY AS SAFE AS THE STUPIDEST MAN IN THE MINE!”**  
OLD MINERS' SAYING OF 19<sup>TH</sup> CENTURY

This Policy applies to all dealings with goods and services considered part of the XYZ enterprise. All Workers of, visitors, etc. at, XYZ are to adhere to this policy. Visitors to XYZ are also to be assessed for the negative effects of drugs and alcohol should the visitor be required to enter and become a functionary in the working environment (eg a representative of a Client who may be present to commission assembled plant).

To fulfill the aim, all XYZ Workers and visitors, etc. are expected to assist in the active identification of potential drug and alcohol issues, the assessment of the risks associated with those issues, and, where possible, the elimination or control of those risks.

### **3. RESPONSIBILITY**

**All personnel must be aware the overuse of alcohol and/or the use of illegal drugs in any quantity may result in dismissal.**

***Further, note the Police and other authorities may be called in any instance where an overuse of alcohol is suspected, and the Police WILL be called where the use of any quantity of illegal drug is suspected.***

**Police and other appropriate authority will also be called if any suspected illegal drugs are found on site, and this discovery may also lead to dismissal of an offending party.**

#### **XYZ General Manager**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- Must commit appropriate resources of time and financial support to investigate drug and alcohol issues;
- Show all reasonable steps have been taken to bring negative outcomes associated with such issues to the lowest, reasonably achievable level;

- Investigate areas of the XYZ enterprise that are likely to give rise to drug and alcohol related disturbance, assess the outcome of such disturbance and, in consultation with all relevant parties, provide such control as is necessary to achieve an acceptable level of drug and alcohol impact on the relevant area;
- Pass on details of outcomes to all relevant parties, including supervisors, Workers, Principal Contractor or Principal Client;
- Ensure records are kept for review by the WHS Representatives;
- Ensure Drug and Alcohol related issues receive recognition in other XYZ WHS programmes and procedures, such as:
  - Manual handling procedures;
  - Grievance and discipline procedures;
  - Violence-in-the-workplace procedures;
- Commits to the provision of time and financial resources for the adequate training in drug and alcohol awareness and application of all associated programmes to assist in the elimination of, or risk reduction of, hazards arising from drug and alcohol use.
- Must participate in consultative review of drug and alcohol programmes, with all relevant parties, at least once a year.

### **Supervisory Staff**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- Must assist in consultation, development and compliance with regard to safe working methods, including drug and alcohol risk control systems;
- Commit to the publicising of all programmes likely to assist positive drug and alcohol use outcomes;
- Commit to the implementation and enforcement of senior management's instructions regarding drug and alcohol use;
- Monitor the day-to-day application of procedures implemented to avoid and/or minimise drug and alcohol use problems. *This will include aspects of consultation with their workgroups and regular visitors to their area of influence as supervisors. Note that all stakeholders need to be informed a policy of no recrimination exists because of WHS complaints, and may need to be referred by supervisors to the WHS Representative or the XYZ General Manager to ensure fair attention is rendered to an issue where a Worker and supervisor do not agree;*
- Review what has been monitored;
- Communicate to senior management the outcomes of such review, and, where feedback is required, will ensure such feedback is obtained from senior management in a reasonable time-frame, and passed on to relevant Workers and/or other stakeholders;
- Ensuring staff receive training in drug and alcohol use issues relevant to their area;
- Must ensure grievance and disciplinary procedures regarding drug hazards are adhered to;

- Must consult with XYZ General Manager, especially when identified drug hazards are out of the supervisor's control.

## **WHS Representatives**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- Must adhere to XYZ WHS policies and procedures;
- Must facilitate Worker consultation in relation to health, safety and welfare issues, including drug and alcohol;
- Provide communication link for all concerned parties.

## **Workers**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), Workers:*

- Must take an active role in the management of drug and alcohol use problems;
- Must bring drug and alcohol related issues to the attention of their supervisor at the earliest possible opportunity;
- Must, if poor communication exists with the supervisor, or a peer, the employee is to pass this issue on to the WHS Consultative mechanism and the XYZ General Manager;
- Must apply any training techniques provided for dealing with drug and alcohol use issues;
- Must assist XYZ management meet legislation and regulation, standards and codes of practice, as well as assist in achieving positive outcomes to drug and alcohol use issues. If any health, safety and welfare issues – drug and alcohol issues or otherwise – are identified, the Worker must bring these to the attention of their supervisor and/or the general manager.

## **Worker Contractors:**

- are to follow [Contractor Control](#) (page 8-1) procedures.

## **4. PROCEDURE**

### **General Procedures**

*The following are general procedures covering use of drugs and alcohol:*

- All government (including regional and local government) legislation and regulation, standards and codes-of-practice relating to drug and alcohol



usage in, and around, XYZ controlled workplaces must be adhered to wherever practicable;

- No Worker or visitor etc. is to commence work, or return to work, while under the influence of alcohol or illegal or recreational drugs;
- Where a Worker or visitor etc. is taking a drug for medicinal purposes, and that drug is likely to affect that person's concentration and judgement, the person is to be allocated such tasks as will not place that person, nor other workers nor visitors to the workplace, at risk of injury nor illness;
- Vehicles and heavy machinery used in the carrying out of XYZ enterprises are not to be driven by anyone who is under the influence of alcohol or drugs – whether legal or illegal. *If a worker takes a prescription drug, that worker is check with their doctor to establish if the use of the drug will impact on work performance such as driving a motor vehicle. If so, the worker is to obtain this advice in writing and provide this advice to the relevant XYZ site manager, who will attempt to find alternate duty for the duration of the medicinal drug's usage.*

**While XYZ accepts its vicarious liability for the activities of Workers carrying out work on behalf of the organisation, any Worker driving a vehicle who causes injury to any other person(s) and/or damage to property while the Worker etc. is under the influence of alcohol and/or drugs, is in breach of this policy and/or of statutory and common law. The Worker etc. may expect prosecution to the full extent of such law and will be held responsible for such injury and/or damage and may be held responsible for payment of any fine and/or reparation considered necessary by a court of law.**

### Smoking

XYZ observes a no smoking policy in all premises, including client premises and company vehicles. Workers and/or visitors are expected to observe any advice regarding smoking areas, and adhere to any site-specific instructions.

### **Support**

Workers who may suffer from drug dependence are encouraged to discuss – in strictest confidence – such issues with XYZ management, and to consider accessing an Employee Assistance Programme to assist in the treating of alcohol and/or drug use problems.

### Drug and alcohol testing

Testing for drugs and alcohol may be carried from time-to-time, in order to assist XYZ meet the requirement of ensuring a safe and healthy working environment.

To assist in the operation of this policy all Workers will be subject to drug and alcohol testing from time-to-time. Such testing may be deemed necessary when a Worker's behaviour or work performance is observed to be unusual,

and it is considered that Worker's behaviour, acts or omissions may cause injury, illness or damage.

**No Worker is to suffer victimisation because of this policy, and any XYZ employee found culpable in over-zealous application of this policy will, themselves, be subject to disciplinary action (as outlined in the XYZ document for "Grievance and Discipline" 6.2).**

### **Testing procedure**

- Observable behaviours, acts or omissions must be noted in the Worker suspected of being under the influence of drugs and/or alcohol;
- These behaviours, acts or omissions must be considered as placing the Worker and/or others at risk of injury or illness, or buildings or plant at risk of damage;
- These behaviours, acts or omissions must be considered to indicate the Worker is under the influence of drugs and/or alcohol;
- The Worker must be given a chance to explain their behaviour, acts or omissions;
- If the explanation is considered unreasonable, the Worker will be asked to undergo a medical examination for the presence of drugs and/or alcohol in their system;
- Workers are to be advised that refusal of testing makes it difficult in their rebuttal of any claims of inappropriate behaviour, act or omission;
- Should insufficient objective testing gear be available, the Worker may be asked to go home for the rest of the working shift (on full pay where applicable). XYZ will make its decision based on such things as observed and documented behaviours, acts or omissions, including statements of any witnesses;
- XYZ may consider further investigation of the Worker is warranted, and may find cause to report the employee to the relevant statutory authorities should breaches of criminal law be suspected;
- Workers are to be informed of any decision, and such decision to be given to the Worker in writing at the earliest convenience of the company. The Worker must be provided an opportunity to respond to allegations at all times;
- A Worker who returns to work after a period of absence from the workplace while recovering from being under the influence of a drug and/or alcohol, shall be offered counselling as appropriate to the situation. This may include access to employee assistance programmes and the like. Such information is to be kept confidential;
- A Worker may have (and should be advised and assisted to bring) a witness to any of these proceedings.

**Workers will not be treated harshly, unfairly or unjustly by this policy. All reasonable efforts will be made to ensure confidentiality re personal information about Workers.**

***The consequences of breaching this policy are detailed in the Grievance and Discipline Document 6.2.***

***This includes the possibility of dismissal where a Worker is found to be in severe breach of this policy.***

## **General Counselling and Disciplinary Action**

XYZ has adapted general industry suggestions regarding counselling and disciplining drug and alcohol issues. These include the following:

### **Counselling procedure**

The procedure for the counselling and if necessary discipline of Workers who may be a safety hazard should be consistent with existing awards, agreements and other established counselling and disciplinary measures which apply in the workplace.

This procedure uses a series of four interviews to guide a Worker away from inappropriate drug or alcohol use, and towards safer work practices.

**Interview one** *[This is a first warning, and is verbal, with the supervisor noting the discussion in his/her diary. Workers are also advised to make a note for themselves.]*

The first interview should be held between the Worker and supervisor where the following is discussed:

- Details of unsatisfactory work performance.
- The standard of performance required.
- The Worker should be asked if there are any workplace factors contributing to poor work performance.
- The Worker should be offered professional counselling (through an Employee Assistance Programme (EAP) if one is available) with *[sick-]*time off work to attend.
- An agreement should be reached about the time it will take for the Worker to return to satisfactory performance. If in reviewing performance it is found that the Worker has regained satisfactory performance there is no need to go any further.

**Interview two** *[This is the 'second warning', but 'first written warning'. The Worker should be encouraged to bring a witness/representative to the proceedings. The issue considered a problem must be detailed in writing, and passed to the Worker and discussed. The Worker also has 24 hours to prepare any reason they feel they do not deserve the second warning.]*

The second interview should be held between the Worker, supervisor and union representative. At the second interview:

- Any additional details of unsatisfactory performance and the standard of performance required should be stated.
- Inform the Worker that they risk discipline and possible dismissal for failing to improve performance.
- Repeat the offer of assistance through professional counselling.

If in reviewing performance it is found that the Worker has regained satisfactory performance no further interviews will be required subject to continued good performance.

**Interview three** [*This is the 'third warning', but 'second written warning'. The Worker should be encouraged to bring a witness/representative to the proceedings. The compounded issues from the second warning must be further detailed in writing, and passed to the Worker and discussed. The Worker also has 24 hours to prepare any reason they feel they do not deserve the third warning.*]

Interview three should be held between the Worker and supervisor (and union representative if required). At the third interview:

- All details of unsatisfactory performance should be stated.
- Inform the Worker that they risk losing their job if their performance continues to be unsatisfactory.
- Repeat the offer of professional counselling.
- The performance of the Worker should then be reviewed on an on-going basis.

**Interview four** [*This is the 'dismissal'. The Worker should be encouraged to bring a witness/representative to the proceedings. The compounded issues from the earlier warnings must be further detailed in writing, and passed to the Worker and discussed. The Worker also has 24 hours to prepare any reason they feel they do not deserve the dismissal.*]

Interview four should be held between the Worker and supervisor (and a union representative if applicable). The supervisor must hold authority to take disciplinary measures and terminate employment. It is convened to arrange appropriate disciplinary measures which include termination of employment. The Worker must be given a 'right of reply' of at least 24 hours.

**NOTE AN OUTLINE OF THE GENERAL XYZ  
DISCIPLINE PROCEDURE IS INCLUDED IN THE WHS  
MANUAL AS DOCUMENT 6.2**

***Note authorities suggest a distinction should be made "... between the long-term drug or alcohol user who develops a regular pattern of being under the influence at work and the short-term, or one-off user who - due to a lunchtime celebration or a sudden personal stress - comes to work unfit to carry out their duties safely.***

**In time, the longer term user will be spotted and has a chance of dealing with their problem through an Employee Assistance Programme (EAP).**

**The short-term user can be more difficult to spot, is more likely to be protected by fellow workers and yet presents just as great a hazard. Staff should be encouraged in training to have a quiet word to a fellow worker**

who is "under the influence" to suggest that they take time out to sober up."

- As in XYZ health and safety policies and procedures generally, all policies and procedures regarding drugs and alcohol use will be reviewed annually, or sooner should the need for such review arise. Any incident involving drugs and alcohol shall be considered just cause for a review of the policies and procedures by an appropriate authority.

## 5. TRAINING

### Managers, Supervisors, and Workers

- *All personnel involved in managing the control of hazards associated with drug and alcohol use shall receive specific training in identification, risk assessment and the development of cost-effective control options in line with the hierarchy of controls;*
- *Training is to be relevant to the position of the Worker and the surrounding environment, the type of work being performed etc.;*
- *All Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.*

## 6. REFERENCES

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 5, part 2: [General WHS Policy](#) p.5.02-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 2: [Grievance and Discipline](#) p.6.02.1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 8: [Contractor Management](#) p.8-1; Chapter 9, Part 8: [Job Safety Analysis & Safe Work Procedures](#) p.9.08-1.
- The Act: ss.17-29.
- Safe Work Australia: Code of practice "How to manage work health and safety risks".
- Safe Work Australia drug and alcohol issues paper:  
<http://www.safeworkaustralia.gov.au/sites/SWA/model-whs-laws/public-comment/Documents/Mining%20Public%20Comment%202011/Public%20submissions%20D/029%20-%20Drug%20and%20Alcohol%20Solutions%20Australia.pdf>
- Safe Work Australia reference publication: "Work-related alcohol and drug use - a fit for work issue".

## Part 7.05      **EMERGENCY RESPONSE**

### **1. PURPOSE**

The Reg. 43 outlines the duty of a PCBU to prepare, maintain and implement emergency plans.

Fire and other emergencies are likely to strike in any industry, at any time of the day or night, and at any time of the year. Office based organisations are no exception. In fact, since they are often staffed by workers involved in generally sterile environments (where fire-fighting and other emergency equipment may not be so obvious), and accompanied by attitudes of *'it can't happen here, we're not a factory...'* office facilities may be considered more at risk than some other industries. To be *unprepared* in any emergency is potentially disastrous, therefore XYZ recognises the need for proactive emergency plans for fire and other emergency control and, if necessary, evacuation.

#### **THE COLD LIGHT OF DAY...**

In order to bring home the point of emergency preparedness (and WHS generally), it is worth considering an operational procedure that is followed in a real fire. The general rule in an evacuation is:

- Ambulatory personnel first;
- Semi-ambulatory second;
- Non-ambulatory last.

***How would you feel having to make that call on whom to leave until last?***

Obviously, on the one hand we plan to never face this possibility, but if the situation arises, we need to be well-prepared. If precious seconds are wasted trying to work out what to do in an emergency, lives are lost.

### **2. SCOPE**

Since there is the possibility of emergencies arising from a number of areas (both geographic and systematic), this procedure has a universal coverage of all operations in the control of XYZ. This will include ensuring XYZ staff who visit other businesses are knowledgeable of that business' emergency procedures. (This is usually part of a *visitor induction*.)

Emergencies need sudden and immediate action to reduce the severity of a serious hazard that has become out of control. An emergency is unforeseen, but need not lead to confusion and chaos. Within XYZ as many likely emergency situations will be considered and appropriate planning made to address all likely emergencies. These include:

- Fire;

- Bomb-threat;
- Explosion;
- Evacuation;
- Security issues;
- Storm damage such as wind, hail and flooding.

### **3. RESPONSIBILITY**

#### **XYZ General Manager**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- Must ensure the building owner (or agent) provides an accredited and coordinated approach to the fire-fighting methods and emergency evacuation procedures for the tenants of the building;
- Must ensure XYZ provides resources to ensure key XYZ personnel participate from time-to-time in the building owner's overall emergency procedures;
- Must ensure emergency possibilities are addressed in each work method statement, and any control methods are outlined and allowed for;
- Must ensure Worker contractors are apprised of XYZ emergency control procedures, including their obligation to comply;
- Must ensure grievance and disciplinary procedures regarding emergency procedures are adhered to;
- Must participate in consultative review of emergency control programmes and procedures, with all relevant parties, including WHS Committee, at least once a year;
- Must participate actively and meaningfully in any emergency drills.

#### **Supervisory Staff**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- Must ensure comprehension of, and adherence to, all emergency regulations relevant to the department;
- Emergency training is to be carried out so as to empower the department's personnel to work as a team in an emergency procedure;
- Must gather feedback from the Workers on emergency controls;

- Must ensure reciprocal feedback from management to Workers is given within a reasonable time;
- Must ensure grievance and disciplinary procedures regarding emergency controls are adhered to;
- Must consult with XYZ General Manager if emergency control issues are out of the supervisor's control.

### **WHS Representatives**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- Must facilitate Worker consultation in relation to emergency controls;
- Must assist in review of emergency procedures and test effectiveness at least annually;
- Must provide communication link for all concerned parties.

### **Workers**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), Workers:*

- Must apply all emergency training, equipment and information supplied for relevant tasks;
- Must know emergency routes;
- Must be able to locate and use emergency equipment relevant to their department;
- Must assist XYZ management to meet legislation and regulation, standards and codes of practice;
- Must ensure grievance and disciplinary procedures regarding emergency control hazards are adhered to;
- If any emergency control problems are identified, the employee must bring these to the attention of their supervisor, and/or HSR.

### **Worker Contractors**

- Are to follow [Contractor Control](#) (page 8-1) procedures;
- Must adhere to XYZ emergency procedures;



- Must attend to any training required to ensure a safe and healthy environment exists for all;
- Must apply all emergency training, equipment and information supplied for relevant tasks;
- Must know emergency routes;
- Must report any emergency control problems to the XYZ management.

#### 4. PROCEDURE

- All government (including regional and local government) legislation and regulation, standards and codes-of-practice relating to emergency control in, and around, XYZ workplaces must be adhered to wherever practicable;
- Work method statements must be prepared, and emergency control risks shall be identified and assessed;
- Control methods will be implemented where appropriate, and the risk of injury from emergencies eliminated or reduced so far as is practicable.
- Procedures shall include (but not be limited to) the following steps:
  - All identifiable emergency issues with a potential risk of injury to persons (whether Worker, guest or visitor, etc.) who enter an area under the control of XYZ, will be noted. All persons likely to be affected by any such issue must be made aware of the risks associated with the relevant tasks, and the recommended control measures;
  - Areas at risk from an emergency must be assessed, and ways to eliminate or reduce any associated risks applied. Emergency legislation, codes-of-practice etc. (fire, first aid, state emergencies etc.) and any industry standards and examples of best practice should be accessed during this process;
  - In a fire emergency, the standard R.A.C.E. system will apply (not necessarily in order):

- |  |
|--|
| <ul style="list-style-type: none"> <li>• <b>R</b>emove all non-essential personnel;</li> <li>• <b>A</b>lert the relevant authority;</li> <li>• <b>C</b>ontain the fire;</li> <li>• <b>E</b>xtinguish the fire if safe to do so.</li> </ul> |
|--|

- Assessments must take into account the following:
  - Personal likelihood of being involved in an emergency;
  - Type of emergency likely to be faced:

- Fire;
  - Bomb-threat;
  - Explosion;
  - Evacuation;
  - Security issues;
  - Storm damage such as wind, hail and flooding;
- Appropriate signage must be in place for relevant emergency (eg fire signs and exit routes signage);
  - All emergency evacuation routes must be sign-posted;
  - All emergency evacuation routes must be clear of inappropriately stored rubbish, plant, substances, etc,;
  - All emergency systems alarms and indicators must be in good working order;
  - '*Rainbow files*' should be available at each major workstation (eg reception; board room);
  - WHS Representatives shall ensure Workers in general shall be consulted when developing and assessing the list of tasks, and the preparation of an emergency plan which should take into account various 'what if...' scenarios. An external adviser may provide additional expertise;
  - The building owner must be consulted when considering fire and evacuation procedures. The building owner is responsible in coordinating evacuation procedures between the various tenants;
  - Adjacent businesses must be informed of XYZ emergency procedures likely to impact on their business areas and operations;
  - Adjacent businesses must participate from time to time, in emergency drills, including evacuations;
  - As in XYZ health and safety policies and procedures generally, all emergency control policies and procedures will be reviewed annually, or sooner should the need for such review arise. Any emergency control incident shall be considered just cause for a review of the policies and procedures by an appropriate authority.

## 5. TRAINING

### **Managers, Supervisors, HSRs and Workers**

- All personnel involved in managing the control of emergencies shall receive specific training in emergency control identification, risk

assessment and the development of cost-effective control options in line with the hierarchy of controls;

- All personnel must be made aware of grievance and disciplinary procedures regarding WHS, and emergency controls in particular;

## **Workers**

- All Workers shall be apprised in emergency control competencies on induction to their job. At induction and refresher training, all XYZ Workers shall receive training covering the following areas:
  - overview of emergency problems in industry generally;
  - the effect of emergencies on the body and mind;
  - explanation of the risk factors;
  - summary of the legislative approach;
  - hierarchy of control measures and options for control of risk;
  - emergency programmes;
  - specific emergency control requirements/procedures in their work area, and their work in general.
- Such training will take into account any emergency issues identified in the work method statements relevant to the job description;
- Special note will be made of any emergency exposure already identified as being of a high risk nature, especially exposure involving high-risk individuals (for example: fire in the kitchen);
- All personnel must be made aware of grievance and disciplinary procedures regarding WHS, and emergency controls in particular;
- All Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.

## **6. REFERENCES**

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 5, part 2: [General WHS Policy](#) p.5.02-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 2: [Grievance and Discipline](#) p.6.02.1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 8: [Contractor Management](#) p.8-1; Chapter 9, Part 8: [Job Safety Analysis & Safe Work Procedures](#) p.9.08-1.
- The Act: ss.17-29.
- The Reg.: 43.
- Safe Work Australia codes of practice: 'Managing the Work Environment and Facilities'; 'How to manage health and safety risks'.
- Australian Standards (there are a number of standards relating to fire emergency equipment etc. These are the more prominent ones to consider): 1668; 1668.1; 1682;

1735; 1735.11; 1905; 2220; 2293; 2293.1; 2293.2;2293.3; 1603; 1221; 1841; 2419; 2444;  
1851

- Building Code of Australia

## **1. PURPOSE**

The Reg. 43 outlines the duty of a PCBU to prepare, maintain and implement emergency plans. First aid is part of the overall emergency preparedness of XYZ.

The Act and the associated Reg. require a workplace to have first aid facilities. It is the size of the workforce and the type of the workplace that specifies the type of first aid facility.

## **2. SCOPE**

Since incidents likely to require first aid may occur anywhere, this section covers all personnel and all areas under the control of XYZ.

## **3. RESPONSIBILITY**

### **XYZ General Manager**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- Must ensure the provision of, and allowance for, money and time toward the provision and maintenance of regulatory first aid equipment;
- Must ensure grievance and disciplinary procedures regarding first aid are adhered to;
- Must participate in consultative review of first aid programmes and procedures, with all relevant parties, at least once a year.

### **Supervisory Staff**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- Must assist in consultation, development and compliance with regard to first aid requirements of area;
- Must ensure comprehension of, and adherence to, all first aid and reporting issues relevant to the department;
- Must gather feedback from the Workers on first aid issues;
- Must ensure reciprocal feedback from management to Workers is given within a reasonable time;

- Must ensure grievance and disciplinary procedures regarding first aid are adhered to;
- Must ensure XYZ General Manager is apprised of any first aid problems considered out of the control of the supervisory staff.

### **WHS Representatives**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- Must facilitate Worker consultation in relation to first aid procedures;
- Must provide communication link for all concerned parties.

### **Workers**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), Workers:*

- Must apply all first-aid training, and meaningfully use equipment and information supplied for relevant tasks;
- Must ensure grievance and disciplinary procedures regarding first aid hazards are adhered to;
- If any first aid problems are identified, the Worker must bring these to the attention of their supervisor, and WHS Consultative Mechanism.

### **Worker Contractors:**

- are to follow [Contractor Control](#) (page 8-1) procedures.

## **4. PROCEDURE**

- In context with this procedure, the words 'first aid' shall mean the initial application of assistance to an injured person;
- All government (including regional and local government) legislation and regulation, standards and codes-of-practice relating to first aid in, and around, XYZ workplaces must be adhered to wherever practicable;
- Work method statements (WMS) must be prepared, and unusual first aid risks relevant to the WMS shall be identified and assessed;
- Procedures shall include (but not be limited to) the following steps:

- The location of the first aid facilities will be clearly advertised for all parties: Workers and visitors, etc.;
- Injury report forms will be filled in as appropriate (refer form 8.07 Incident Report Form);
- The first aid procedure and injury reporting procedure shall be included in Worker induction packages;
- It is recommended at least two Workers who are in regular attendance be trained in occupational first aid (30 hour course). *It may be a saving in costs if several adjacent businesses were approached and the possibility of pooling skilled first-aiders for emergencies.*
- The WHS Consultative Mechanism shall ensure Workers are consulted when developing and assessing first aid needs and application. An external adviser may provide additional expertise.
- As in XYZ health and safety policies and procedures generally, all first aid procedures will be reviewed annually, or sooner should the need for such review arise. Every first aid incident shall be assessed as to whether a review of the policies and procedures by an appropriate authority is necessary.

## 5. TRAINING

### **Managers, Supervisors, HSRs and Workers**

All personnel shall be trained in timely identification of need for first aid assistance, and location of first aid trained personnel and first aid kits.

#### **Selected Workers**

- Ideally, each shift should have at least one trained first-aider in attendance. Ideally, this first aider should be trained in occupational first aid, and be authorised to use oxygen resuscitation apparatus;
- At least one first aider shall be capable of maintaining the first aid kits and ensuring necessary first aid reporting and restocking of first aid kits is carried out in an effective and timely manner. This person's name should be attached to each first-aid kit, and a log kept of restocking visits.

#### **Workers**

At induction and refresher training, all XYZ Workers shall receive training that includes coverage of the following areas:

- overview of first aid problems in industry generally;
- explanation of the risk factors;
- summary of the legislative and consultative approach;
- hierarchy of control measures and options for control of risk;
- first aid procedures relevant to their particular duties, as identified in their work method statements;
- first aid reporting procedures.

*All Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.*

## 6. REFERENCES

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 8: [Contractor Management](#) p.8-1; Chapter 9, Part 8: [Job Safety Analysis & Safe Work Procedures](#) p.9.08-1
- The Act: ss17-29.
- The Reg.: 42.
- Safe Work Australia codes of practice: 'First Aid in the Workplace'; 'Managing the Work Environment and Facilities'; 'How to manage health and safety risks'.
- Workplace Injury Management and Workers Compensation Act 1998: s63; Standards: 1319; 2488.



## Part 7.07 Injury Management

### 1. PURPOSE

The goal of injury management is to bring the injured/ill person back to pre-injury/illness health and wellbeing. In the workplace, injury intervention aims to bring the Worker back into the workplace in a step-by-step process until (ideally) pre-injury duties are fully achieved.

XYZ is committed to achieving the goal, and this part (7.07) provides direction on the processes involved in managing injury in the XYZ workplace.

### 2. SCOPE

It is an unfortunate fact that accidents do happen. The current thinking is that (with the benefit of 20/20 vision of hindsight) 97% of accidents are preventable: something that was foreseeable was overlooked and an accident occurred. However, even if we are 97% of the way to a perfect, accident-free workplace, accidents may still occur, and injuries and illnesses arising from these have to be treated in an effective way.

We have a First Aid Programme [refer to part 7.06 (First Aid)] to cover the immediate, acute intervention to injury/illness, but the chronic intervention is dealt with within this programme.

Since we cannot predict where or to whom an injury might occur, the scope of this programme covers all XYZ activities.

### 3. RESPONSIBILITY

#### **XYZ General Manager**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- Must ensure XYZ has a designated Return-to-Work Coordinator on the staff, or has access to a shared coordinator;
- Must ensure XYZ has assigned an external Injury Management Consultant/Rehabilitation Provider;
- Must ensure the names, addresses, etc. of the RTW Coordinator and the facility's recommended Injury Management Consultant, etc. are appropriately published to all stakeholders;
- Must ensure grievance and disciplinary procedures regarding injury management are adhered to;

- Must participate in consultative review of injury management programmes and procedures, with all relevant parties, including HSRs, at least once a year.

### **Supervisory Staff**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- Must assist in consultation, development and compliance with regard to injury management and return-to-work requirements of area;
- Must ensure comprehension of, and adherence to, all injury management and return-to-work issues relevant to the department.
- Must ensure grievance and disciplinary procedures regarding injury management and return-to-work are adhered to;
- Must ensure XYZ Manager is apprised of any injury management and return-to-work incidents, especially those incidents considered out of the control of the department manager.

### **WHS Representatives**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- Must facilitate Worker consultation in relation to health, safety and welfare issues, including injury management and return-to-work procedures;
- Must assist in monitoring and reviewing injury management and return-to-work programmes, in order to assure no secondary WHS issues arise, either exacerbating the injury/illness, or creating other WHS issues in the workplace by inappropriate placement of the injured worker;
- Must provide communication link for all concerned parties.

### **Workers**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), Workers:*

- Must ensure grievance and disciplinary procedures regarding injury management and return-to-work issues are adhered to;
- If any health, safety and welfare issues involving injury management or return-to-work issues are identified, the Worker must bring these to the attention of their supervisor, and/or WHS Representative.

## 4. PROCEDURE

- XYZ uses the services of an accredited Return-to-Work Coordinator;
- The duties of a Return-to-Work coordinator are outlined in part 9.0 Return-to-work coordinator appendix 7.08 (page 7.08-5);
- All government (including regional and local government) legislation and regulation, standards and codes-of-practice relating to injury management and return-to-work programmes in, and around, XYZ workplaces must be adhered to wherever practicable;
- In order to achieve a meaningful return-to-work, work method statements (WMS) must be consulted, and the possibility of an injured/ill Worker fulfilling the work in that statement, given fair appraisal;
- Procedures shall include (but not be limited to) the following steps:
  - An outline of injury management rights and responsibilities shall be included in Worker induction packages;
  - All stakeholders will be notified of any return-to-work programme likely to affect their area of interaction with XYZ activity;
  - The relevant supervisor and WHS Committee and Workers in general shall be consulted when an injury management plan is developed for a returning Worker. An external adviser - usually an Injury Management Consultant may render additional expertise.
- As in XYZ health and safety policies and procedures generally, all injury management and return-to-work programmes will be reviewed annually, or sooner should the need for such review arise. Every injury/illness shall be assessed as to whether a review of the policies and procedures by an appropriate authority is necessary.

## 5. TRAINING

### **Return-to-work Coordinator**

The Return-to-work Coordinator shall receive training as appropriate to the tasks outlined on page 7.08-5.

### **XYZ Administrator, Supervisory Staff, WHS Representatives and Workers**

All personnel shall be duly informed of injury management and return-to-work programmes.

### **Workers**

*At induction and refresher training, all XYZ Workers shall receive training which includes coverage of the following areas:*

- overview of injury management and return-to-work programmes, including the positive, bi-partisan approach by unions and employer groups in recognising the beneficial effects of early intervention and application of bringing an injured worker back into the workforce;
- an understanding of the way work method statements are of use in finding useful and meaningful work for a Worker on a return-to-work plan;

All Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.

## **6. REFERENCES**

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 7, part 7.08: [Return-to-work Coordinator guidelines](#) p.7.08-5; [Contractor Management](#) p.8-1; Chapter 9, Part 8: [Job Safety Analysis & Safe Work Procedures](#) p.9.08-1
- The Act: ss.17-29.
- The Reg.
- Safe Work Australia: 'Guidance note for best practice rehabilitation management of occupational injuries and disease' [NOHSC:3021(1995)]; code of practice 'Managing the Work Environment and Facilities'.
- Australian Standards: 1319; 2488.

## Part 7.08 Return-to-work (RTW) Coordinator Guidelines

**At XYZ, the RTW Coordinator is appointed by management.**

**The RTW must:**

- Hold relevant accreditation;
- Ensure training and knowledge of all and any relevant workers compensation legislation etc. is up-to-date, and sufficiently understood to achieve satisfactory goals;
- Ensure appropriate publicity – via staff-room notice board, WHS board, Worker manual and orientation hand-outs, etc – has been applied to the workplace and management (refer appendix number 7.12 *Injury management Flow Chart*);
- Publicity should include the Return-to-Work Coordinator's name and contacts; the name and contacts of the Rehabilitation Provider; workers compensation insurance company details; Worker/PCBU rights and responsibilities in the event of an injury/illness;
- Coordinate with the HSRs to disseminate information regarding WHS issues and management of WHS generally;
- Occasionally review work method statements in order to know types of tasks which may assist in assisting an injured Worker to return to work;

and, after an incident has occurred leading to injury/illness, carry out and/or consider the following:

- Collect and collate appropriate claim forms;
- Forward appropriate forms to injured party (if severe, may need to call and deliver personally);
- Assist filling in of forms if requested;
- Collect and collate returned documents;
- Ensure Worker's medical form is signed by the treating doctor;
- If doubt exists re the treating doctor's credentials: check;
- Compare collected forms with injury report book;
- Consider any inconsistencies in reporting, etc.;
- Check type of claim:
- Significant injury?
- Lost time injury?
- Medical expenses involved?
- Are the forms appropriately signed?

The insurer will ask whether you have reason to believe the claim is bona fide. Answer as honestly as you can. If you are in doubt either way, say so, and point out the reasons as you see them. It will not be held against you, but will indicate to the insurer that a more thorough investigation – usually by one of their trained investigators – may be necessary. (Generally, it is considered the vast majority of claims are 'honest'.)

As with other WHS issues, documentation is essential. Keep a file for each claim, and place in it copies of all documents associated with the claim, including copies of forms filled in by the claimant and yourself, copies of faxes sent, and hard-copies of emails and any other electronic formats. Keep a log of phone calls made re the claim, including calls to the insurer, and ensure time, date, person(s) spoken to, subject, etc. are noted (good, clear handwriting please!)

# CHAPTER 8: CONTRACTOR MANAGEMENT

## 1. PURPOSE

From time to time, XYZ may outsource non-core business to a variety of contractors and/or sub-contractors. These may include, but not be limited to, financial controllers, receivership and management consultants, time and motion analysts, and maintenance personnel. Therefore XYZ personnel may come into contact with a variety of activities that is not a normal part of the XYZ business. This indicates business activity occurring around XYZ personnel which may be out-of-the direct control of the XYZ management, thus decreasing direct communication and so increasing the opportunity for harm.

Further, the reliance of a business on the Contractor being responsible for the WHS of any area under their control does not necessarily protect XYZ against activity arising from a XYZ oversight.

The general rule is: ***Work may be contracted out, but responsibility for WHS cannot.*** For this reason, appropriate controls must be in place to ensure the ongoing health, safety and welfare of *all* personnel.

Such controls will include, but not be limited to, ensuring adherence to XYZ policies and procedures (WHS and otherwise), insurance checks, training in the use of equipment, proofs of appropriate maintenance, and enforcing proof of certification and licensing.

## 2. SCOPE

Since contractors and sub-contractors may be required to work in any part of a facility or area under XYZ control, and therefore *themselves* fall under XYZ WHS controls, this document applies to all areas - geographic and systematic, whether owned or leased by XYZ, or owned or leased by a Principal Contractor or Principal Client to whom XYZ has itself sub-contracted.

## 3. RESPONSIBILITY

### **XYZ General Manager**

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- must address issues involving contractors in each safe work procedure where appropriate, and any control methods must be outlined and allowed for;

- must ensure appropriate hiring of contractors, including licenses, insurances, etc. are held and/or in place;
- where required, specialist advice on contractor control must be provided, and adhered to, wherever practicable;
- must participate in consultative review of contractor control programmes and procedures, with all relevant parties, including HSRs, at least once a year.

### **Supervisory Staff**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- must assist in consultation, development and compliance with regard to safe contractor controls;
- must ensure contractors display comprehension of, and adherence to, all regulations, standards, codes-of-practice, etc., - including WHS - relevant to the department. Must report any deficiencies to XYZ General Manager;
- must ensure comprehension of, and adherence to, all contractor control requirements relevant to the department;
- must ensure all plant and substances brought into the department by the contractor conforms to the initial contract arrangements;
- must gather feedback from the Workers on contractor issues;
- must ensure reciprocal feedback from management to Workers is given within a reasonable time;
- must ensure grievance and disciplinary procedures regarding contractor control are adhered to;
- must ensure contractor carries out appropriate disciplinary action against contractor's own Workers where such action is required;
- must consult with XYZ General Manager, especially when identified hazards are out of the supervisor's control;

### **WHS Representatives**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- must facilitate Worker consultation in relation to contractor control procedures;



- provide communication link for all concerned parties, including contractors and subcontractors.

## **Workers**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), *Workers*:*

- once trained in contractor control procedures, including programmes and information supplied for relevant tasks, must apply that training;
- must not participate in any practical jokes with contractors;
- must assist XYZ management to meet its obligations under the Act, the Regulation, Standards and Codes-of-Practice;
- if any health, safety and welfare issues – contractor or otherwise – are identified, the Worker must bring these to the attention of their supervisor, and/or XYZ.

## **Worker Contractors**

- must adhere to XYZ WHS policies and procedures;
- must ensure safe work procedures exist for all work. WHS issues must be addressed in each work method statement, and any control methods must be outlined and allowed for;
- must ensure provision of, and allowance for, money and time toward the task of hazard control where demanded;
- must adhere to XYZ procedure regarding contractors;
- must assist XYZ to meet legislation and regulation, standards and codes-of-practice where applicable;
- must participate in consultative review of hazard control procedures at XYZ during work-in-progress (WIP) if required;
- must provide details of any WHS incident that occurs while in areas under the control of XYZ;
- must provide details of any WHS disciplinary action taken while in areas under the control of XYZ;
- must ensure all plant and substances brought into XYZ is safe and without risk to health, safety and welfare when correctly used;

- must adhere to initial contract arrangements, and any amendment thereto;
- must ensure grievance and disciplinary procedures regarding contractor control are adhered to;
- must ensure contractor's own Workers are aware of XYZ personnel and visitors to XYZ areas of control, and display appropriate courtesy at all times;
- must consult with XYZ General Manager, or nominated liaison person, especially when identified hazards are out of the Contractor's control.

#### 4. PROCEDURE

- All government (including regional and local government) legislation and regulation, standards and codes-of-practice relating to contractors in, and around, XYZ workplaces must be adhered to wherever practicable;
- Safe work procedures must be prepared, and all associated risks must, as far as is practicable, be identified and assessed;
- Control methods must be implemented where appropriate, and the risk of injury from any contractor operation eliminated or reduced so far as is practicable;
- Procedures shall include (but not be limited to) the following steps:
  - A representative of XYZ must meet with the contractor before work starts and review the safe work procedures and obligations;
  - Contractors' qualifications must be checked against the task to be performed (eg electrical work must be carried out by qualified electricians - ask for the licence to be produced, and photocopy same);
  - Contractor's insurance policies and reference numbers - particularly workers compensation and public liability - must be noted, and be current. The document "Subcontractor Statement Form" must be filled-out and signed by the subcontractor;
  - Contractors must understand their own obligations under the Act;
  - Contracts of service with contractors must include a paragraph indicating they have read XYZ WHS Policy and any specific procedures relevant to the work to be carried out and agree to adhere to it. *This paragraph must be signed by the contractor.* Note that where a contractor's own WHS procedures exceeds the XYZ WHS procedures for a task, then the contractor may adhere to their own procedure (and are advised to do so);

- Contractors must supply and sign work method statements for each part of the operation being contracted;
- Contractors must be aware their work on behalf of XYZ is occasionally in areas other than XYZ owned premises, and WHS issues involving those premises (as decreed by the controllers of those premises) may require adherence to those issues. In event of conflicts of interest, a XYZ representative must be immediately consulted;
- Considerations must be given by Contractors regarding any barricading of works, to ensure such barricades take into account the fall arrest of all persons likely to enter the work area, whether through legal purpose or trespass. Barriers of a cloth or rope nature may not be sufficient in some instances;
- Contractors must be held accountable for their effect upon the environment in, and adjoining, XYZ controlled areas. Where any notable environmental issue is likely to arise in the contract, these environmental issues must be documented, and controls outlined. Occasionally, this may include proof of where prescribed environmental waste from the work area is to be dumped;
- Contractors should be informed their work practices will be under the surveillance of XYZ Workers from time-to-time to ensure safe and appropriate work is being carried out, and contractual obligations are being met;
- Where breaches of WHS policies and procedures are noted to have occurred by Workers of the contractor, the contractor must produce evidence of disciplinary procedure against the Worker(s);
- Where the contractor is themselves guilty of a breach of WHS policies and procedures, the contractor must be made aware this is a breach of the contract and disciplinary action may include immediate termination of the contract, and withholding of payment until and unless the situation is rectified;
- All meetings with contractors are to be minuted and signed by each party to the meeting;
- **Remember: *Work may be contracted out, but WHS responsibilities cannot.***

## 5. TRAINING

### Management

All management personnel involved in the hiring of contractors and their control shall be appropriately trained in the procedures and requirements of contractor surveillance to ensure WHS needs are fulfilled, as well as delivery of quality goods and services.

## **Workers**

All Workers shall be apprised of hazards upon induction to their job. At induction and refresher training, all XYZ Workers shall receive training covering the following areas:

- overview of problems with contractors in industry generally;
- likely effects arising from incidents involving contractors;
- explanation of the risk factors;
- summary of the legislative approach;
- hierarchy of control measures and options for control of risk;
- contractor control procedures

Such training will take into account any issues involving contractors identified in the safe work procedures relevant to the job description. *Special note will be made of any contracted work of a high risk nature.*

All Workers shall receive training appraisal at least annually, and where identified, receive refresher and/or additional training to meet any changed circumstances.

## **6. References**

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 5, part 2: [General WHS Policy](#) p.5.02-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 9, part 1: [WHS Inspection Checklists](#) p.9.01-1; Chapter 9, Part 8: [Job Safety Analysis & Safe Work Procedures](#) p.9.08-1; Chapter 9, part 9: [Workplace Safety Rules](#) p.9.09.1; Chapter 9, part 10: [Visitor Sign-in](#) p.9.10-1.
- The Act: ss.17-29.
- The Reg.
  - Safe Work Australia, Codes of practice: 'How to manage health and safety risks'; 'Work health and safety consultation, coordination and cooperation'; 'Managing the Work Environment and Facilities'.

# CHAPTER 9: CHECKLISTS AND FORMS

## 1. PURPOSE

### “A Short Pencil Defeats a Long Memory”

Stuart Begley

Under legislation, XYZ is required to keep systematic records of the manner in which it addresses WHS issues.

Various checklists and forms provide part of the proof of day-to-day planning for, and adherence to, safe systems of work.

These documents also provide a valuable resource for reviewing the safety systems and improving those systems from time-to-time.

## 2. SCOPE

Due to the nature of checklists and forms in use in an organisation, each will have its own peculiar disciplines and boundaries. For example, the scope of the ‘Office’ inspection checklist will be *physically* confined to the office area, though there may be *psychological* issues arising from dealing with situations *outside* the physical boundary, as in dealing with a difficult client over the telephone.

The [safe work procedure](#) (SWP) forms (page 9.08-1) have as their ‘scope’ the workplace *task* each one is prepared for, and so on.

*Time* is also a factor when considering the *scope*. Some checklists and forms will require more active and timely application than others, including the need to assess the critical nature of some areas, and apply checks as may be required by legislation (eg a fire extinguisher check is required to be carried out by a qualified testing authority every 6 months; an electric lead in a ‘hostile’ environment eg a construction area where leads may be subjected to high use and abuse requires a ‘test and tag’ procedure once a month to comply).

## 3. RESPONSIBILITIES

### XYZ General Manager

*Within the context of the responsibilities outlined in [WHS Responsibilities of XYZ General Manager](#) (page 6.01-1), the General Manager:*

- must understand the terms of the Act s.17 regarding and risk elimination or minimisation, s.18 re. ‘reasonably practicable’, and s.27 re. due diligence’;

- must accept the obligation to ‘identify’ hazards and their associated risks, ‘assess’ those risks, and to then either ‘eliminate’ the hazards or take appropriate steps to ‘control’ the risks. It is the responsibility of the XYZ General Manager to ensure all ‘reasonable’ and ‘practicable’ steps have been taken to fulfil these requirements;
- must ensure an appropriate system is in place to identify hazards, and supervisory staff are competent in the use of those systems. For example, checklists are an important tool for the systematic discovery of extant hazards;
- coordinate, or assign a direct subordinate (who reports direct to the XYZ General Manager) to coordinate, the establishment and application of a hazard identification system.

### **Supervisory staff, including Workers occasionally designated as team leaders**

*Within the context of the responsibilities outlined in [WHS Responsibilities of Supervisory Staff](#) (page 6.01-3), Supervisory Staff:*

- ensure appropriate and timely WHS inspections are part of the routine running of the department;
- must assist in the preparation of checklists that are considered adequate for the geographic and/or systems areas under their control;
- assist and actively encourage staff under their control to complete such checklists as are considered necessary from time-to-time – refer to the heading ‘Scope’, above;
- encourage staff to actively record each hazard they *consider* unsafe and to raise any issue they consider critical, immediately;
- request the assistance of the HSRs as required.
- ensure follow-up is provided for any issues raised;
- should consult with previous checklists to ensure similar situations are not regularly arising;
- assist HSRs when the HSRs are carrying out their own inspection of the department;
- ensure Workers under their control understand the necessity to cooperate in the use of hazard identification check-lists;
- notify the XYZ General Manager immediately should any WHS issue arise that is out of the control of the Supervisor.

**NOTE THAT CHECKLISTS ARE AN EXCELLENT TOOL FOR SUPERVISORS TO BE KEPT INFORMED AS TO THE SAFETY OF THEIR DEPARTMENT. THEY ASSIST THE SUPERVISOR TO FULFIL AUDIT DUTIES QUICKLY AND EFFICIENTLY BY ENSURING AUDITORS (USUALLY THE WHS REPS VIA INTERNAL AUDITS, BUT THE ESSENCE OF THE ISSUE APPLIES ALSO TO EXTERNAL AUDITS) HAVE FILES TO QUICKLY REFER TO AND COMPARE AS THEY CARRY OUT THEIR 'GAP ANALYSIS' OF THE SAFETY SYSTEM.**

## **WHS Representatives**

*Within the context of the responsibilities outlined in [WHS Responsibilities of WHS Representatives](#) (Page 6.01-4), WHS Representatives:*

- consult with Workers and supervisory staff in the area covered by the checklist;
- carry-out follow-up audits they consider necessary after reviewing the checklists;
- make use of completed checklists from previous inspections in carrying out current inspections or WHS systems audits;
- review the checklists from time-to-time, in consultation with the various stakeholders, but especially after any incident has been reported from the area covered by the checklist;
- report any issues considered critical directly to the General Manager.

## **Workers**

*Section 28 of the Act places obligations on Workers to assist the employer in ensuring the area, and the manner, in which they work is safe. Workers have a duty to speak-up on WHS issues they discover in the workplace, its goods and services, and checklists provide a reminder of what to look-out for. Within the context of the responsibilities outlined in [WHS Responsibilities of Workers](#) (page 6.01-6), Workers:*

- ensure any checklist they have been provided is thoughtfully and truthfully answered;
- should consult with previous checklists to ensure similar situations are not regularly arising;
- ensure anything that is not understood is highlighted for later discussion with their supervisor;
- assist the HSRs to carry out inspections in the relevant work area;
- raise any issue they consider critical with their supervisor (this includes any issue that they see in a part of the workplace that is not part of the Worker's normal area of duty (for example, a Worker from finance might see a hazard in the call-centre area);
- participate, from time to time as may be requested, in carrying out inspections of areas outside their normal sphere of business (the assistance of persons who normally do not enter other work areas can be a boon since they may discover hazardous situations that entrenched workers have become used-to).

## **Worker Contractors:**

Are to follow [Contractor Control](#) (page 8-1) procedures, and though not permanent workers in the environment, contractors may also be asked to participate in preparation of inspection checklists.

## **Visitors:**

Similar to 'contractors', visitors may be asked to participate in an inspection checklist.

## **4. PROCEDURES**

In the establishment and application of a safety management plan for XYZ, management will identify the various documents required for the safe working of XYZ in both its workplaces and the goods and services it provides. Among these documents should be checklists suitable for the various areas.

As described in the 'Scope', and 'Responsibilities', each checklist and form will have its own peculiar area of responsibility (eg workshop, with the potential for 'live' electrical work), and may include several other areas of responsibility (eg fire evacuation preparedness, where other departments have to coordinate with each other).

Ideally, once a document is accepted as an official part of the working system (whether WHS related or not), that document should indicate which stakeholders are likely to take responsibility for its application. This may simply be indicated by a 'sign-off' and dating of the sheet by a stakeholder – for example a receipt of goods from a courier, or it may be included as very specific title on a procedure – for example the General Manager's signature at the bottom of the official XYZ WHS Policy.

Since documentation has the following points:

- Duplicable
- Demonstrable
- Plans, actions and reviews
- Legal requirement in some cases
- Reflects commitment
- Homogenous - same information is seen/heard by all relevant staff
- Available to all appropriate staff
- Professional
- Educates
- Promotes discussion/debate
- Easy to review
- Can be revised
- Limits interpretation



- Looks good/pride in work, and is, in many cases, specific to the individuals task, the majority of forms and checklists are self-explanatory (*a number of checklists and forms carry their own procedural instructions*).

***If a person is unable to understand the application of a particular document relating to their work for XYZ, they must bring this to the attention of their supervisor, and/or WHS Representative.***

## 5. TRAINING

### Management

- All persons involved in the management of XYZ should be aware of their responsibilities regarding documentation pertaining to their area of responsibility as defined in their job description.
  - This will include the need to know what documentation is required to be supplied to, and from, staff being managed.
- In particular, those involved in day-to-day management should receive training in:
  - the use of WHS incident reporting procedures and their application for the prevention of future incidents;
  - the preparation of Job Safety Analyses and their conversion to *safe* work procedures – Document 9.2. *Note these may also include the application of other forms such as the ‘manual handling worksheet’ – Document 9.7.*

### All stakeholders

- Where any documentation is found to be required as part of stakeholder’s work contract (whether employee or contractor), that stakeholder is to be instructed in the use of that documentation;
- Stakeholders must apply those instructions – *unless there is a concern that such instruction may lead to a breach of the safety system.*

***NOTE THAT ALL STAKEHOLDERS ARE TO BE ENCOURAGED TO SPEAK-UP IF THEY DO NOT UNDERSTAND DOCUMENTATION THEY ARE REQUIRED TO WORK WITH.***

## 6. REFERENCES

- **XYZ WHS Manual:** Chapter 3: [Planning for Safety](#) p.3.01-1; Chapter 4: [Legislation](#) p.4.01-1; Chapter 5: [WHS Policies and Procedures](#) p. 5.01-1; Chapter 5, part 2: [General WHS Policy](#) p.5.02-1; Chapter 5, part 3: [Manual Handling Policy](#) p.5.03-1; Chapter 6: [Management Procedures](#) p.6.01-1; Chapter 6, part 2: [Grievance and Discipline](#) p.6.02.1; Chapter 6, part 3: [Consultation](#) p.6.03-1; Chapter 8: [Contractor Management](#) p.8-1; Chapter 9, Part 8: [SJob Safety Analysis & Safe](#)

[Work Procedures](#) p.9.08-1; Chapter9, part 11: [Manual Handling Worksheets](#)  
p.9.11-1; Chapter 9, part 1: [WHS Inspection Checklists](#) p.9.01-1

- The Act: s17-29.
- The Reg.: 6.
- Safe Work Australia codes of practice: 'How to manage work health and safety risks';  
'Managing the Work Environment and Facilities'.

**“REMEMBER: TOTAL INSPECTION = TOTAL PROTECTION...”**

**DRW**

**“... BUT CAN I AFFORD IT?” ONE OF DRW'S CLIENTS**

Most of the time, a compromise is taken on the complexity of an inspection. Obviously, we would not lift every acoustic ceiling tile in an accountant's office and examine each piece of dust we found there. *Were the area to become a designated laboratory clean-room, however, then we might gather every spot of dust, every piece of detritus that gathered there, and run an analysis to ensure no spores, no radioactive materials, etc. etc. existed that may contaminate our laboratory work in some unplanned manner.* Each workplace has to consider the economics of the inspection process for its own need, and develop inspection checklists that would be considered to achieve what any similar *prudent* business might achieve *in similar circumstances*.

The primary role of a checklist is to assist in recognising hazards that exist in the work environment. At XYZ, the checklists include the working premises of the following:

- office;
- workshop;
- chemical storage and handling;
- emergency control gear.

The personnel system is considered also, with WHS checklists for:

- management;
- staff.

The checking of personnel practices should include the interaction with the employees of any other business involved with XYZ. As such, appropriate checklists cannot – and should not – be prepared until a more complete overview of the tasks at hand is appraised. In the meantime, there are a number of pertinent questions which may be applied, and which can be used in forming a more comprehensive checklist once full operations are underway.

To this end, generic checklists are attached suitable for adding to the specific site manual.

Checklists are not for the immediate purpose of assessing nor controlling hazards. They are to act as reminders of things to look for and focus on, when in the process of inspecting the workplace to identify hazards. Therefore, during an inspection, the concerns of risk assessment and hazard control need not be considered until the relevant WHS consultative personnel and/or relevant supervisor receives the list and carries out these duties.

If a hazard is noticed during the inspection that *does* require immediate attention, the supervisor for that section must be notified. If this hazard (or any others for that matter) is repaired while the inspection is in progress, it is very important to still note down the hazard, and what was actually done to control the risk while you were there. The idea is that a poorly maintained piece of equipment might be immediately repaired while you are there *this* time, but may be noticed as being poorly maintained during the *next* visit, which may indicate a *culture* of unsafe activity is growing in that area.

The inspection lists that follow are not comprehensive. An inspection list should always be added to during the inspection if the investigator feels it is necessary to do so. Space has been left throughout the checklist for additions. Any items considered superfluous to the checklist should be discussed within the WHS consultative mechanism and removed if the consultative mechanism agrees.

*Note that all personnel in the area being checked should feel comfortable to comment on the creation of checklists and any review. Also, as with other parts of this Manual, inspection checklists must undergo annual review (or sooner should an incident occur in the area concerned).*

As mentioned earlier, the full XYZ Inspection Checklist collection would include checklists relevant to various XYZ head office 'permanent' geographic areas, with several systems-type areas to be added, including management, staff and contractors, as well as Client-controlled sites where XYZ staff may work from time to time, at the request of the Client. Each checklist should be designed to be capable of a 'stand-alone' use, which means each one has areas of repetition (eg electrical items). However, the principle is that each list may be passed-on to a department and the incumbents in that department can occasionally go through the list themselves, providing a sense of 'ownership' of the list.

Generally, checklists are not complicated, and allow for personnel with a minimum of WHS training to actively and meaningfully participate in workplace safety. More complicated items or items which the person does not feel comfortable about monitoring, must be checked by persons who do have the skills. Some fixtures and fittings may be checked for obvious signs of breakdown by a lay-person, but a more skilled person may be required – by law – to carry out an *accurate* check. Examples would include emergency gear such as fire extinguishers (must be checked by certified fire engineering personnel), and balancing valves in some designated hot water systems (a licenced plumber to check).

## **Using the checklists**

Beneath each major area heading in the samples, is an outline of parts of the Act and the Reg., plus other references, to assist in understanding the area and related WHS responsibilities.

Then, there are three general headings as follows:

1. Item to check
2. Satisfactory (sub-divided into: Yes/No/?)
3. Comment.

**1. Item to check:** refers to the specific item or system being considered (eg Stairways; Hand-held tools; Opportunity to discuss WHS, etc.)

**2: Satisfactory:** is broken down into 'Yes' - which indicates there is at least a satisfactory level of health, safety and welfare associated with the plant, substance or procedure; 'No' - which indicates the plant, substance or procedure is below what should be attainable within the facility; '?' - which indicates an unknown or a variation to consider relating to either of the other answers (for example, the general overview of the plant, substance or procedure may be *very* positive, and 'Yes' is ticked. However, there may be one flaw that disturbs the overall integrity, and so '?' is ticked as well.

**3. Comment:** allows for a commentary on the WHS status of the item being checked, including "I don't know" options.

## **SAMPLE CHECKLIST CONTENTS**

- 9.02 Office Area
- 9.03 Workshop
- 9.04 Chemical Storage and Handling
- 9.05 Emergency Control Gear
- 9.06 Management WHS Views
- 9.07 Staff WHS Views

## Part 9.02 OFFICE AREAS

The Act s. 17 covers duty of PCBU to manage risk; ss.19,20,21 cover duty of PCBU generally, and in control of a workplace and its fixtures, etc.;

Item to check (Add additional items you feel require checking)	Satisfactory (Tick appropriate box. Tick <input type="checkbox"/> if unsure, & WHS Reps will follow-up)			Comment (Add notes if required)
	Yes	No	?	
Lighting is appropriate				
Ventilation (general) is appropriate				
Ventilation adjacent to photocopy machine is appropriate				
Emergency fire protection is available				
Emergency fire protection is regularly checked and maintained				
Floor clear and tidy				
Integrity of floor is maintained to be anti-slip				
Walkways are not blocked				
Workbenches, desks, drawers in good working order				
Work benches, desks adjustable to suit individual useage				
Work stations capable of being set-up for individual ergonomic needs				
Work stations are <i>actually</i> set- up for individual ergonomic needs				
Computers (and peripherals) are in good working order				
Computers (and peripherals) are adjustable to suit individual needs (for example, monitor height, screen brightness and contrast)				
Seating individually adjustable to suit prolonged seated work				
Seating is in good condition				
Footrests available				

Footrests <i>in use</i> where applicable				
Filing cabinets in good condition				
Filing cabinets are sign-posted re potential to topple if unbalanced when open				
Shelving and cupboards neat and tidy and clean of rubbish				
Shelving and cupboards designed to support weight of stored goods				
Electrical appliances in good working order				
Electrical leads in good order				
Electrical leads tagged				
Electrical leads not stretched				
Electrical power points/switches in good working order				
Electric power points not overloaded with power boards/double adapters				
Residual current devices/earth leakage circuit breakers available				
Residual current devices in use				
Sharp implements are suitably stored				
Sharp edges on furnishings are marked or edged in protective covering				
INSPECTION CARRIED OUT BY:		DATE:		
.....		.....		
SIGNATURE				
(PLEASE PRINT NAME CLEARLY): .....				



## Part 9.03 WORKSHOP

The Act s. 17 covers duty of PCBU to manage risk; ss.19,20,21 cover duty of PCBU generally, and in control of a workplace and its fixtures, plant etc.

Item to check (Add additional items you feel require checking)	Satisfactory (Tick appropriate box. Tick <input type="checkbox"/> if unsure, & WHS Reps will follow-up)			Comment (Add notes if required)
	Yes	No	?	
<b>Workshop</b>				
Lighting is appropriate				
Ventilation is appropriate				
Emergency fire protection is available				
Emergency fire protection is regularly checked and maintained				
Integrity of floor is maintained to be anti-slip				
Floor clear and tidy				
All machinery has been checked for appropriate guarding by a competent person				
All machinery requiring guarding has been fitted with that guarding				
Where guarding has been fitted, that guarding is in good condition				
Where guarding has been fitted, that guarding is correctly used				
Where guarding has been fitted, only authorised personnel are to remove that guarding				
Where guarding has been fitted, appropriate energy isolation procedures are in place for use by authorised personnel				
Where energy isolation procedures exist for authorised personnel, those procedures are followed				
Workbenches appropriate for maintenance work				
Seating suitable for work at				

bench				
Tools are suitable for majority of maintenance jobs				
Tools in good working condition				
Tools neatly stored				
Hand-cleaning creams/liquid soaps available				
Personal Protective Equipment available				
Close direct-body or bodily-fluid contact PPE is <i>personal</i> (eg gloves, masks, goggles)				
Shelving neat and tidy and clean of rubbish				
Shelving designed to support weight of stored goods				
Damaged goods tagged				
Petroleum/gas fuel-driven devices stored in manner that prevents leaks				
Petroleum/gas containers appropriate for use				
Petroleum/gas cylinders appropriately checked and good order				
Containers of chemicals appropriate for the chemical				
Containers of chemicals appropriately labelled				
Paints and sealants are properly labelled				
Paints and sealants are properly stored				
Electrical leads in good order				
Electric leads are tagged and within current inspection period				
Electrical power points/switches in good working order				
Electrical work is carried out by suitably qualified personnel				
Sharp implements are suitably stored				
Sharp edges on furnishings are marked or edged in protective covering				

INSPECTION CARRIED OUT BY:			DATE:	
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<b>SIGNATURE</b>				
(PLEASE PRINT NAME CLEARLY): .....				

## Part 9.04 CHEMICAL STORAGE & HANDLING

The Act s. 17 covers duty of PCBU to manage risk; ss.19,20,21 cover duty of PCBU generally, and in control of a workplace and its fixtures, etc.;

The Reg., chapter 3 covers 'general risk and workplace management', and includes hazardous substances as well as plant and machinery, etc.

Safe Work Australia codes of practice: Managing Risks of Hazardous Chemicals in the Workplace; Preparation of Safety Data Sheets for Hazardous Chemicals; Labelling Hazardous Chemicals

Building Code of Australia *plus local government by-laws.*

Item to check (Add additional items you feel require checking)	Satisfactory (Tick appropriate box. Tick <input type="checkbox"/> if unsure, & WHS Reps will follow-up)			Comment (Add notes if required)
	Yes	No	?	
Chemicals are re-assessed for improved controls (eg substitution of less dangerous chemicals to do job) when purchasing new stock				
Area is locked when unattended				
Unauthorised access to area is restricted				
Staff with access to the area are appropriately trained				
Staff with access to particular chemicals are aware of appropriate use of that chemical				
Staff with access to particular chemicals actually apply appropriate use of that chemical				
Staff keep amounts of chemicals at workstations to a minimum				
Staff return excess chemicals to proper storage areas at end of shift				
Staff training includes appropriate disposal of used/superfluous chemicals				
Electrical switchgear is appropriate for potential explosive atmosphere				
Electrical power points/switches in good working order				

Electrical work is carried out by suitably qualified personnel				
Area is appropriately earthed to reduce static sparking				
Emergency fire protection is available				
Emergency fire protection is regularly checked and maintained				
Emergency spill equipment is available				
Emergency spill equipment is checked and maintained				
Emergency spill gear is used when appropriate				
Purchasing officer ensures chemical orders are accompanied with request for Safety Data Sheet (SDS)				
SDS are available				
SDS are current				
SDS are easily accessed				
SDS are used appropriately				
Floor clear and tidy				
Workbenches appropriate for decanting purposes				
Seating suitable for work at bench				
Muscular/skeletal issues are considered in manual handling of containers for storage and decanting				
Tools are suitable for chemical handling				
Tools in good working condition				
Tools neatly stored				
Hand-cleaning creams/liquid soaps available				
Personal Protective Equipment available				
Close direct-body or bodily-fluid contact PPE is <i>personal</i> (eg gloves, masks, goggles)				
Shelving neat and tidy and clean of rubbish				
Shelving designed to support weight of stored goods				
Damaged containers are disposed of				

Petroleum/gas stored in manner that prevents leakage impacting on facility				
Petroleum/gas containers appropriate for use				
Petroleum/gas cylinders appropriately checked and in good order				
Containers of chemicals appropriate for the chemical				
Containers of chemicals appropriately labelled (including small amounts of decanted chemicals)				
Excess decanted chemicals are recanted at end of shift				
Compatibility of chemicals stored is appropriate (avoid chemical mixtures where synergy is likely: fertilizer not stored with diesel; pool chlorine stored away from brake fluid, etc.)				
Soft-drink containers are not used				
Eye-wash/emergency shower devices immediately available to users				
Open top and glass containers are not used				
Sharp implements are suitable stored				
Sharp edges on furnishings are marked or edged in protective covering				
INSPECTION CARRIED OUT BY:		DATE:		
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(PLEASE PRINT NAME CLEARLY): .....				

**Part 9.05 EMERGENCY CONTROL GEAR**

The Act s. 17 covers duty of PCBU to manage risk; ss.19,20,21 cover duty of PCBU generally, and in control of a workplace and its fixtures, etc.; ss.35-39 covers 'notifiable incidents';

The Reg., chapter 3 covers 'general risk and workplace management', and includes hazardous substances as well as plant and machinery, etc. The chapter covers first aid and emergency planning also.

Item to check (Add additional items you feel require checking)	Satisfactory (Tick appropriate box. Tick <input type="checkbox"/> if unsure, & WHS Reps will follow-up)			Comment (Add notes if required)
	Yes	No	?	
<b>Emergency control gear</b>				
Fire fighting gear is strategically located				
Fire fighting gear is tagged and testing is current				
First-aid kits are strategically located				
First aid kits are topped-up and check-book of contents is current				
Incident and injury register is available				
Incident and injury register is used appropriately				
Evacuation plans are displayed in accessible places				
Evacuation routes are regularly physically walked through				
INSPECTION CARRIED OUT BY:		DATE:		
..... <b>SIGNATURE</b>		.....		
(PLEASE PRINT NAME CLEARLY): .....				

## Part 9.06 MANAGEMENT WHS VIEWS

The Act s. 17 covers duty of PCBU to manage risk; s. 18 covers 'reasonably practicable'; ss.19,20,21 cover duty of PCBU generally, and in control of a workplace and its fixtures, etc.; s.27 covers the duties of 'Officers' of the PCBU, and 'due diligence'.

The Reg., chapter 3 covers 'general risk and workplace management', and includes hazardous substances as well as plant and machinery, etc.

The Safe Work Australia code of practice 'Work Health and Safety Consultation Cooperation and Coordination' also provides some benchmarking.

Item to check (Add additional items you feel require checking)	Satisfactory (Tick appropriate box. Tick <input type="checkbox"/> if unsure, & WHS Reps will follow-up)			Comment (Add notes if required)
	Yes	No	?	
Understands overall nature of PCBU operation				
General awareness of WHS management responsibilities known				
WHS management/supervisory responsibilities specific to department known				
WHS is given top priority				
Reporting procedures known				
Staff induction completed				
Ensures other staff complete inductions within 2 weeks				
WHS training sufficient				
Ensures resources are available for safety				
Knows location of nearest first aid kit				
Emergency evacuation sound(s) known				
Evacuation procedure known				
Response to last WHS issue raised				
WHS Consultative process and/or WHS representative known?				
Job description sighted				
Safe work procedures for job description sighted				
Knowledge of grievance and discipline procedures				



Applies discipline in appropriate manner				
Applies discipline in timely manner				
Actively supports and participates in WHS matters				
INSPECTION CARRIED OUT BY:		DATE:		
<p style="text-align: center;">..... SIGNATURE</p>		<p style="text-align: center;">.....</p>		
(PLEASE PRINT NAME CLEARLY): .....				

## Part 9.07 STAFF WHS VIEWS

The Act s. 18 covers 'reasonably practicable'; s. s.28 covers the duties of 'Workers' of the PCBU.

The Reg., 22, 23 discusses dispute resolution.

The Safe Work Australia code of practice 'Work Health and Safety Consultation Cooperation and Coordination' also provides some benchmarking.

Item to check (Add additional items you feel require checking)	Satisfactory (Tick appropriate box. Tick <input type="checkbox"/> if unsure, & WHS Reps will follow-up)			Comment (Add notes if required)
	Yes	No	?	
General attitude to WHS				
Attitude to WHS at XYZ				
Can access safety manual				
Can use safety manual?				
Knows who immediate supervisor is				
Staff induction completed				
WHS training sufficient for tasks				
Has general knowledge of critical hazards in own work area				
Can access safety equipment if required				
Knows location of nearest first aid kit				
Knows the emergency evacuation sound for work area				
Knows evacuation procedure				
WHS consultation process known				
WHS consultation process understood				
Job description sighted				
Safe work procedures for tasks sighted				
WHS reporting procedures (incident/hazard identification; injury report, etc.) known				
Grievance procedures known				
Discipline procedures known				


INSPECTION CARRIED OUT BY: \_\_\_\_\_ DATE: \_\_\_\_\_

.....  
**SIGNATURE**  
.....

(PLEASE PRINT NAME CLEARLY): .....

**JSA? SWMS? WARA? WPRA? PreWRA? SAY WHHHAAAATTTT?!!**

A NUMBER OF TERMS & THEIR ACRONYMS POP-UP AROUND THESE CLOSELY RELATED TITLES. 'JOB SAFETY ANALYSIS'... 'SAFE WORK METHOD STATEMENT'... 'WORK ACTIVITY RISK ASSESSMENT'... 'WORK PLACE RISK ASSESSMENT'... 'PRE-WORK RISK ASSESSMENT' & SO ON (EVEN 'Post-WRA' - 'POST-WORK RISK ASSESSMENT' THAT IS A SORT OF DEBRIEF AND REVIEW OF THE COMPLETED WORK TO CONSIDER ANY NEW HAZARDS THAT MAY HAVE BEEN INTRODUCED). SHAKESPEARE IS USUALLY CREDITED WITH THE STATEMENT 'A ROSE BY ANY OTHER NAME WOULD SMELL AS SWEET' SO LIKEWISE, 'A THORN BY ANY OTHER NAME WILL SCRATCH AND PIERCE JUST AS WELL'.

THOUGH THE VARIOUS NAMES CAN BE APPLIED IN VARIOUS WAYS, THE ESSENCE STILL COMES DOWN TO A REVIEW & ANALYSIS OF THE WORK TO BE CARRIED-OUT, ALONG WITH WHO IS TO DO IT, WHO MAY BE AFFECTED, WHERE IT IS TO BE DONE, WHEN IS IT TO BE DONE, HOW IS IT TO BE DONE, & EVEN QUESTION 'WHY IS IT TO BE DONE', ETC.

AT THE CORE, WE ARE LOOKING TO SEE WHAT HAZARDS WE CAN DISCOVER THAT ARE LIKELY TO BE FACED BY ANY STAKEHOLDER IN THAT WORK & ITS COMPLETION.

AT XYZ, & FOR THIS CHAPTER, WE WILL LOOK AT THE 'JOB SAFETY ANALYSIS' (JSA) & THE 'SAFE WORK PROCEDURE' (SWP) DEVELOPED AFTER THE JSA.

**Transforming a 'Job Safety Analysis' (JSA) into a 'Safe Work Procedure' (SWP)**

A JSA review and analysis of that review should present us with a broad number of hazards to be taken into account as we prepare the tool – the SWP - that will assist us to navigate past those hazards and hazardous situations, in such a way as to eliminate, or mitigate – so far as is reasonably practicable - the risk associated with those hazards, etc.

**IT'S NOT ROCKET SCIENCE**

1. WHAT ENERGIES EXIST?
2. HOW ARE THEY CONTROLLED NOW?
3. HOW CAN THOSE CONTROLS FAIL?
4. WHAT CAN I DO TO PREVENT THAT FAILURE?
5. WHAT WILL HAPPEN IF FAILURE OCCURS?
6. WHAT CONTINGENCIES DO I NEED?

The JSA that requires a worker to regularly survey an activity associated with a workplace task, and to identify hazards, carry-out an assessment on the risks associated with the hazards, and to finally apply an appropriate control, is allowing for a larger number of variables, than the SWP which will have already taken the work from the JSA, and then applied the controls in its step-by-step instruction. It does not require the worker to ask questions, since the SWP is – *must be* – intrinsically *safe*. A comparative example, using the activity "Grinding end of bracket." A typical JSA asks "Is any PPE required for this activity" and the worker answers "Yes, I will need a pair of fully-enclosed safety goggles." The progression from here will then be the SWP which will read: "Before using grinder to grind end of bracket, fit pair of fully-enclosed

safety goggles.” That is, the JSA raises possibilities, and the SWP supplies solutions. The worker following the SWP does not have to work out the peripheral safety requirements, since they are already thought out. The worker can then concentrate on the core activity.

***The following notes refer to the checklist at the end of this section (page 9.08.6).***

The various fields are mentioned below, along with guidance as to what may be placed those fields. Note that some fields will need to be filled out toward the end when the WP is nearly completed (EG **Specialist Training** and/or **PPE** needs may not be at all obvious until the WP is near completion, and even then, once analysed, a review, using the ‘hierarchy of hazard control’ as a guide, may allow the team to discover controls that move up into the engineering of safe systems and no longer require administrative controls).

**Work Procedure (WP) for task of:** *(What is the task being described?)*

**Prepared by:** *(Name of person or persons preparing the WP. This should be done by consultation between the supervisor and the Worker(s) concerned. A skeleton of a WP can certainly be outlined firstly by the supervisor and then passed to the incumbent Worker(s) for fleshing out. Drafts should move back and forth until both supervisor and Worker(s) are happy with the result, then the supervisor can discuss this with the Department Manager who can then sign off on the finished statement. Note personnel involved in the WP consultative mechanism should be asked to contribute to the preparation during the final draft due to its collective safety knowledge.)*

**Date:** *(Date WP is prepared)*

**This task is part of Job Description(s):** *(List the job or jobs likely to include this task.)*

**Task is under supervision of:** *(List the name or names of supervisors or the title of the supervisor(s). Every Position in the facility will have someone to whom the Position holder reports. It is important to clearly define this within the job description itself, and to also consider conditions where a Worker may be given instruction associated with a particular task by another supervisor. For example, a cleaner may report to the Maintenance Supervisor, but may clean an area directly under the control of the Kitchen Supervisor. A SWP should spell out these sorts of routes of instruction, to enable all parties to know who is in control of a work area, and therefore who will be held accountable for acts or omissions in that area. The 'playing field' is marked for all to see where they stand at any one time.)*

**Task(s) is(are) carried out by:** *(List the name(s) of person(s) doing the work or their job title(s) EG Cleaner.*

**Qualifications required to fulfil the task:** *(What certificates, licences, etc. are required to do the job? Any special competencies? EG Car licence; Ability to work at heights?)*

**Specialist training required:** *(In conjunction with Qualifications - above - it may be noted there are special requirements for a new Worker to be trained in. EG a specialised piece of plant may be peculiar to the facility and it would be unreasonable to expect anyone from outside the business to know how to operate it.)*

**Legislation/codes of practice, etc:** *(Are there legislative requirements needed before we can move forward in the task? EG environmental demands to be met?)*

**Relevant authorities contacted:** *(The work may have to involve outside authorities. EG fire drill may need to have the local brigade notified; asbestos removal may require a state authority approval.)*

**Plant/substances required, etc.:** *(What tools, appliances, cleaning products, etc. might we need to do the work? EG cups and saucers, tea and milk to serve afternoon tea.)*

**Plant is within current maintenance period:** *(This relates to a maintenance assessment of any appliances, machinery etc. likely to be used to complete the task. EG a company vehicle may be out of registration.)*

**Personal protective equipment etc.:** *(Has the 'hierarchy of hazard control' been discussed? Is there a need for any PPE? What PPE is required? How will it be stored, maintained, etc?)*

**Emergency controls available and understood:** *(Handy to consider any specialised extinguisher or first aid gear peculiar to the task – eg CO2 extinguisher for when working around electricity; creature-specific anti-venene when working near dangerous insects, reptiles, etc. Perhaps a spill kit needs to be present. Also check these things are functional and within current test date.)*

**Any other SWPs that interacts with this SWP:** *(Consider any other activities that other workers have to adhere to, and that may interact with the activity at hand. Don't forget, some activities are **irregular**. For example, an overhead crane driver is following a SWP and regularly passes by; a machine operator has a noisy machine that is part of a regular production schedule; a pressure valve is irregularly scheduled for release as part of another SWP, and so on.)*

**Comments:** *(Any notes, reflections on the subject, etc. EG 'This task might best be carried out by a tall person...' 'Warn personnel that anyone likely to suffer upper-respiratory tract irritation is advised to wear higher-level breathing protection when working with this compound...')*

**WHS Consultation approved: and Date of approval:** (This should be signed-off by a member of the WHS Consultative team to indicate someone with some specific WHS awareness has read through the SWP.)

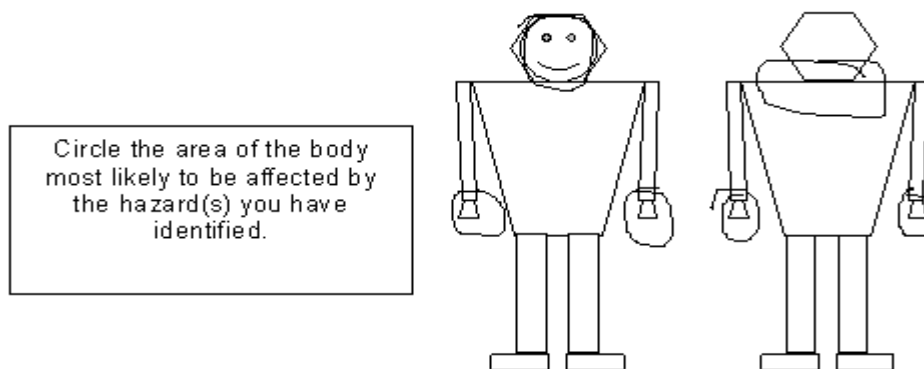
**Step-by-step processes, etc.: Step Number: and Process:** (The preparation of the SWP now begins in earnest. At first, all steps involved in a task may be jumbled together onto a big piece of paper for discussion and reflection, and then each step is considered in a chronological order, step 1, step 2, and so forth. The relevant process is listed in its order. EG If the task involved putting a tap into a container of spring water "Step 1: Place 20 litre drum on bench. Step 2: Fit tap into outlet provided... etc. )

**Likely hazard(s):** (This is where we consider and attempt to identify every possible hazard likely to impact on, or arise from, the particular step in the process. EG - using the above example of spring water, the likely hazards at step one may be **manual handling - lifting the container** and **slip, trip, fall**; at step two: **manual handling - twisting the tap** and **jamming fingers**). It is highly recommended that a firm consider preparing a stand-alone list of various hazards to consider to act as a reminder for the personnel filling out this document.

**Suggested controls:** (Any ideas on the things we need to do to prevent anyone getting hurt? EG Appropriate lifting devices? Use of PPE?)

**Part(s) of body likely to be affected in each of the above steps:**

(A rough sketch of the front and rear of the human body is recommended for use during the drafting of the SWP. The part(s) of the body affected - or likely to be affected - by the hazard(s) can be marked. For example, a person carrying on work outdoors may be affected by the sun. Assuming the person is wearing long sleeves and pants, the sketch might look like this:



**Though not specifically marked on the WMS chart, there is a chance to also apply a 'Risk Assessment' of the identified hazards, using such devices as 'Risk Matrix Calculators'. Using the matrix, allocate a likelihood vs outcome rating to each of the hazards. This assessment will give an idea of the priority we are to give each of the risks. In our example above, re the exposure to Ultra-Violet Radiation from the sun, we might allocate a rating of 3, since the likelihood is 'likely' and the outcome is medical attention and**

*possible time off work. Note, however, exposure to the sun can lead to death in some instances, should sunstroke occur, or cancerous melanomas form, however, in most situations, a '3' should be sufficient. Each case must be appraised, though, on its own merit, so if an unusual exposure to UVR is likely to occur, certainly consider rating the risk as higher.*

**A 'Work Procedure' becomes a 'SAFE Work Procedure' once each of the hazards is identified and assessed, and the relevant controls are applied.** *The 'hierarchy of hazard control' is to be considered, with the elimination of the hazard being the top priority. If this cannot be achieved we move down the hierarchy: can the risk associated with the hazard be reduced by engineering controls? Finally, we may have only the option of an administrative control, and even in the administrative controls, have to use PPE as the last resort.*

An example here may be the impact of psychological stressors on a manager who has an 'open door' policy to all persons under his/her control. The policy is admirable, but leads to discordant interruptions to the manager's regular workload. The policy cannot be eliminated, but perhaps the stressor can be administratively controlled with a touch of mitigation, by allowing the manager to advertise he/she is absolutely available for 'open door' discussion between 2pm and 4pm each day, and only in dire circumstances at other times.



#### Remember, a SWP:

- Is prepared in consultation with employer and employee (*Who knows the job best? Usually the person who DOES the job!*);
- Outlines the various Activities associated with each task;
- Considers other SWPs that may interact with this SWP;
- Identifies the hazards likely to be encountered while carrying out each of the activities;
- Assesses the risk associated with the hazards identified;
- Recommends appropriate control mechanisms for each of the risks associated with various hazards;
- Considers the following points:
  1. Responsibilities of each party to the work method statement;
  2. Is there any government agency approval required before the task commences?
  3. Any special training/certification required re the task?
  4. Any maintenance required?
  5. Any other legislative need?
  6. All stakeholders have signed off?
  7. Emergency considerations should a system failure occur, including:
    - First aid;
    - Fire;
    - Evacuation procedures;
    - Environmental protection/spill kits, etc.
  8. **Becomes a SAFE work procedure on how to do the task once there is no chance for injury, illness or damage to occur, provided the SWP is followed (within the imitations mentioned elsewhere).**

#### The SWP:

- Is usually site specific;
- Is the consecutive outcome from information gleaned in the JSA;
- Outlines the various activities associated with each task;
- Incorporates all actions needed to work safely in those outlines, including all controls for risk associated with the activities.



## Job Safety Analysis for inclusion in preparation of SWP for Task of:

Directions: The “Reviewing Team” shall:

1. Check each hazard reminder and consider if it applies to the task being reviewed. If so, tick the relevant box.
2. Add additional hazards/hazardous situations as required.
3. Initial all assessments that are relevant to the task;
4. Make additional assessments as required;
5. Send a copy of this initialled review to the responsible manager and WHS reps.
6. Provide a briefing to their team on the initialled assessments before their work commences,
7. Review the final SWP to ensure notes from this JSA are addressed.

CONSIDER THESE GENERIC HAZARDS	THESE HAZARDS EXIST IN RELATION TO THIS TASK	WHO MIGHT BE HARMED AND HOW?	WHAT ARE YOU ALREADY DOING?	DO YOU NEED TO DO ANYTHING ELSE TO MANAGE THIS RISK?	ACTION BY WHOM?	ACTION BY WHEN?	DONE	INITIAL RELEVANT ASSESSMENTS
<i>Slips and trips</i>		<i>Staff and visitors may be injured if they trip over objects or slip on spillages</i>	<ul style="list-style-type: none"> <li>• <i>Restrict general access to working Areas. Tidy work areas to be maintained.</i></li> <li>• <i>Cables to be taped down in walkways.</i></li> <li>• <i>Uneven surfaces are sign-posted</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Managers to review previous incidents and assess if procedures are adequate</i></li> </ul>	<i>All staff, supervisor to monitor</i>			
Falls from a height		Staff working from ladders and platforms may suffer serious, possibly fatal injuries if they fall from a ladder, scaffolding or working platform	<ul style="list-style-type: none"> <li>• Follow guidelines on working from a height.</li> <li>• Use only trained and experienced staff.</li> <li>• Staff setting up work platforms/scaffold towers must be trained &amp;</li> </ul>	<ul style="list-style-type: none"> <li>• Further training and instruction for working at a height. All works to be supervised.</li> <li>• Produce a SWP for this specific work.</li> </ul>	Supervisors to brief staff on safety procedures			

CONSIDER THESE GENERIC HAZARDS	THESE HAZARDS EXIST IN RELATION TO THIS TASK	WHO MIGHT BE HARMED AND HOW?	WHAT ARE YOU ALREADY DOING?	DO YOU NEED TO DO ANYTHING ELSE TO MANAGE THIS RISK?	ACTION BY WHOM?	ACTION BY WHEN?	DONE	INITIAL RELEVANT ASSESSMENTS
			<ul style="list-style-type: none"> <li>Staff operating cherry pickers are trained &amp; certified.</li> </ul>					
Manual Handling		Staff may suffer from carrying heavy or awkward objects including boxes, tables, crates, computers & rigging equipment	<ul style="list-style-type: none"> <li>Staff briefed on the correct lifting techniques.</li> <li>Mechanical lifting equipment used</li> </ul>	<ul style="list-style-type: none"> <li>Heavy equipment to be labelled with weight or with notice "Heavy Equipment"</li> </ul>	Review with staff to identify problems with current procedures			
Objects falling from a height		Staff working in areas where overhead work is taking place.	<ul style="list-style-type: none"> <li>Restrict staff access to areas where high level work is occurring.</li> <li>Hard hats to be worn by staff who need to work in areas where high level work is occurring.</li> <li>Announcements and visual indication to indicate where high level work is occurring.</li> <li>All suspended equipment to be checked by safety officer for integrity and that safety wires are connected.</li> <li>Survey work areas for loose equipment/structure</li> </ul>	<ul style="list-style-type: none"> <li>Further restrictions on staff access to working areas</li> <li>Check with contractors that safety wires/chains will be provided on flown equipment.</li> <li>Check to be added to survey checklist</li> <li>Safety staff to be extra vigilant and control access</li> </ul>	Area managers to add safety tasks to checklist			
Electric Shock		Staff installing or connecting electrical equipment	<ul style="list-style-type: none"> <li>Residual Current Devices (RCD's) fitted on electrical circuits to sense earth leakage currents and trip the</li> </ul>	<ul style="list-style-type: none"> <li>Add safety checks to managers checklist</li> </ul>				

CONSIDER THESE GENERIC HAZARDS	THESE HAZARDS EXIST IN RELATION TO THIS TASK	WHO MIGHT BE HARMED AND HOW?	WHAT ARE YOU ALREADY DOING?	DO YOU NEED TO DO ANYTHING ELSE TO MANAGE THIS RISK?	ACTION BY WHOM?	ACTION BY WHEN?	DONE	INITIAL RELEVANT ASSESSMENTS
			<ul style="list-style-type: none"> <li>• supply.</li> <li>• All relevant equipment to be earthed.</li> <li>• No equipment earths to be disconnected.</li> <li>• All equipment to be PAT tested regularly.</li> <li>• All equipment and leads, including extension leads to be checked in accordance with AS3760.</li> <li>• Use only Qualified Electricians for Electrical Installation work</li> <li>• Staff know how to safely turn off electricity in an emergency</li> <li>• Staff trained to spot and report any defective plugs, discoloured sockets, damaged cable &amp; switches and to take defective equipment out of use.</li> </ul>					
Electrical Fires		Staff & Guests may suffer serious, possibly fatal injuries from smoke inhalation, burns or structural collapse	<ul style="list-style-type: none"> <li>• Fit RCD's to electrical circuits to prevent electrical fires</li> <li>• Know location of and use of CO2 fire extinguishers</li> <li>• Staff know how to safely turn off electricity in an emergency</li> </ul>	<ul style="list-style-type: none"> <li>• Safety staff to be extra vigilant and be prepared for action or evacuation</li> </ul>				
Fires		Staff & Guests may suffer serious, possibly fatal injuries from	<ul style="list-style-type: none"> <li>• Annual Fire Risk Assessment.</li> <li>• No smoking policy in</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure Emergency Evacuation Procedures are</li> </ul>				

CONSIDER THESE GENERIC HAZARDS	THESE HAZARDS EXIST IN RELATION TO THIS TASK	WHO MIGHT BE HARMED AND HOW?	WHAT ARE YOU ALREADY DOING?	DO YOU NEED TO DO ANYTHING ELSE TO MANAGE THIS RISK?	ACTION BY WHOM?	ACTION BY WHEN?	DONE	INITIAL RELEVANT ASSESSMENTS
		smoke inhalation, burns or structural collapse	<ul style="list-style-type: none"> <li>workplace</li> <li>Rehearse evacuation procedures for fire situation</li> <li>Some Workers trained in use of fire extinguishers.</li> <li>Know sound of fire alarm and location of fire alarm call points</li> <li>Agree and rehearse emergency evacuation procedure with all workers</li> </ul>	available.				
Noise		Staff might suffer hearing damage from exposure to loud noise plant and equipment	<ul style="list-style-type: none"> <li>Limit the noise level</li> <li>Issue appropriate PPE</li> </ul>	<ul style="list-style-type: none"> <li>Monitor noise levels and review if further action required</li> </ul>				
Violence		Staff risk serious injury if assaulted or attacked	<ul style="list-style-type: none"> <li>Staff trained to deal with difficult clients and diffuse tense situation.</li> <li>Systems in place to call security/police</li> </ul>	<ul style="list-style-type: none"> <li>Managers to review past incidents to see if current procedures are adequate</li> </ul>				
Transport		Staff or guests may suffer serious injuries if struck by a vehicle e.g. during deliveries or entering or leaving car parks	<ul style="list-style-type: none"> <li>Vehicle areas to be supervised/controlled by safety staff</li> <li>Speed bumps</li> <li>Signage</li> </ul>	<ul style="list-style-type: none"> <li>Logistics &amp; safety staff to review and report</li> </ul>				
Transportation of equipment		Staff may suffer tiredness and risk	<ul style="list-style-type: none"> <li>Drivers to have back-up drivers to avoid excessive</li> </ul>	<ul style="list-style-type: none"> <li>Logistics Staff to Review and report</li> </ul>				

CONSIDER THESE GENERIC HAZARDS	THESE HAZARDS EXIST IN RELATION TO THIS TASK	WHO MIGHT BE HARMED AND HOW?	WHAT ARE YOU ALREADY DOING?	DO YOU NEED TO DO ANYTHING ELSE TO MANAGE THIS RISK?	ACTION BY WHOM?	ACTION BY WHEN?	DONE	INITIAL RELEVANT ASSESSMENTS
		accidents from loading, transporting and unloading equipment to and from sites	<ul style="list-style-type: none"> <li>• Drivers observe industry guidelines and local legislation.</li> <li>• Vehicles to be within weight restriction limits</li> </ul>	adequacy of current systems				
Fire loadings such as paper, cardboard cartons, etc.		Staff/visitors	<ul style="list-style-type: none"> <li>• Ensure boxes, etc. are flattened</li> <li>• Rubbish not accumulated <ul style="list-style-type: none"> <li>• Layout and design ensures that no exit signs are covered or visibility of signs obscured</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Regularly monitor</li> </ul>				
Knives		Food Service staff could suffer cuts from contact with sharp	<ul style="list-style-type: none"> <li>• Staff trained to handle knives</li> <li>• Knives suitably stored when not in use</li> <li>• First aid box provided and nominated first aider always available</li> </ul>	<ul style="list-style-type: none"> <li>• Only use trained or experienced kitchen staff</li> </ul>				
Contact with bleach and other cleaning & washing chemicals		Prolonged contact with water in combination with detergents can cause skin damage. Staff risk skin irritation or eye damage from direct contact with bleach and other cleaning products. Mixing of different cleaning chemical products can cause injury and even	<ul style="list-style-type: none"> <li>• Staff trained in use of cleaning products</li> <li>• Strong rubber gloves used when using cleaning products</li> <li>• All containers clearly labelled</li> </ul>	<ul style="list-style-type: none"> <li>• Use environmentally safe cleaning products</li> </ul>				

CONSIDER THESE GENERIC HAZARDS	THESE HAZARDS EXIST IN RELATION TO THIS TASK	WHO MIGHT BE HARMED AND HOW?	WHAT ARE YOU ALREADY DOING?	DO YOU NEED TO DO ANYTHING ELSE TO MANAGE THIS RISK?	ACTION BY WHOM?	ACTION BY WHEN?	DONE	INITIAL RELEVANT ASSESSMENTS
		explosions						
Machinery		Staff risk serious injury from contact with dangerous/moving parts on machinery	<ul style="list-style-type: none"> <li>Staff trained in machinery operating procedures</li> <li>All dangerous parts of machinery to be suitably guarded</li> <li>Checks on machinery guards before use</li> <li>Staff trained to spot and report any defective machinery</li> <li>Operating instructions available</li> </ul>	<ul style="list-style-type: none"> <li>Safety staff &amp; supervisors to carry out checks on equipment operators</li> </ul>				
Gas appliances		Staff, Visitors could suffer/fatal injuries as a result of explosion/release of gas	<ul style="list-style-type: none"> <li>Checks carried out daily on gas appliance controls</li> <li>Staff know where the main gas isolating valve is and how to turn the supply off in an emergency</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors to be more vigilant</li> </ul>				

**SUPERVISORS:** It is important you discuss your assessment and proposed actions with staff or their representatives. You should review your risk assessment if you think it might no longer be valid, eg following an accident in the workplace, or if there are any significant changes to the hazards in your workplace, such as new equipment or work activities.



**JSA summary for task of:**

**Page of**

**Prepared by:**

**Date:**

This task is part of Job Description(s):

Task is under supervision of:

Task(s) is(are) carried out by:

Qualifications required to fulfil task

Specialist training required:

Legislation/codes of practice to be met to fulfil task (eg demolition work/tree felling, etc.):

Relevant authorities contacted (eg underground cabling/gas or water pipes etc.):

Plant/substances required to fulfil task:

Plant is within current maintenance period:

Personal protective equipment (PPE) required:

Emergency controls available and understood:

Any other task that directly interacts with this task:

Comments:

**WHS Representative approved:**

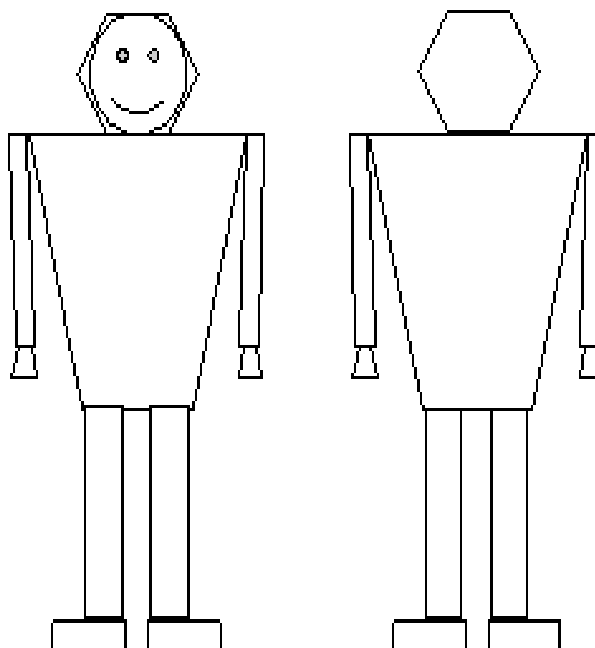
**Date of approval:**

**Step-by-step processes required to fulfil task (attach more pages as needed) Page of**

<b>Step No.</b>	<b>Process</b>	<b>Likely hazard(s)</b>	<b>Suggested controls</b>

Use this page to make additional notes regarding controls and suggestions

Circle the area of the body most likely to be affected by the hazard(s) you have identified.



**Safe work procedure (SWP) for task of:**

**Page of**

**Refer to JSA:**

Prepared by:

Date:

This task is part of Job Description(s):

Task is under supervision of:

Task(s) is(are) carried out by:

Comments:

**WHS Consultative mechanism approved:**

**Date of approval:**

**Step-by-step processes required to fulfil task (attach more pages as needed)      Page    of**

<b>Step No.</b>	<u>Process</u>

**Part 9.09 INCIDENT REPORT**

If possible, note the following aspects of the incident:

**Was anybody injured?** (See other side of sheet to report injury.)

**YES**  **NO**

**Where did it happen?** (Attach a sketch of site layout if possible, marking positions of all relevant plant and equipment, and position of any injured person)

**What happened?**

**When did it happen?**

**How did it happen?**

**Why do you feel it happened?**

**Who was involved?** (List names and addresses of all persons involved INCLUDING WITNESSES. Details of injured person(s) go on other side of this page. Use separate pages as required.)

**Full names of all relevant supervisors (site and/or personnel):**

**Full name of person making out this report:**

**Signature:**

**Address:**

(Attach other page(s) if you need more room.)

**TURN SHEET OVER TO REPORT ON INJURY  
ORIGINAL DOCUMENT TO REMAIN WITH INCIDENT BOOK, 2<sup>ND</sup> COPY TO BE FILED  
WITH SITE MANAGER; 3<sup>RD</sup> COPY TO BE PLACED IN WHS CONSULTATION FILE**

**INJURY REPORT** (Separate report for each injured person please):

Date and time of injury: DAY:      MONTH:      YEAR:      AM/PM:

Family Name of injured person:

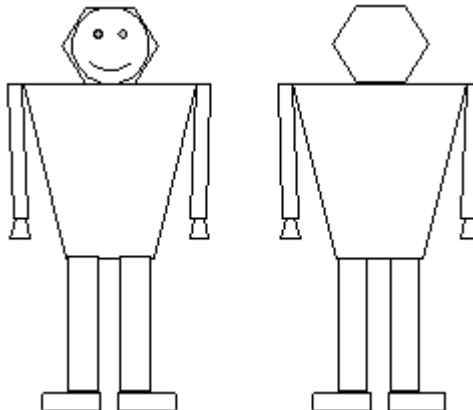
Given Name(s) of injured person:

Male  Female

Address of injured person:

Nature of injury:

Mark the part(s) of  
the body affected  
by the incident.



Treatment given:

Treating officer?

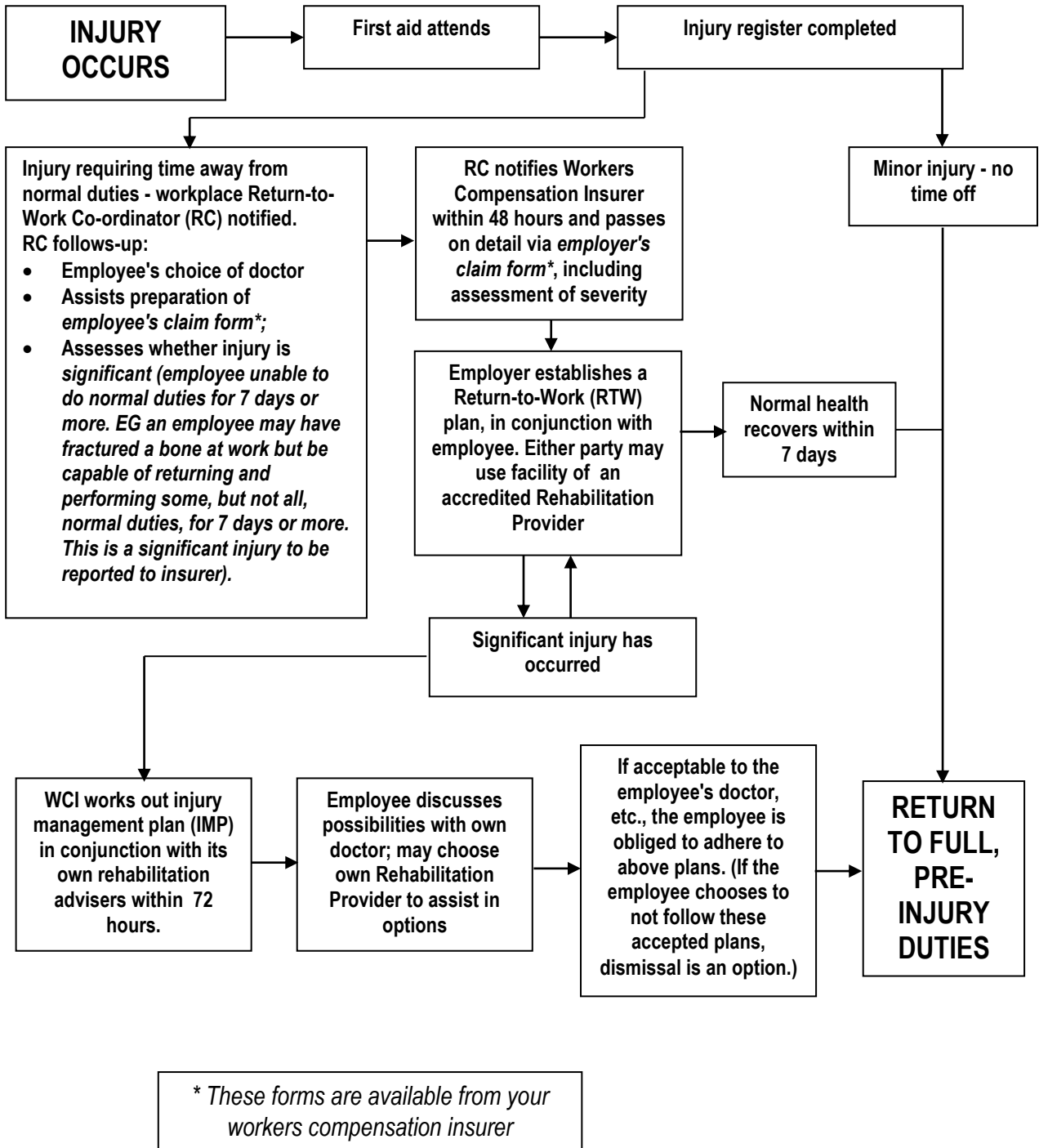
(Attach other page(s) if you need more room.)

**TURN SHEET OVER TO REPORT ON INCIDENT**

**ORIGINAL DOCUMENT TO REMAIN WITH INCIDENT BOOK, 2<sup>ND</sup> COPY TO BE FILED  
WITH SITE MANAGER; 3<sup>RD</sup> COPY TO BE PLACED IN WHS CONSULTATION FILE**

## Part 9.10 Injury Management Flow-Chart

(Read in conjunction with such XYZ WHS programmes as First Aid; Contractor Management and XYZ Grievance Procedures.)





## Part 9.11 XYZ WORKPLACE SAFETY RULES

- Safety is the prime consideration of XYZ management at this site.
- All persons must report to the XYZ office before commencing work.
- Entry to any part of this site is by permission of XYZ management only. Any infringement by unauthorised persons may result in legal proceedings being taken.
- All parties involved with this site, including XYZ management, employees, contractors, sub-contractors and visitors, must carry out activities in such a manner as to ensure the health, safety and welfare of each and every person affected by, or likely to be affected by, such activities, are not compromised.
- All persons permitted access to the site must conduct their movement (including movement of trolleys, tools, etc.) about the site in a safe and orderly manner, including staying within any barriers and/or boundary lines.
- All activities requiring licensed and/or certified personnel shall be carried out only by such persons. Any training needs relating to specific tasks must be assessed beforehand.
- All work of a hazardous nature such as work-at-heights, confined space work or live electrical work must be discussed with the principal manager for the relevant site prior to the commencement of such work. In any case, all such work must be carried out in accordance with all relevant legislation.
- No person is to undertake manual handling tasks without first assessing the load. *Can the load be machine lifted? Is a team lift required?*
- All signs must be obeyed. If you do not understand a meaning: ASK!
- Personal Protective Equipment must be worn in all designated areas where such equipment is required. No exceptions!
- Any electrical equipment entering this site must be tested and tagged by an appropriately authorised agency, in accordance with AS3760.
- All machinery entering this site must be within current maintenance period and appropriate documentation produced or available for checking by management.
- Any hazardous substances entering this site are to be registered with management, and appropriate safety data sheets supplied. No SDS: No entry: No exception!
- The following offences may result in offenders being dismissed (in the case of employees/volunteers/etc.) or banned (in the case of contractors, sub-contractors or visitors):
  - practical jokes, horseplay and so forth (including inappropriate behaviour toward passers-by);
  - use of recreational and/or illicit drugs in the site (or entering site whilst under the influence of such substances). Failure to comply may also result in the offender being handed over to police;
  - failing to adhere to danger tagging and lock-out procedures.
- First aid facilities exist on site for the assistance of any injured persons.
- Reporting procedures exist for incidents arising from the workplace, and must be adhered to by all parties. This includes a duty to report any incident or situation that has caused or may cause injury, illness or damage to personnel or plant, substances and/or buildings, in, or adjacent to, the site.
- All contractors and subcontractors must have in place insurances relevant to the work being carried out. WORKERS COMPENSATION insurance (if the contractor or sub-contractor has employees) and/or INCOME PROTECTION insurance (if a sole-trader), and PUBLIC LIABILITY insurance is absolutely essential. Proof of currency will be asked for by XYZ representatives. No insurance: No entry: No Exceptions.

**The WHS Act 2011 places an obligation on our facility to ensure the health and safety of all visitors. In order to assist us, you must read and adhere to the following points and procedures. Your signature in the visitors' book indicates you understand and accept these terms.**

- 1 Safety is not negotiable.**
- 2 You agree to adhere to XYZ WHS policies and procedures, and follow the instructions of XYZ staff. This includes following instruction in the use of, and the wearing of any personal protective equipment required.**
- 3 In any activity where WHS regulations or codes-of-practice apply, you must adhere to those regulations or codes. This includes holding an appropriate licence for any activity or plant requiring such licence.**
- 4 Any incident or injury or illness, or any hazard or hazardous situation likely to cause, or lead to, an incident, illness or injury, must be reported to a representative of XYZ as soon as is practicable.**
- 5 You must assess any manual handling tasks in such a manner as to not place your health and safety at risk.**
- 6 You must assess any hazardous substance handling in such a manner as to not place your health and safety at risk.**
- 7 Any plant belonging to XYZ must not be operated unless prior authority has been given by an authorised representative of XYZ.**
- 8 You must not bring any hazardous substance or plant in to a work area under the control of XYZ without prior discussion with a representative of XYZ.**
- 9 No work shall be carried out without notification to an appropriate representative of XYZ.**
- 10 If you are a contractor or subcontractor, you must not proceed until you are officially inducted into XYZ' WHS procedures for contractors and subcontractors, and signed the contractor/subcontractor control documentation as appropriate to the contract work.**

Part 9.13      **XYZ MANUAL HANDLING RISK MANAGEMENT  
WORKSHEETS**

**INTRODUCTION**

THE WORKSHEETS WERE PREPARED FROM REFERENCE TO THE *NATIONAL CODE OF PRACTICE FOR MANUAL HANDLING*, AND HIGHLIGHT THE MOST COMMON FACTORS SURROUNDING MANUAL HANDLING HAZARDS. *THERE MAY BE OTHER FACTORS YOU THINK OF RELEVANT TO THE SPECIFIC TASK YOU ARE ASSESSING. PLEASE NOTE THESE OTHER FACTORS AT THE END OF THIS WORKSHEET.*

**As with other hazards, we must demonstrate a reasonable attempt has been made to IDENTIFY the HAZARDS, ASSESS the RISKS associated with those HAZARDS, & then demonstrate that we have taken appropriate steps to ELIMINATE or CONTROL those RISKS to an acceptable level.**

NOTE THAT MANUAL HANDLING ISSUES HAVE MULTIPLE FACTORS, AND IT IS ONLY WHEN WE IDENTIFY EACH OF THOSE FACTORS THAT A FAIR ASSESSMENT CAN BE MADE, AND THAT WHILE WE CANNOT PERHAPS ELIMINATE EVERY FACTOR, WE MAY BE ABLE TO AT LEAST ELIMINATE ONE OR TWO, THUS MAKING THE TASK A LITTLE SAFER THAN IT WAS BEFORE.

Also note that each task considered to have a significant manual handling issue should have a specific Manual Handling Worksheet prepared and lodged with the task's SWP..

## XYZ MANUAL HANDLING WORKSHEETS: RISK MANAGEMENT – IDENTIFICATION & ASSESSMENT CONSIDERATIONS

PREPARED BY:

DATE:

TASK DESCRIPTION:

TASK LOCATION:

JOB NUMBER (IF KNOWN):.....

Has a Safe Work Procedure (SWP) been Prepared?	YES	NO
If YES, lodge copy of this worksheet with the master copy of the relevant SWP.		
If NO, lodge copy of this worksheet with Manager to be included in preparation of relevant SWP.		

The existence of any one of the following key risk factors (IE a “Yes” answer) indicates the need for further ASSESSMENT, with a higher degree of concentration on finding a method of CONTROL.

MOVEMENTS, POSTURE AND LAYOUT DURING MANUAL HANDLING	YES	NO
Is there frequent or prolonged bending down where the hands pass below mid-thigh height?		
Is there frequent or prolonged reaching above the shoulder?		
Is there frequent or prolonged bending due to extended reach forward?		
Is there frequent or prolonged twisting of the back?		
Are awkward postures assumed frequently or over prolonged periods, that is, postures that are not forward facing and upright?		
Are there jerky actions during the procedure?		
Are the loads unevenly distributed to each hand?		

TASK AND OBJECT	YES	NO
Is manual handling performed frequently or for long time periods by the employee(s)?		
Are loads moved or carried over long distances?		
Is the weight of the object:		
(a) more than 4.5 kg and handled from a seated position?		
(b) more than 16 kg and handled in a working posture other than seated?		
(c) more than 55 kg?		
<i>Note: Weight is not used to prescribe absolute limits, but is one of the important factors to be considered when assessing and controlling risk.</i>		
For pushing, pulling or other application of forces: are large push/pulling forces involved?		
Is the load difficult or awkward to handle? Does it block vision when moving? (Size/shape/temperature/surface?)		
Is it difficult or unsafe to get adequate grip of the load?		
Is load likely to shift suddenly? (Tumble/loose in container/animate?)		
Is load dirty/greasy?		


<b>WORK ENVIRONMENT</b>	<b>YES</b>	<b>NO</b>
Is the task performed in a confined space?		
Is the lighting inadequate for safe manual handling?		
Is the climate particularly cold or hot?		
Are the floor working surfaces/pathways cluttered, things in the way, uneven, slippery, soft, hard, or otherwise unsafe?		
Are things out-of-reach? (Too far, too high, too low?)		
Is there sufficient space to carry out all the manual handling motions?		
Are lifting tools are inaccessible/too hard to find/insufficient?		
Are lifting tools poorly maintained?		
Insufficient staff available to assist in team-lifts?		
Occasional rush periods occur?		

<b>INDIVIDUAL FACTORS</b>	<b>YES</b>	<b>NO</b>
Is the employee new to the work or returning from an extended period away from work?		
Are there age-related factors? Under 18? Over 40?		
Does the employee's clothing or personal protective equipment interfere with manual handling performance? (Too loose/too tight/limited vision/movement?)		
Is there a medical/health/disability issue?		
Is the worker taking drugs/pain-killers?		
Is there insufficient training in manual handling?		
Does individual's job have some aspect requiring specialist training?		
Workers do not feel comfortable to speak-up if unable to carry out specific manual handling tasks?		
Workers sometimes take short-cuts?		

**ANY OTHER FACTORS TO BE CONSIDERED:**

**XYZ MANUAL HANDLING WORKSHEETS: RISK MANAGEMENT – CONTROL TECHNIQUES**

PREPARED BY:

DATE:

APPROVED BY:

DATE:

TASK DESCRIPTION:

TASK LOCATION:

JOB NUMBER (IF KNOWN):

<b>ACTIVITY DESCRIPTION</b> (Refer to manual handling hazard identification and assessment sheets)	<b>SUMMARY OF CONTROL MEASURES</b> (Consider the Hierarchy: First choice: Eliminate (get rid of task); second choice: Engineer (alter the load; provide machinery); Third choice: Administrate (training in lifting techniques; team-lifting; signage)	<b>DATE TO BE IMPLEMENTED</b>	<b>WHO IS RESPONSIBLE FOR THE TASK?</b> (Authority to enforce?)	<b>DATE FOR REVIEW</b>

(Use more sheets as required. This is page ..... of ..... pages.)

## CHAPTER 10: **WHS Encyclopaedia**

*This encyclopaedia may be used as a stand-alone quick reference on safety issues generally, but mainly relates to terms used within this manual. As with any encyclopaedia, the reader may find it useful to add certain terms, or increase meanings to works or categories from time to time. Appropriate notes should be kept and passed on to the Manager for recommendations of this sort.*

### **Accessway**

See pathway.

### **Accident**

See incident.

### **Appendix**

Cross-referenced material providing additional information, and considered part of the primary information on a subject.

### **Attachment**

See **Appendix**.

### **Audit**

See **Safety Audit**.

### **Checklist**

The primary role of a checklist is to assist in recognising hazards that exist in the work environment. At XYZ, the checklists include the working premises of the following:

- office;
- production;
- warehouse.

*Personnel* are also a topic of any good WHS checklist.

The checking of personnel practices should include the interaction with the Employees of any Principal Client involved with their testing and auditing of the XYZ. As such, appropriate checklists cannot – and should not – be prepared until a more complete overview of the tasks at hand is appraised. In the meantime, there are a number of pertinent questions which may be applied, and which can be used in forming a more comprehensive checklist once full operations are underway.

Checklists are not for the immediate purpose of assessing nor controlling hazards. They are to act as reminders of things to look for and focus on,



when in the process of inspecting the workplace to identify hazards. Therefore, during an inspection, the concerns of risk assessment and hazard control need not be considered until the relevant WHS consultative personnel and/or relevant supervisor receives the list and carries out these duties.

**If a hazard is noticed during the inspection that *does* require immediate attention, the supervisor for that section must be notified. If this hazard (or any others for that matter) is repaired while the inspection is in progress, it is very important to still note down the hazard, and what was actually done to control the risk while you were there. The idea is that a poorly maintained piece of equipment might be immediately repaired while you are there *this* time, but may be noticed as being poorly maintained during the *next* visit, which may indicate a *culture* of unsafe activity is growing in that area.**

Inspection lists are not necessarily comprehensive. An inspection list should always be added to during the inspection if the investigator feels it is necessary to do so. Space is usually left throughout a checklist for additions. Likewise, any items considered superfluous to the checklist should be discussed within the WHS consultative mechanism and removed if the consultative mechanism agrees.

*Note that all personnel in the area being checked should feel comfortable to comment on the creation of checklists and any review. Also, as with other parts of a safety manual, inspection checklists must undergo annual review (or sooner should an incident occur in the area concerned).*

As mentioned earlier, the full XYZ Inspection Checklist collection would include checklists relevant to various XYZ head office 'permanent' geographic areas, with several systems-type areas to be added, including management, staff and contractors, as well as Client-controlled sites where XYZ staff may work from time to time, at the request of the Client. Each checklist should be designed to be capable of a 'stand-alone' use, which means each one has areas of repetition (eg electrical items). However, the principle is that each list may be passed-on to a department and the incumbents in that department can occasionally go through the list themselves, providing a sense of 'ownership' of the list.

Generally, checklists are not complicated, and allow for personnel with a minimum of WHS training to actively and meaningfully participate in workplace safety. More complicated items or items which the person does not feel comfortable about monitoring, must be checked by persons who do have the skills. Some fixtures and fittings may be checked for obvious signs of breakdown by a lay-person, but a more skilled person may be required – by law – to carry out an *accurate* check. Examples would include emergency gear such as fire extinguishers (must be checked by certified fire engineering personnel), and balancing valves in some designated hot water systems (a licenced plumber to check).

## Common sense

Usually defined in such a way as to imply a sound and practical understanding, and this could be true in earlier times in the history of work. However, nowadays, and particularly in occupational health and safety, use of the term, '*common sense*' is more in keeping with the term: '*logic*'.

Common sense and logic are not necessarily related.

Broadly, '*common sense*' may be considered that which we were born with; *logic* is that which we learn.

Common sense is *common sense*: it is more connected to a common *feeling*, than a common *logic*. When we feel hungry and go and eat, that is common *sense*. When we feel thirsty and go and drink, that is common sense. When we are tired, we go to sleep; when we are rested, we get up; raining, we get out of the rain; too hot, we get out of the sun; too cold, we light a fire... and on and on... *That* is common sense.

*Logic*, as it is considered here, was first reasonably defined by Aristotle in the later fourth century BCE. He theorised with *systems* along with the concept of logical progression and inferences from statements and actions. In the workplace, we are bound by *logic*: the need to stay on the job. Our '*common sense*' is over-ridden by the needs of the workplace: we cannot get out of the sun if there is a lot of outdoor work to complete; we cannot take food or drink until morning tea or lunch time; certainly not go and lie down if we are tired. It is the fact we are under the control of something other than '*common sense*' that means we have to look at other means of controlling the factors thrown our way in the workplace. Our logic weighs things up: we *know* we have a job to do *versus* the other things our *common sense* tells us to do, but the job (we need to be paid!) overrides the other things, and *common sense* falls by the wayside. To achieve health, safety and welfare in the workplace, we certainly will listen to *common sense*, but arm ourselves with *logic*.

### **“HEALTH AND SAFETY? ISN'T IT JUST 'COMMON SENSE'?”**

**YES, HEALTH & SAFETY IS 'COMMON SENSE'... BUT BEWARE! CONSIDER THAT WHEN A PERSON STATES: “WHY DIDN'T YOU USE COMMON SENSE?”, THEY USUALLY MEAN “WHY DIDN'T YOU DO THAT TASK THE WAY I WOULD HAVE DONE IT?” WE SHOULD THANK THE PERSON FOR THEIR OBSERVATION & ASK: “IF THAT IS THE WAY THE JOB SHOULD BE DONE, WHY DIDN'T YOU PROVIDE ME – OR THE OTHER TEAM MEMBERS - WITH CORRECT 'INFORMATION, INSTRUCTION, TRAINING & SUPERVISION' – SINCE THIS IS WHAT THE LAW REQUIRES.” SO, YES, 'COMMON SENSE' IS USEFUL STUFF, BUT ALWAYS CONSIDER WHETHER YOU EITHER RECEIVED – OR GAVE – SUFFICIENT INFORMATION, ETC. FOR IT TO BE MEANINGFULLY APPLIED.**

## Consultation

This is a statutory requirement of WHS legislation. The object is to gather information from all stakeholders in the organisation so as to allow effective participation in the establishment of meaningful health and safety policies and procedures. (Refer to section 3.04 re the process of consultation at XYZ. Also

refer to the Safe Work Australia code of practice 'Workplace consultation, cooperation and coordination'.)

## **Contemporaneous Notes**

These are usually made at the time of the incident being recorded, or as soon as possible thereafter. They contain factual observations, conversations – first person, though hearsay asides may also be recorded (hearsay should always be noted as 'hearsay'), and sensual observations. Contemporaneous notes may be referred to should the memory become exhausted during court proceedings. (Court permission should be asked for as a courtesy in such a case).

## **Control**

Usually relates to the steps required to keep a hazard from causing injury, illness and/or damage.

## **Control-ability**

Refer also to 'judgement', and 'practicability'. 'Control' is a consideration given a high rating in a health and safety system.

Whoever has *control* of the circumstances that led to an incident, will generally be the one (or the group) found guilty in a prosecution. Therefore, whoever can show, beyond reasonable doubt, they had no authority to control and no real control over the circumstances, must be found innocent. Note that 'real control' must be considered as separate from 'authorised control' in the sense that a Worker may be authorised to operate a valve under direction from his/her supervisor. An incident may occur where gas is left to flow into a conflagration and the Worker says: "I was not given any signal to turn off the gas valve, so I thought I had better leave it on until my supervisor told me otherwise." In this situation, the Worker may be argued as having 'real control' - the valve was within their reach and they *could* have turned it off. Legislation generally places an obligation on the Worker to take reasonable care at work for the health and safety of people and who may be affected by the Worker's acts or omissions at work.' (*Of course, factors in the Worker's defence may extend to insufficient training, previous examples of heavy handed treatment at the hands of the supervisor for deviating from the supervisor's instructions, and so on.*)

Ultimately, a workplace must be considered in the same category as the Universe and its abhorrence of a vacuum: "there is no part of a workplace where *control* does not rush to fill." Roof, roof space; floors, walls, doors and ceilings; air and air space; outdoor property and indoor property; operating systems, non-operating systems; working plant, damaged plant, goods and services for sale; substances new, substances old; appliances, fixtures, cups, pipes in, pipes out, pipes over and pipes under; cables and lights and power points; cups and saucers, tea rooms, coffee urns; pens, computers; nail

clippers and hair clips; management and employees... and so on, will all eventually be allocated a 'controller'. For the facility looking to establish an effective WHS system, allocating 'control' is a giant leap toward controlling the risk associated with hazards.

Similarly, for the prosecuting agency, *finding* who had control at the time a risk manifests into an incident, is a giant leap toward a successful prosecution.

At the very earliest stage of establishing a business, job descriptions must include - in writing - areas of control. Ongoing monitoring and review of the business operation will fine-tune the descriptions until there will be no mistaking the control issues.

Some hard-hitting questions to consider are:

- Is every hazard identified in the facility capable of being controlled?
- Is every hazard identified in the facility under control?
- Who is responsible for control? Who has control?
- Is every hazard **NOT** identified by the facility under control?
- A tough call - and yet the questions must still be asked *before* an incident occurs.

Emphatically, a facility that can show it has at least considered the 'unknown' by addressing possibilities in a meaningful manner can ameliorate prosecution outcomes. The way an organisation addresses events immediately after an unknown hazard has taken a toll on its workforce or clients will also be taken into account in a judgement.

**NO RESPONSE = HEAVIER PENALTY; MEANINGFUL RESPONSE = LESS-SEVERE PENALTY.**

Finally, using the 'Ebola' instance mentioned in the section on '*foreseeability*' (below), do we insist on all health care agencies isolating each and every patient as soon as they enter the control of the health care agency - which is basically crossing from the public thoroughfare into the health care agency-controlled environment? (Even then, in a shopping centre, a neighbouring business may argue the health care agency attracts sick persons who might unwittingly introduce bacteria into the common air-conditioning system! After all, there *is* the potential for all sorts of health problems being spread in an airborne or contagious manner!!!)

## **Direct (Factual) Evidence**

This is information presented from first hand observation.

## **Document**

"A document is any form of data used in the system to provide information or control."

Mouatt, Christopher "Implementing ISO9000 and ISO14000 - Quality Assurance and Environmental Management Systems" The McGraw-Hill Companies Inc. Roseville, Australia 1997, p46.

Documentation provides evidence of information and control used within a system. It includes expressions of past, present and future activity, revealing historic detail, current procedures and future plans. This sort of evidence is tangible and can greatly assist in avoiding or at least reducing any fine levied against a company.

Generally there are two types of documentation: controlled and uncontrolled.

A 'controlled document' is one which controls the requirements in a system or process, or which provides information for control in a system or process.

Examples would include recipes, machine manuals, operating instructions and so forth.

In XYZ, the planned WHS policy and procedures – forming the heart and soul of an WHS manual – will be 'controlled documents'. Obviously, these cannot afford to be left open to 'uncontrolled' variation, which can then re-open the door to accusations of *non-existent or informal* systems.

However, 'uncontrolled documents' have their place. An 'uncontrolled document' would include a request to make a variation to a 'controlled' situation, thereby (if acceptable) leading to a 'controlled' variation to the 'controlled document', by the appropriate authority. A filled-in inspection report form is an example. (Note that the format of the blank form itself would be considered a 'Controlled Document'.)

'Uncontrolled documents' also include photocopies of 'controlled documents'. Photocopies of such documents should be marked accordingly, so personnel do not accidentally use an outdated, outmoded instruction manual, and so forth. 'Controlled documents' carry the date of original issue, the date of last review (ideally within the same twelve month period of current useage), the document number within the organisation's document control set-up, and the signature and printed name of the person authorising the issue of the 'controlled statement'.

A control mechanism for 'controlled documents' ensures:

- All documents are titled and numbered;
- All documents are dated;
- Pages are numbered sequentially, including the total number of pages (1/6;2/6;3/6 and so on);
- Signature, printed name and position of the authorising agent;
- The document itself is a numbered part of a total issue (this allows an accurate circulation list to be maintained and updates and deletions to be carried out, with inappropriate documents able to be withdrawn and marked as 'Obsolete');
- Copies of documents withdrawn from circulation provide a history of the review of policy and procedure, as well as pointing toward attempts at continual improvement.

Documentation has the following points:

- Duplicable
- Demonstrable
- Plans, actions and reviews
- Legal requirement in some cases
- Reflects commitment
- Homogenous - same information is seen/heard by all relevant staff
- Available to all appropriate staff
- Professional
- Educates
- Promotes discussion/debate
- Easy to review
- Can be revised
- Limits interpretation
- Looks good/pride in work

## **Due diligence**

**Usually relating to 'Officers' of the PCBU, but it is handy for all to pay attention to Section 27(5) of the Act, which defines 'due diligence' as:**

...taking reasonable steps:

- (a) to acquire and keep up-to-date knowledge of work health and safety matters; and
- (b) to gain an understanding of the nature of the operations of the business or undertaking of the person conducting the business or undertaking and generally of the hazards and risks associated with those operations; and
- (c) to ensure that the person conducting the business or undertaking has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and
- (d) to ensure that the person conducting the business or undertaking has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and
- (e) to ensure that the person conducting the business or undertaking has, and implements, processes for complying with any duty or obligation of the person conducting the business or undertaking under this Act; and
- (f) to verify the provision and use of the resources and processes referred to in paragraphs (c) to (e).

Examples: For the purposes of paragraph (e), the duties or obligations under this Act of a person conducting a business or undertaking may include:

- (a) reporting notifiable incidents;
- (b) consulting with workers;
- (c) ensuring compliance with notices issued under this Act;
- (d) ensuring the provision of training and instruction to workers about work health and safety;

- (e) ensuring that health and safety representatives receive their entitlements to training.

## **Emergency**

An emergency is an incident or a situation which endangers, or may endanger, the health, safety and welfare of persons in the workplace, and which requires urgent action to control.

Planning for such an emergency must take into account contingencies for alternate actions to maintain the health, safety and welfare of all affected personnel during the emergency. This will include such things as interruptions and alterations to utilities such as power and lighting; gas supplies; communications systems; air venting, and supply of water to the site for both consumption and hydrant use. Planning must also include appropriate activities to remedy the situation and return the workplace to its normal, pre-emergency state.

The Act requires PCBUs to maintain their workplaces and the surrounds to ensure the health, safety and welfare of personnel likely to be affected by the activities of the workplace. A PCBU must ensure appropriate emergency procedures exist and are practised, and are periodically reviewed for efficacy.

*"Safety is most noticed when it is not there..."*

In an outline on emergencies, one authority points out a PCBU: "... must ensure that arrangements have been made for emergencies that could arise in the workplace that may require:

- evacuation
- emergency communications
- appropriate medical treatment of injured persons.

Arrangements must be made by taking into account at the workplace the:

- nature of hazards
- size and location
- number and mobility of staff."

The authority further emphasises if Workers work at a fixed place of work, the PCBU must ensure that:

" ...

- adequate arrangements are made for the shutting down and evacuation of the place of work in the event of an emergency;
- details of the arrangements for any such evacuation are kept on display in an appropriate location or locations at the place of work;
- one or more persons are appointed and appropriately trained to oversee any such evacuation, and, if appropriate, in the use of on-site fire fighting equipment."

## ***THE GREATER THE CONTAINED ENERGY, THE GREATER THE POTENTIAL FOR DISASTER...***

Planning for an emergency must also take into account the types of emergency likely to be faced. At XYZ workplaces, the most likely source of emergency is fire (over 60% of NSW fires are caused through electrical faults).

Other emergencies could include:

- bomb threat;
- mass evacuation of a worksite due to storm damage or other natural disaster, or evacuation due to chemical spillage or gas leak;
- explosions;
- failure in the delivery of utilities such as power and/or gas.

These, and all emergency possibilities, should to be addressed in 'what if...' scenarios, and relevant drills run from time-to-time to test the system.

At its head office, XYZ may be under the auspices of the building owner, and will adhere to that body's emergency system, but a XYZ *internal* emergency control system can greatly improve the efficacy of controlling an emergency.

It must also be part of the XYZ's staff training that all staff must be made aware of their obligation to assist XYZ in its WHS endeavours by learning the emergency procedures required wherever and whenever they are to carry out work on behalf of XYZ. This will apply whenever XYZ staff are visiting another business' workplace. Once it can be shown XYZ has described the XYZ emergency requirement to a staff member, that staff member is obliged to learn the emergency procedures of any other workplace while carrying out XYZ business. (*Note that the other businesses are also obliged to have in place, and inform others of, adequate visitor instructions, including emergency procedures.*)

Controls should be established that allow for minimised panic in case an emergency does occur. Some simple control mechanisms to consider, include:

- planned, pre-determined and coordinated chains-of-command and communication systems which include regular liaison with external emergency services personnel (ideally those who are likely to attend in an emergency). Apart from improving rapport in the wider community, this allows for orientation of those persons who may need to attend the facility, and thus gains precious seconds in any rescue operations. Services to consider should include State Emergency Services - SES - personnel, as well as the regular fire brigade, police and ambulance teams);
- ease of access to and from buildings;
- clearly marked, all-weather signage;



- maintained walkways and doors and windows;
- tidy storage areas with minimised fire-loads - including adjacent sub-contractor storage areas;
- lists of chemicals on site, along with appropriate storage;
- maintained electrical cabinets and leads;
- habitual cleanliness;
- maintained emergency lighting;
- maintained fire equipment, including ease-of-access to extinguishers;
- providing awareness training in the use of extinguishers;
- stocked first-aid kits;

Addressing these items in a meaningful manner greatly improves the team's capabilities to cope in an emergency.

*Considerations in establishing emergency guidelines include:*

### *Emergency Response Plan*

Advance planning is the basic element in any emergency. A formal written plan should be developed and communicated to all workers and should be specific to the organisation and the workplace. It should take care of all foreseeable emergency situations by clearly defining the tasks to be performed, responsibilities of people assigned to perform the tasks, training of all staff in their roles, provision of adequate plant and resources, appropriate communication and safe work methods.

Essential elements of emergency response plans include:

- appropriate emergency policy
- identifying key employees and their responsibilities
- general description of anticipated emergencies and the specific risks associated with them
- identifying possible outcomes to individuals, the organisation and the community
- emergency manifest for emergency services
- a worksite plan showing general layout, location of emergency equipment, medical and first aid services, fire control equipment, coordination centre, evacuation procedures, routes and assembly points
- information on emergency warning signals and how they operate
- procedures for shutting down plant and processes

- list of emergency agencies, contact names, numbers and notification procedures
- critical incident recovery plan to assist Workers after an event, eg debriefing or counselling
- training and information provision, including implementation of drills and rehearsals
- procedures for reviewing the plan as the workplace changes.

In developing emergency response plans it may be necessary to provide additional training for staff with certain responsibilities such as those listed below.

- Evacuation supervision
- Fire fighting
- Emergency rescue
- First aid
- Emergency security
- Shutting down plant and processes
- Hazardous substances

### *Reporting*

Usually an emergency should first be reported to the workplace supervisor or switchboard. If this is not possible it may be necessary to contact the emergency service direct.

Some key points to consider are:

- dial 000 or the number of the emergency service required, if known
- stay calm and answer all questions
- state your name and contact number
- state the type of emergency and possible injuries/severity, if known
- state the number of people and plant involved
- state the exact location, including address and nearest cross street

- provide the names of people involved or other relevant details as requested
- assist any injured people until help arrives
- if evacuation is required, follow procedures and directions of the supervisor or safety officer
- know the site plan, closest exits and assembly points once evacuated.

### *Hazardous Substances*

Most industries use hazardous substances, some frequently. In emergencies it is important to know what substances are being used or stored on site and information provided to emergency services if required.

There is a coding system for the classification of fires and spillage of hazardous substances called HAZCHEM. This is used by emergency teams to immediately recognise the nature of the hazard and appropriate control measures. If chemicals are involved, it is important to provide that information to emergency services.

Placards, labels, registers of hazardous substances and an emergency manifest are also important sources of information in an emergency.

An emergency service manifest should:

- list each hazardous substance using the Dangerous Goods codes
- identify each substance by technical name and United Nations number
- state the quantities stored
- provide a site plan
- be reviewed and updated to reflect current situations.

Workplaces using hazardous substances should develop emergency plans to cope with leaking containers, spills, fires or other uncontrolled releases of hazardous substances. These procedures should set out:

- evacuation procedures
- safe clean up and disposal methods
- identification of sources of emergency repairs and follow-up
- location of items such as emergency shower or eye wash

- procedure for notifying emergency services.

Workplaces should develop an additional set of standard operating procedures (SOPs) that identify who is responsible for each of these emergency procedures. Emergency management plans should also include plans to continuously improve chemical management procedures and measures to assess performance against these goals.

Initial Emergency Response Guides are another system, which gives suitable standard operating procedures (SOPs) in the event of an emergency. They must be carried whenever Dangerous Goods are being transported. They tell the driver of a vehicle what to do in an emergency.

### *Fire*

Many workplaces, especially the larger ones, have their own in-house systems for handling emergencies.

For example, there will be a system for announcing a fire. This could be a siren, a whistle, an announcement over the public address system, or a fire warden giving instructions.

There should also be evacuation drills for the workplace that include exit and assembly points.

If flames are used in the normal course of work, such as welding, the operators must ensure their flames don't touch any flammable material.

All electrical connections must be checked regularly and frayed or worn connections and cords replaced by an electrician.

Materials, drums, tools or equipment should not be stored in stairs and passageways. They could block the way of those trying to escape a fire. Flammable materials stored in stairs and passageways could also ignite and block the way of those trying to escape a fire.

Spillage of hazardous substances can be as serious an emergency as fire and all spillage must be responded to in a planned and coordinated way. The correct response to an emergency involving hazardous substances will be one that has been assessed as possible with the support of appropriate reporting mechanisms, placarding, storage and an emergency services manifest for emergency services to respond to.

### *Emergency Evacuations*

Larger organisations will have one or more Emergency Wardens who assist in the orderly evacuation of the building and other tasks. The helmet they wear usually identifies them.

Fire Wardens have received special training and are responsible for:

- evacuation
- the operation of emergency communication and control equipment
- methods of accounting for evacuees including staff, contractors, visitors and customers.

There should also be designated persons trained in and responsible for:

- shut-down of critical operations, such as the process plants
- assessment of emergencies.

### *Procedures to be Followed in Life Threatening Situations*

Fire brigades stress the importance of swift evacuation in the case of a fire out of control. This applies both to the fire itself AND widespread smoke.

Suffocation from inhaling smoke kills more people than the fire itself.

If the fire or smoke becomes widespread, don't wait. Evacuation needs to occur immediately.

If you have to pass through smoke, hold a towel or handkerchief, wet if possible, to your face.

Smoke rises, so it may be necessary to get down low depending on the type of fire. Most chemical vapours are heavier than air therefore getting low in this instance is not appropriate.

Close windows and doors as you go. This helps confine the smoke to the original area.

Alert your fellow workers who may not be aware the fire or smoke is coming their way.

If a fellow worker is trapped, in need of assistance, or in immediate danger, attempt to rescue them **ONLY IF SAFE** to do so.

If above ground **DO NOT USE THE LIFT**. Use the fire stairs. The last person should ensure the fire door closes behind them.

Assemble in a clear area away from the main entrance.

Check that all are present and notify the Fire Brigade officer-in-charge when the brigade arrives.

Do not attempt to re-enter the building until advised by the officer-in-charge.

If your workplace has an Emergency Warden, obey their instructions.

Because of the possibility of an emergency on site, pathways must be kept clear of obstructions and exits clearly sign posted. Within office blocks, doorways must not be open as this will increase the air to a fire or transport smoke and toxic substances up stairwells through which people are trying to escape.

### *Legislation*

Chapter 2 of the WHS Regulation 2001 states that arrangements must be made for appropriate medical treatment of injured persons at any place of work. This includes the provision of first aid facilities and, where more than 25 persons are employed at a place of work, trained first aid personnel.

Trained first aid personnel means a:

- person with a current first aid certificate approved by the relevant state authority
- registered nurse
- medical practitioner.

Within this context trained first aid personnel also includes paramedics and ambulance officers.

## **Equipment**

Read the same as plant.

## **Exhibit**

This is a tangible object tendered as evidence in court proceedings.

## **Foreseeability**

"Armed with the artefacts of yesterday, today's safety system faces an unknown future." DRWakefield

"When considering the matter of reasonable foreseeability, one should be careful not to substitute reasonable hindsight, for reasonable foresight."  
(*NSW WorkCover v Maitland City Council 1998*).

The business setting up healthy and safe systems of work is armed at best with a crystal ball in its attempt to see into the future: what hazards exist, are likely to exist (and even: have existed, but are now removed\*) and what precautions must we take to prevent them from becoming uncontrolled and leading to a breakdown in our WHS system? A breakdown with resultant injury, illness, possible death and damage, and the associated potential for prosecution under the various health, safety and environmental acts. Every

crystal ball I have looked into is always 'crystal clear' and leaves me realising the nebulous nature of what I am dealing with: possibilities and probabilities are the only tools I can use.

*\*The possibility exists for an acquisitive enterprise to purchase another business (which includes taking over the old business' assets and liabilities). The liabilities could include past employees who have been exposed to carcinogenic substances while in the old business workplace, and for a claim to pop-up many years later. This is why the wise business acquisitions team looks very closely at records and so forth before committing to a contract-to-purchase.*

### **Ultimately, I cannot foresee the future!**

**What I *can* do is arm myself with the best available tools and data, use these to identify known hazards, and the risks involved, and decide on the best *known* controls of the risks. Further, I must then extrapolate on what is *known* and move to the possibilities and probabilities of future, as yet, *unknown* factors.**

For example, a doctor's waiting room may have a chair with several screws missing from the base. It collapses and injures a client. We can see this could, and should, have been noticed during a routine inspection of the facility and controlled with appropriate maintenance. A clear case of not following a safe system. *Now*, however, we are in the same waiting room (the chair is in a good state of repair) but this time the client ("Alice") is sitting there waiting for her appointment, when another client ("George") arrives. George feels ill and does not know it yet, but he has a case of Ebola, having just returned from an overseas trekking holiday. He inadvertently brings the disease to the clinic and Alice soon discovers she has been infected. Public health authorities find the common link with George and Alice (the waiting room) and it is the facility 'at fault'. How can we foresee an event of this nature? (If a government health organisation had issued a warning to health care facilities to be on the look-out Ebola symptoms, does this mean the health care agency should have questioned everyone coming in for an appointment as to what they thought their symptoms were reflective of? Should each new caller and potential appointee be questioned as to where they travelled recently?)

The investigating agency empowered to prosecute on WHS matters will look into foreseeability with the wonderful benefit of hindsight (which, as we know, is blessed with 20/20 vision!). Instead of the nebulous possibilities and so forth of the business' WHS system, the prosecuting agency has skid-marks, gouge marks, bloodstains, dents, cracks, blown-out boilers, wrecks, spills, corrosions, demolitions, eye-witness accounts - and on and on - to sticky-beak at, probe and measure, lift and weigh, investigate, question and illuminate... They will apply the tools of "How? And Why? And Where? And When? And Who? And What? And back again..." This will be confirmed against:

People - *the who-was-involved and what-were-they-doing/not-doing? What rank, condition, concerns?*

Parts - *what plant and/or substances were involved? Waste?*

Position - *what were the four dimensions of length, depth, breadth and time when the incident occurred?*

Power – *what forces were at work? Gas, electricity, steam, heat cold, decay, radiation, chemical?*

In short, the *prosecuting agency* has cold, hard facts to deal with, and from here they will coolly weigh-up 'foreseeability'.

***Will your facility stand-up to this?***

## **Form**

A document that is designed for filling-out by a relevant party. For example, form "Office checklist" is for the use by an employee as he/she carries out a hazard inspection.

## **Gap analysis**

Generally captured in the statement "what we say we do vs. what we *actually* do". Should be the same, but rarely is.

## **Hazard**

Object or situation with potential to cause injury, illness or damage. It is often useful to consider sources of energy, electrical, chemical, kinetic (movement), potential (static), and the movement of people. *Standards Australia* defines a hazard thus:

"HAZARD - a source or a situation with the potential for harm in terms of human injury or ill-health, damage to property, damage to the environment, or a combination of these."

## **Hearsay**

This is information about an event that is presented by a person who did not actually witness events directly. Basically, it is a second-hand account of the facts as observed by someone else.

## **Incident**

A term that covers situations that lead, or are likely to lead, to injury, illness or damage. This includes situations where injury illness and/or damage have occurred, as well as near-hit events, where no injury, illness or damage occurred.

## **Incident investigation**



The investigation of all circumstances that led up to, occurred during, and resulted from, an incident. The 'Accident Investigator's Rhyme' is of use here:

"How? And Why? And Where? And When?  
And Who? And What? And back again..."

Repeat the exercise three times.

Another tool of use is the 'Four P Principle':

"People - Parts – Position - Power."

'People' looks at the human element of who etc. as well as their state of awareness, wellness, and so forth;

'Parts' considers the plant and substances;

'Position' is the four dimensions of length, breadth, height, and time;

'Power' includes various sources of kinetic and/or potential energy, gas, electricity, pressure, decay, heat, cold, etc.

Make no mistake: if you can correctly determine the above elements, you are going to be very close to knowing what went on, and therefore take steps to achieve the aim of good health and safety practice after an incident:

***ENSURING IT WON'T HAPPEN AGAIN !***

Note Sherlock Holmes' creator, Sir Arthur Conan Doyle wrote:

***"When we eliminate the impossible, whatever remains, however improbable, must be the truth!"***

## **Information**

One of the four pillars of good WHS (as required by the WHS legislation – see also Instruction, Training and Supervision). Information can be considered as part of the 'documentation' requirements of the workplace. *An example of 'information' would include a 'code of practice' for a particular hazard such as working in a noisy environment. (Also refer to 'Document' and 'Form'.)*

## **Instruction**

Another of the four pillars of good WHS (as required by the WHS legislation – see also Information, Training and Supervision). Instruction will reference information and apply it to the task at hand. As with the other three pillars, it cannot be held in isolation, and may involve mentoring by a fellow worker or supervisor or trainer, etc., using the information at hand. *For example, instruction in how use the information provided on a safety data sheet (SDS).*

## **Judgement**

Refer also to 'practicability'; 'reasonably practicable'. In any WHS system - whether it is the business trying to establish a safe system of work, or the prosecution agency attempting to bring a charge, the *judgement of the various factors involved in the system* is of key importance to the outcome. Considerations will be given to 'foreseeability', 'controlability' and 'practicability'.

## **Logic**

See **Common Sense**.

## **Manual Handling**

See also **Occupational Overuse Syndrome**. Manual handling is any activity where the use of force physically, by a person, is exerted to push, pull, lift, lower, extend, restrain, carry, move or hold an stationary or moving, or animate or inanimate object.

## **Noise**

Usually rated in decibels (dB), noise is the phenomena associated with sound pressure on the human ear drum. A noise level of 85 dB is the maximum 8 hour exposure limit for an unprotected ear. (IE the person exposed for this level of noise for 8 hours, should not be exposed to that level again for at least the next 16 hours. Sound pressure doubles for each 3 dB, therefore at 88 dB, the maximum exposure is 4 hours; at 91 dB the exposure is 2 hours, and so on. Examples of sound from activities include:

- Most general building work – 75 to 85 dB;
- Most power tools and excavators – 80 to 90 dB;
- Metal grinding and cutting and sawing timber – 90 to 100 dB;
- Concrete chipping 95 to 105 dB.

## **Occupational Hygienist (OH)**

The person or persons likely to be called upon to do specialised measurement of the type, quantity, strength etc. of hazard or hazards. WHS may be called upon to check a noise level, an ergonomics issue or a hazardous substance. Some WHS will concentrate only in one field, such as noise or water quality. These persons may need to be called in to support a claim for compensation, but ideally should be called in before a hazard becomes out of control. A lay-person may notice something is affecting workers, but not know how to fully address the issue. In turn, an WHS Committee may have no idea of what to do. An OH is the person to contact to follow-up on the problem if it is beyond the scope of an WHS Committee, or an WHS consultative group.

## **Occupational Therapist (OT)**

The person or persons likely to be *directly* involved in restoring an injured party's health - physically, but more concentrating on the *welfare* - the well-being, or comfort zone. The active involvement with an injured party and assisting that party to regain interest, motivation and confidence with their lives. The general ideal is restoration of physical and mental health by engaging the injured party in meaningful occupation, and matching that meaningful occupation with activity in the original workplace. This restoration also reduces the drain on the insurance company and hopefully the workers compensation premium placed on the employer for an existing injury history.

## **Occupational Overuse Syndrome (OOS)**

Sometimes referred to as repetitive strain injury (RSI), OOS is a malady affecting bones, muscles, and ligaments, and usually arises from repetitive stressing of those body parts, such as repetitive movement. It is usually exacerbated by such things as mental pressures such as dislike of the task, or pressure to get the job finished.

## **Officer**

**Section 4 of the Act defines an Officer as:**

- (a) an officer within the meaning of section 9 of the *Corporations Act 2001* other than a partner in a partnership; or
- (b) an officer of the Commonwealth within the meaning of section 247; or
- (c) an officer of a public authority within the meaning of section 252; other than an elected member of a local authority acting in that capacity.

**The 'Officer' is usually a senior manager (CEO, Managing Director, Chief Financial Officer, etc.) who can significantly alter the way the business functions on a day-to-day level. If a Board becomes too closely involved in the way a business functions in its day-to-day operations, it can become accountable for failures. *At a line-management level, if a supervisor gives instruction for a task and a damaging occurrence happens, that supervisor is unlikely to be prosecuted as an 'Officer', but will still face prosecution as a 'Worker' who failed to apply good safety practice, etc.***

**Note an 'Officer' will always also be a 'Worker', but a 'Worker' may not necessarily be an 'Officer'. This can be of importance to volunteer officers of not-for-profit organisations, since unpaid 'Officers' will not be prosecuted as 'Officers', but they are still liable for prosecution as 'Workers'.**

## **OOS**

See Occupational Overuse Syndrome.

## **PCBU**

**Section 5 of the WHS Act 2011 defines the meaning of the 'person conducting the business or undertaking' (PCBU). It states:**

- (1) For the purposes of this Act, a *person conducts a business or undertaking*:
  - (a) whether the person conducts the business or undertaking alone or with others; and
  - (b) whether or not the business or undertaking is conducted for profit or gain.
- (2) A business or undertaking conducted by a person includes a business or undertaking conducted by a partnership or an unincorporated association.
- (3) If a business or undertaking is conducted by a partnership (other than an incorporated partnership), a reference in this Act to a person conducting the business or undertaking is to be read as a reference to each partner in the partnership.
- (4) A person does not conduct a business or undertaking to the extent that the person is engaged solely as a worker in, or as an officer of, that business or undertaking.
- (5) An elected member of a local authority does not in that capacity conduct a business or undertaking.
- (6) The regulations may specify the circumstances in which a person may be taken not to be a person who conducts a business or undertaking for the purposes of this Act or any provision of this Act.
- (7) A volunteer association does not conduct a business or undertaking for the purposes of this Act.
- (8) In this section, *volunteer association* means a group of volunteers working together for 1 or more community purposes where none of the volunteers, whether alone or jointly with any other volunteers, employs any person to carry out work for the volunteer association.

**In many cases, the PCBU will not be a 'human being' but a 'corporate body'. This is reflected in the types of fine that may apply in a H&S system failure, where a prosecution is successful. Even though the fine for a PCBU can be as high as \$3,000,000, no gaol sentence can be attached, whereas an 'Officer' of a PCBU can receive a penalty up to \$600,000, as well as a possible gaol sentence up to 5 years.**

## Personal Protective Equipment

See PPE.

### Policy

Not to be confused with a 'programme' or a 'procedure' (see below), a *Policy* should not be larger than an 'A3' page in size and in a large enough type-face as to be easily read. A policy will contain the title as to what it addresses, provide a commitment to the general and specific WHS issues in the workplace, and will define who will fulfil the commitment. The policy will outline the commitment of resources and what some of the resources are likely to be. Finally, the policy must be recognised as a public statement of the organisation to a general or specific WHS issue and its resolution, and will usually carry the signatures of management and Worker representatives. All policies deserve an annual review.

*Policies may need to be struck to emphasise the importance the facility places on the control of a specific high-risk hazard faced regularly within the facility.*

For example, an electrical business may draw-up a very specific policy concerning live-work on electrical equipment; a trucking company may draw-up a specific policy on sleep deprivation, and so on.

There may be other policies deemed necessary after consultation between management and Workers. For example: no-smoking/no illicit or recreational drug taking by Workers within the facility; violent aggression, etc.

### PPE (initials standing for 'personal protective equipment'):

Used to describe protective equipment that is actually worn by the person being protected from **hazardous situations**. **PPE** includes: clothing such as hats and hair nets, aprons, gloves, overalls, **safety** shoes and boots, etc.; eye and face protection such as goggles, face shields and masks; ear protection such as ear muffs and ear plugs, and breathing equipment such as SCBA (self-contained breathing apparatus). Although we have to use it in many circumstances, **PPE** is the least desirable method of **risk control**, since it usually means there is nothing else between us and the **hazard** should there be a failure in that **PPE** (Refer to ['Risk Management'](#) document.)

### Practicability

Also see: 'Reasonably Practicable' as defined at s.18 of the Act (below). Similar to the effect of '*control*', and as to whether a person may be argued as not having sufficient management authority (control) to substantially alter the unsafe situation, various acts associated with incident scenarios allow for the defence that the control of this incident was beyond *reasonable practicalities*.

The incidence of the spread of Ebola used in the examples of '*foreseeability*' and '*control-ability*' above may be seen in this light, *provided we were not in an environment where Ebola is a common complaint.*

Too often, with the benefit of 'hindsight', what appears as 'impracticable' *before* an incident, becomes 'practicable' and quite reasonable *after* the event. For our business, we need to look at the practicalities and the impracticalities and attempt to close the gaps. In the more serious possibilities, this may even mean changing to a different business because we cannot meet what is seen as *reasonably practicable* WHS requirements in this chosen line-of-work and still stay financially viable! Especially if a similar business to ours is meeting all the WHS obligations head-on and is still financially viable. If we cannot meet the same standards, and an incident occurs, we are leaving ourselves wide-open to prosecution. (Conversely, a large, 'well-off' business may be found to be less-safety conscious than a smaller, struggling firm, and the judgement will highlight this fact and may increase the severity of the prosecution against the larger business.)

**Though an attempt to better define 'reasonably practicable', the concept is not quantifiable.** Courts themselves have difficulty in giving definition to the term, and it is handy to balance the terminology with s.18 with the way objects of the Act – s.3 – and 'due diligence' - s.27 – discuss certain obligatory duties of PCBU and their management. Importantly, certain parts of the Act and Reg. appear to be absolutes, but when compared with the terms 'reasonably practicable' and 'due diligence', it can be seen a certain defence against a prosecution could be mounted. Since the current Act will be placed in a criminal jurisdiction, onus is on the relevant prosecution to find evidence that presents a 'beyond reasonable doubt' ('you are innocent until proven guilty') versus the 'balance of probability' ('you are guilty until you can prove you are innocent'). One rule of thumb sometimes discussed is 'what would a prudent employer do in the same situation'? Again, the question arises as to what is a 'prudent employer'? In the 2003 edition of the 'Master WHS and Environment Guide' (CCH Sydney 2002, p.6-030), some guiding principles are given.

*Quote:*

"What is practicable can only be determined by reference to the particular circumstances in each case;

- The severity of the risk is determined by both the seriousness of the potential outcome and the likelihood of that outcome occurring. The more serious the outcome, or the more likely it is to occur, the more that should be done to avoid it;
- Consideration will be given to what you know and what you should know, given your position and experience and the likelihood of that outcome occurring;
- Consideration will be given to what you know and what you should know, given your position and experience. The knowledge of someone in your industry will be imputed to you. Again, regard will be had to what you know and what you should know, given your position and experience;

- While you can reasonably rely on the expertise and contribution of others as part of the measures you take to fulfill your duties, you must anticipate that others may not always do what they should. You should make allowance for reasonably foreseeable aberration, although not gross misconduct or bizarre behaviour;
- The ability to control circumstances is an important factor. What you can control, you must (reasonably) do so to prevent injury or illness; while you cannot be responsible for events or outcomes beyond your control.”

*Unquote.*

**Community standards of the time are brought into question also. Two court case statements from 1986 and 1988 presented the following:**

1986 –

*Quote:*

“We do not accept on the evidence that any defence has been made out. Even if there was some pertinent evidence, it has to be evaluated in the light of the purposes of the statute reflecting the increasing concern with safety in the community.”

*Unquote.*

From 1988 -

*Quote:*

“I must look at the defence raised in light of current community expectations in respect to occupational health and safety and in light of technological changes but at the end of the day all the evidence must be balanced on the balance of probabilities.”

*Unquote.*

A case from 1949 (still used in references) touches on the *reasonably practicable* vs. *physically possible*.

*Quote:*

“‘Reasonably practicable’ is a narrower term than ‘physically possible’... [it implies] that a computation must be made by the owner in which the quantum of risk is placed on one scale and the sacrifice involved in the measures necessary for averting the risk (whether in money, time or trouble) is placed in the other, and that if it is shown that there is a gross disproportion between them – the risk being insignificant in relation to the sacrifice – the defendants discharge the onus on them.”

*Unquote.*

Hopefully, from the above, you will understand there *is* the apparent conflict between doing what is ‘practicable’ and the ‘law to comply’. Also, this can be used to assist in developing the argument to know the boundaries and then take a couple of steps back, to ensure we never *have* to get caught up in the need to define ‘prudent’ and ‘practicable’ in a court with the concurrent resources needed to support an eloquent barrister!

## **Procedures**

These are usually contained within the 'Programme' and are the steps required to achieve the goal outlined in the section of the programme headed: 'purpose'. There are usually various checklists and other documents mentioned to be used in the procedure, and these should be easily accessed by those expected to follow the procedure.

(Refer to 'Programmes' - below)

## **Programmes**

An WHS Programme generally contains all the things relative to a specific WHS issue – eg the purpose for the programme, the scope of its application, the responsibilities of the various protagonists in the workplace, and training necessities. It will contain a reference to – and have appended - any associated policy that may be considered introducing should the particular issue be considered an important concern for the enterprise. For example, we may be operating a small accountancy business and the handling of chemicals might only occur when the dishes in the kitchenette are washed, or the toner is replaced in the photocopier. Though we might issue a small instruction on the safe handling of these compounds, a specific policy need not be drawn-up. On the other hand, were we to operate a transport business which regularly picked-up goods for delivery to a hardware store, a specific chemical programme, with an appended policy, might be needed re the transport of chemicals. *Manual Handling* is an issue for many workplaces, and regularly requires a programme with an appended manual handling policy, since it is such a wide-spread WHS issue.

## **Quality**

A very subjective concept to describe the nature of goods and/or services in a positive or negative manner. Usually the aim of an organisation is to deliver the best possible quality, but it may be that the customer does not wish to pay for best quality, and is satisfied with something of lesser quality, at a reduced price. For this reason, it is important to define such requirements in a scope of services/goods, etc., at the outset when quoting, etc. Once such things as types and class of materials, tolerances of machining, etc. are mutually agreed upon, and a finished sample produced to the customer's satisfaction, what *is* important is that a firm can continue to deliver to that standard *or better* and maintain that customer's faith. This is where the subject of 'quality control' arises.

## **Quality Control**

Closely linked to WHS, Quality Control is a means of repeating consistency and continuity. Within the safety context, it is the Safe Work Procedure (SWP) that provides the repetitive recipe to WHS.



## **Rainbow File**

A file usually made up of individually laminated pages, each one of a different colour, and indexed with a particular type of emergency. Usually, each page is of a different length to allow fast access to the relevant information, and the type-size is commonly 14 point and larger for quick reading. Each page highlights the major steps to follow in the relevant emergency. Most facilities will have pages for Fire; Evacuation; Bomb Threat; Cardiac Arrest; Armed Hold-Up, and so forth. Some businesses may include industry-specific pages such as Acid Spill; Snake/Spider Bite; Gas Leak, etc. Usually, the front cover of the file contains emergency phone numbers for emergency services and facilities in the area, the business' address (including references to any identifying local landmarks and cross-streets), business' phone number (should emergency crew need to call back for further detail).

However the file is designed, a number of copies should be distributed into prominent places, and easily seen. All staff are to be made aware of its existence and usage.

## **Reasonably practicable**

### **Section 18 of the Act defines 'reasonably practicable' as follows:**

In this Act, *reasonably practicable*, in relation to a duty to ensure health and safety, means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including:

- (a) the likelihood of the hazard or the risk concerned occurring; and
- (b) the degree of harm that might result from the hazard or the risk; and
- (c) what the person concerned knows, or ought reasonably to know, about:
  - (i) the hazard or the risk; and
  - (ii) ways of eliminating or minimising the risk; and
- (d) the availability and suitability of ways to eliminate or minimise the risk; and
- (e) after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk

## **Return-to-Work Coordinator (previously called 'rehabilitation co-ordinator')**

Assists in the meaningful return-to-work of employees who have suffered injury/illness arising from the workplace activities. However, can also assist in bringing workers back into the workplace from injuries/illnesses received outside the scope of a business' control. A return-to-work co-ordinator must undergo specialist accredited training (eg in NSW, a two-day training session is required for accreditation). The co-ordinator will follow-up on paperwork and ensure the Worker and the PCBU are in accord with workers

compensation legislation. Often the co-ordinator is the link between the various parties such as doctors (PCBU designated and Worker designated), Return-to-Work Providers and insurance companies.

### **Return-to-Work Provider (sometimes referred to as 'rehabilitation provider')**

This is a pluralist term, since a Return-to-Work Provider will include doctors, physiotherapists, masseurs, occupational hygienists and therapists and so forth within its company.

### **Risk**

The likelihood of a hazard becoming a danger to health, safety and/or welfare or to cause damage to property, measured against the outcomes arising from, and exposure to, the uncontrolled hazard.

### **Risk management**

The holistic approach to looking after health, safety and welfare of all people in the workplace, as well in the supply of goods and services that will not cause injury, illness or damage outside the workplace. Good risk management includes the protection against damage to plant and the environment.. The very root of risk management is the ability to **IDENTIFY** hazards, **ASSESS** the **RISKS** associated with those hazards, and then to consider and apply appropriate **CONTROL** measures to safeguard against the risks. **Risk management** includes this manual and its component parts. It also considers all work place systems and the part such systems play in establishing healthy and safe workplaces.

### **RSI**

See Occupational Overuse Syndrome.

### **Safety**

May be defined as 'freedom from circumstances that cause, or are likely to cause, illness, injury or damage'. A state of safety also exists when, in the case of an incident, there is no risk of injury or illness to a person, nor damage to plant. That is, emergency procedures are in place. *The Doug Wakefield definition of safety is: "The ability to take the next breath in the most beautiful and comfortable way!"*

### **Safety audit**

This is a consideration, from a point of view of health, safety and welfare of every task in the organisation. It includes, but is not limited to, an assessment of procedures, plant and substances involved with each task. A safety audit must take into account movement of personnel and plant and substances, as well as identification, assessment and control of hazards in, and adjacent to, the workplace and its environs. All documentation will also be monitored.

In its simplest terms, a safety audit asks:

- 1: Check that a system exists;
- 2: Challenge that system.

It includes a measurement of established WHS systems compared with workplace outcomes: how what we say we do measures against what we *actually* do.

The audit will check that each part of the WHS system is integrated and highlight any deficiencies. Three general considerations cover:

- a) underlying strengths and weaknesses of the system;
- b) established WHS controls in the system;
- c) performance indicators.

Included will be a check on the allocation of WHS responsibilities and the fulfilment of WHS needs.

Along the way, this will include audits of documentation and document control; how the organisation fulfils various regulatory guidelines (including emergency and injury management), and workplace inspection. The audit will take into account verbal and written accounts of WHS issues, as well as observe what is actually happening in the workplace.

Reporting and recording mechanisms will be investigated, as will maintenance and incident reports and procedures. Upper and middle management, supervisors and Workers, visitors and customers of the organisation will be questioned regarding their own compliance and observations of WHS issues associated with the facility.

In various industries, there are also occasional specifics to be measured. For example a salvage diving business may have a policy and procedure for decompression with staged ascents; a hospital may have a policy and procedures for reporting gunshot wounds.

### *Why Audit?*

*An audit of WHS policies and procedures is, of course, integral to achieving the benchmark of 100% safe. For safety, unlike many other vocations, cannot be satisfied with anything less. Whereas we may be happy with achieving 90% in customer satisfaction, a 10% failure in safety can mean a life... and what price do we put on *that* precious commodity?*

If an audit exposes weaknesses in the WHS management systems, the weaknesses may be addressed, rather than remain hidden 'unknowns' with the likelihood of failure at the most inappropriate time - usually having disastrous effect on the business and its employees.

Though your auditor can never guarantee a 'No Fine' situation in premises audited, there is a guarantee of an amelioration – a mitigation – of any fine arising from an WHS issue within the areas the auditor has access to – provided appropriate corrective action has been taken, of course!

### *Assisting Your Auditor Achieve Your Goal:*

Your auditor will apply skills brought to the profession from both practical and academic experience.

Your auditor will play the devil's advocate and question the status quo of many parts of your organisation apropos health, safety and welfare. We hope you and all staff are aware of the role, and will render all assistance necessary to enable a true and fair picture of the WHS of the workplace to be defined. Just as an engineer tests the strengths of a building's beams and supports, and will report on weaknesses and white ants in the structure, your WHS auditor will test and check the strengths of your WHS systems, and similarly report on weaknesses and gaps in the system. All personnel involved in the audit process should take into account the auditor is not in the role to blame, nor to report misdemeanours to outside authorities. The auditor will assist the organisation to identify hazards, assess the risk associated with the hazards, and control the risks by either outright elimination, or by reducing the risk to an acceptable level. The aim being to ensure each and every person entering, or being affected by, the workplace or the goods and services the workplace produces, does not suffer any ill-effect to their health, safety or welfare arising from that interaction with the workplace, its goods or services.

## **(ii) Preparing for the Auditor**

As stated above, in its simplest form, an audit:

- 1 Checks that a system exists
- 2 Challenges that system

*Where a system does not exist, an auditor may choose to 'challenge' (do a 'gap analysis') WHS activities using the Reg. as the benchmark to compare what actually happens with what should be happening, etc. To carry out this work, the Auditor will need to carry-out an investigation of what the firm says is going on, what employees perceive as going on, what the firm actually does, and what should be happening. This usually means a lots of questions need to be asked throughout the enterprise.*

In order to save you and your team time during the actual WHS audit, here are some preliminary audit points that will be brought up. You can assist by having proofs, etc. available, where possible.

*Please encourage a 'true and fair' approach to this process, and ensure all persons are aware this is for ongoing improvement and risk management, not a backward attempt at blaming personnel for shortcomings:*

### **1 Interview stage of audit (where the auditors will face-to-face discuss issues):**

- **Management/supervisory staff**

- General responsibilities under the Act and supporting legislation
- Grievance procedures
- Discipline procedures
- Incident (injury/illness/damage/near-hit) reporting and recording procedures (including injury management)
- Location of, and how-to-use, emergency equipment, and routes relevant to supervised geographic work-area(s)
- Principles of risk management (IE Identify/assess/control risks associated with relevant hazards; meaning and application of 'Hierarchy of Hazard control)
- Principles of WHS communication/consultation (including WHS consultation statement)

- **Workers**

- General responsibilities under the Act and supporting legislation
- Grievance procedures *exist*, and where to access them
- Discipline procedures *exist*, and where to access them
- Location of, and how to use, emergency equipment, and routes relevant to geographic work-area(s)
- Incident (injury/illness/damage/near-hit) reporting and recording procedures
- Principles of WHS communication/consultation (including WHS consultation statement)

### **2 Documents to be produced (where requested *and* extant), include:**

- Worker handbook, especially reference to WHS programmes, WHS consultation statement, etc.
- WHS programmes
- WHS general policy
- WHS specific policies (eg manual handling; aggression)
- WHS Manual
- Safe work procedure(s) (SWP)
- WHS inspection(s) checklist(s)

- Safety Data Sheets (SDS)
- Purchasing controls
- 'High-risk' (eg aggressive behaviour) profiling of regular clients
- Plant/building maintenance schedules/records
- 'Outsourcing' (contractor/sub-contractor) control(s)
- Emergency procedures (evacuation; fire; first-aid)
- Injury/illness/damage reporting system(s)
- Training records, especially record of Worker inductions
- Incident investigation records
- Contingency plans
- Review strategies

*Where you believe a system is well-addressed, albeit in an informal manner, please have on hand an example or two that will assist you to prove the system is working in a fair and practical manner. EG you may not have any documented employee induction package, but your supervisory staff might record that they deliver inductions in their day-diaries as part of 'normal' day-to-day notations. A 'proof' would be to produce one of the diary notations (a 'contemporaneous note').*

## **Safe Work Procedures (SWPs)**

Is a breakdown of various activities associated with a task which forms part of a job description. Each activity is considered in isolation and any hazards associated with each activity are identified and assessed for risk. Each risk is then considered to see if it can be eliminated or controlled, and the appropriate control methods are documented for use in that activity. This allows for adequate prior planning for each incumbent's activities in the workplace, to ensure (so far as is foreseeable, etc.) that all steps to ensure health, safety and welfare are not compromised at the facility. (Note that SWPs are good human resource tools for pre-employment medicals or any return-to-work programmes.)

An example of steps taken in preparing a SWP could be in a task common to many job descriptions: END OF DAY CLEAN-UP.

*Activities would include SWEEPING and WIPING DOWN.*

*Consider the hazards associated with SWEEPING, and we have MANUAL HANDLING and DUST as two possibilities.*

*The CONTROLS might be:*

**MANUAL HANDLING:** Mitigate the situation with adequate TRAINING and STRETCH BREAKS.

**DUST:** spray a bit of water around to settle the dust; wear some personal protective equipment (PPE) in the form of gloves, goggles, and mask.

For the WIPING DOWN activity, hazards would again include MANUAL HANDLING and also HAZARDOUS SUBSTANCES.

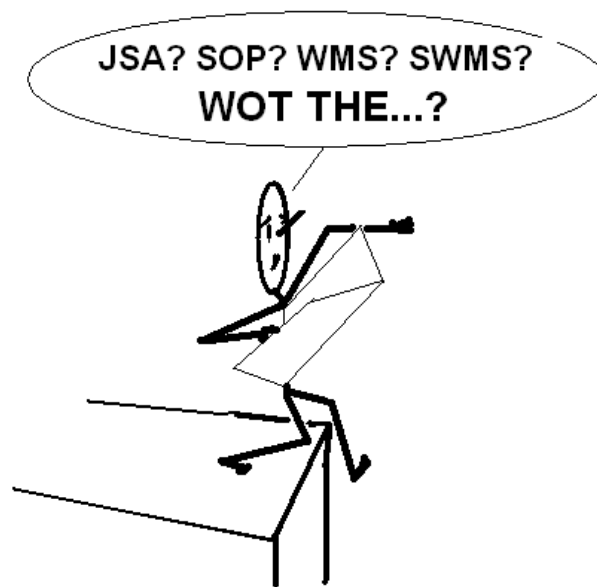
*The CONTROLS might be:*

*MANUAL HANDLING: as above.*

*HAZARDOUS SUBSTANCES: ensure TRAINING; appropriate use of a safety data sheet (SDS) relating to any cleaning compounds used; supply of appropriate PPE.*

## **Safe Work Procedures** **Guaranteeing Safety in your Workplace**

**Doug Wakefield CPMSIA RSP(Aust.) Director, SafeMeasure Pty. Ltd.**



### **Introduction**

#### **WMS? SOP? JSA? SWMS? SWP? Pre-WRA? WARA? WPRA? Post-WRA?**

Yet again, the semantics of safety demand clearer definition. Usually (but not always – be sure to cross-check the meaning of any acronym supplied to you that you are unsure of), the acronyms mean (respectively):

Work Method Statement; Standard (or Safe) Operating Procedure; Job Safety Analysis; Safe Work Method Statement; Safe Work Procedure; Pre-Work Risk Assessment; Work Activity Risk Assessment; Work Place Risk Assessment; Post-Work Risk Assessment.

But: are they the same thing?

Generally, I find the WP to be a more generic version of the SWP (it has not yet been prefixed with 'safe' since it has not yet dealt with the site-specific situations. E.G. a piece of machinery has a WP attached to it but the machine is now installed in a high temperature zone, so the review of the WP to turn it into a 'safe' WP – i.e. a SWP – will take into account the temperature, etc.

Usually, I find the *Safe Operating Procedure*, *the Safe Work Procedure* and *Safe Work Method Statement* to be the same as each other.

The Pre-Work Risk Assessment is exactly as it sounds, and is a quick review of such things as weather conditions, state of the personnel involved, etc., before commencing the work activity.

The Work-Place Risk Assessment is usually concerned with the area where the work is to be done (remember a workplace may have one type of work going on one day, and a different type of work the next. For example, a maintenance room may have carpenters cutting timber one-day, and electricians doing live test on plant the next day. Same workplace but differing tasks with differing hazards).

The Post-Work Risk Assessment is a debrief of the work that was done, and includes a review and analysis of any new hazards to be considered. For example, some light fixtures may have been fitted high in the ceiling while scaffolding was in place, but now it is removed at the end of the initial job, it is discovered the fixtures are difficult to maintain when lamps need replacing, etc.

I consider the 'Job Safety Analysis' to be a combination of the various 'risk assessments' which are looking at 'work procedures', which, after collecting and analysing all the likely hazards and hazardous situations, allow for the development of the 'Safe Work Procedures'. ('An enemy known is an enemy conquered'.)

A 'work procedure' may be viewed as a 'work in progress' toward establishing a 'safe work procedure', which, if chronologically followed and is a useful 'how to' document. If applied, the SWP allows for competent personnel to carry-out tasks safely, simply by following the instructions.

This essay focuses on the need to design safety into each part of the workplace in such a way that it becomes impossible for a health and safety system to breakdown, other than by human intervention (or non-intervention), or uncontrolled act of nature.



*In this essay, the term 'SWP' (safe work procedure) will be used and will also be taken as meaning 'safe operating procedure'. I will also use the acronym 'UWP' to mean 'unsafe working procedure'.*

**The major focus will be the SWP.**

## **SWPs?**

**Ideally, a Safe Work Procedure' (SWP) is a step-by-step instruction on how to perform a task without fear of injury, illness nor damage.**

If a person carries out a task and follows the instructions of the SWP *exactly*, and still comes to grief, then the instructions will have to be called an *UWP* – an *unsafe* work procedure. That is of course, unless other factors have arisen, outside the scope of the SWP.

**Like a collection of grandma's favourite recipes, a SWP delivers the same results day-in, day-out: no problems... And just like following grandma's recipe, when there are times a variation is made because we don't have the right ingredients, and either leave something out, or substitute something different, it has an effect (usually negative) on the predicted (desired) outcome.**

In the context of a SWP, the operative word is *safe*, since to have the word *safe* pre-fixed to it, a work procedure must *be* safe when followed. That is, all the pre-conditions for safe work have been considered and documented. Obviously, any breakdown in the system, where all the SWPs that are required for each and every task have been followed, would indicate either a failure on the part of a SWP (making it an UWP, so back to the drawing board) *or* the failure of the operator to follow his/her SWP (or another operator failing to follow his/her own SWP) or an uncontrollable act of nature affecting the mechanisms of the SWP.

### **MULTIPLE, INTERTWINED SWPs**

**\* IN THE RESCUE WORK CARRIED-OUT IN THE AFTERMATH OF THE 2004 TSUNAMI, A ROYAL AUSTRALIAN NAVY HELICOPTER CRASHED AFTER AN ESSENTIAL ROTOR SPLIT PIN WAS EITHER NOT RETURNED INTO SERVICE BY A MECHANIC OR HE/SHE HAD FORGOTTEN TO OPEN IT OUT AFTER INSTALLATION. THIS IS AN EXAMPLE WHERE MULTIPLE SWPs WILL EXIST, & MUST ALL BE FOLLOWED OR ELSE THERE WILL BE KNOCK-ON EFFECTS CAUSING FAILURES TO OTHER PARTS OF THE SYSTEM, NO MATTER HOW 'HEALTHY' THE OTHER PARTS ARE.**

***In its purest form, a worker who has a true SWP can only come to grief from two things:***

- a) ***operator non-compliance (either conscious or unconscious), or***
- b) ***an uncontrollable act of nature.***

Of course, an operator may exactly follow the SWP for task 'A', and come to grief because another operator did not follow the SWP for task 'B' that was supposed to interface with task 'A'. This is still an 'operator non-compliance'.

**The following example provides a simple example of the interaction of the SWPs from two different jobs descriptions, and a potential failure:**

**Task 8 from Administrative Office employee job description reads:**

“Collect delivery dockets from Loading Dock.”

**Activities:**

- 1 Fit safety shoes
- 2 Fit reflective vest
- 3 Proceed to Loading Dock via designated walkways**
- 4 Collect daily delivery dockets from Loading Dock Supervisor (or designate)
- 5 Return to Administrative Office
- 6 Deliver dockets to Head Clerk (or designate)

**Task 11 from fork-lift operator’s job description, reads:**

***“Delivery and pick-up at Loading Dock.”***

**Activities:**

- 1 Proceed to Loading Dock
- 2 Drive only in fork-lift designated areas**
- 3 Park fork-lift in designated bay
- 4 Receive instruction regarding loads and destinations from Loading Dock Supervisor
- 5 Carry-out those instructions having regard to safe fork-lift operations (refer to document FO1234 ‘Safe Fork Lift Procedures’ and document FO 1235 ‘Safe Fork Lift interface with pick-up/delivery vehicles’)
- 6 Return to Forklift Operations area on completion

**Activity 3 re the ‘designated walkways’ interacts with Activity 2 of the SWP from a task out of a fork-lift operator’s job description.**

**Of course, either the administration Worker or the fork-lift operator may decide to breach the system and leave their respective designated areas. However, should this be a decision that is consciously made, one would hope each party’s WHS awareness is now much more focused, since they have now left the protection of the SWP system.**

An interesting aspect to consider here is the comment that usually accompanies this sort of system failure: *‘Oh, but it was out of my control...’*

This may be true in the individual operator’s role, however no part of a workplace (except for the act of nature) is truly ‘out of the control of someone.’

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A functional aside is handy here:

## "Nulle terre sans siegneur" vs. "L'argent n'a pas de maitre"

(*'There is no land without its master' vs. 'Money knows no master'.*)

The first is a proverb of the mediaeval period of history, where feudalism reigns; the second comes a little later, when modern economic perspectives have well and truly taken root. We can apply both proverbs to the modern WHS arena.

The first proverb may be paraphrased so we read 'There is no part of the workplace that is without its master,' and every breakdown in the WHS system will be investigated, eventually finding a person or persons with the absolute *organisational* responsibility for that breakdown.

For this reason, the functional workplace will have a transparent assignation of every part of the workplace or work system to a person somewhere in the organisational chain.

Even a *sole* trader is advised to draw up an organisational chart that will bring a smile to the outsider (and the insider), since every business operations role will have the trader's name appended to it:

- Director: Joe Blow;
- CEO: Joe Blow;
- Finance Manager: Joe Blow;
- Accounts Manager: Joe Blow;
- Office Manager: Joe Blow;
- Production Manager: Joe Blow;
- Advertising Manager: Joe Blow;
- Shop Assistant: Joe Blow;
- Maintenance Department: Joe Blow.

The key issue is that each of those titles may be considered a part of the operation, and the person assigned the title must know what their responsibility is in that role: if there is a failure in one part, it will affect the other parts.

Note that if it is not 'transparent' – that is, if the control of a part of the workplace remains unknown until *after* an incident has occurred – a statutory body does not take too long to *assign* that responsibility for legal purposes. Where any obfuscation or clouding of responsibility occurs, there will be generally be a movement *upward* in the organisational chart for that statutory body's clearer understanding. This usually results, in the worst case scenarios, with the department head or CEO having to 'fall on his/her sword'.

The second - later - proverb is more interesting to paraphrase. In effect it clearly hints to the modern reader that 'He who can muster the best legal defence may win the case, right or wrong!'

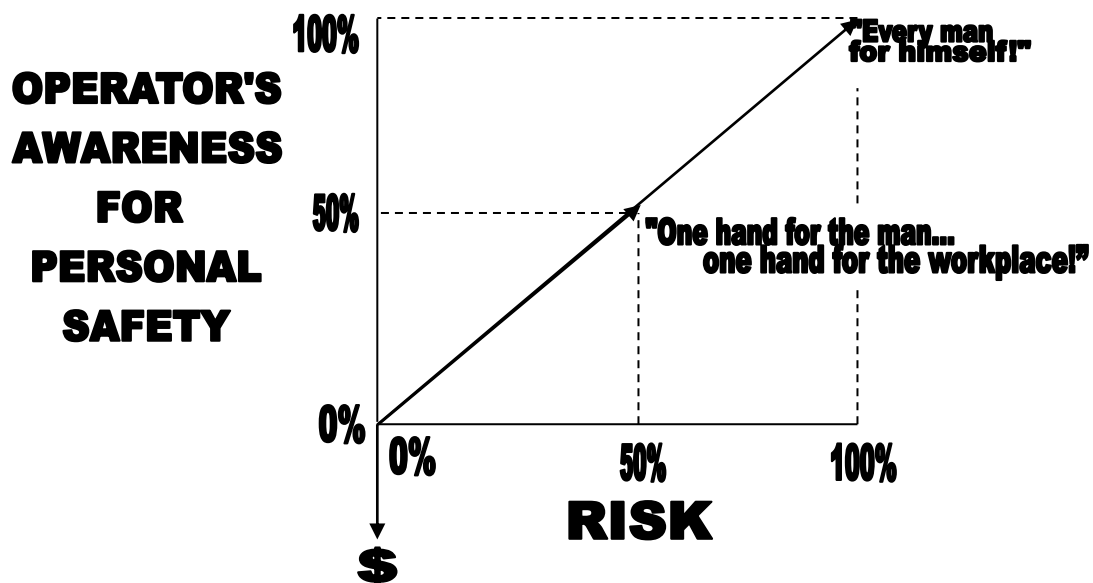
Either way, it can amount to a very costly affair to have a breach in the WHS system!

In our dealings with matters of an WHS nature, it is very tempting for economic rationalists to see WHS systems as an expense. In fact, those systems are an investment in the quality delivery of goods and services.

This is illustrated in the following graph:

### Risk vs. Awareness for Personal Safety

*"Concurrent with a rise in RISK is the need to increase operator AWARENESS for their own safety...awareness that could go to the company if the place were safe..." DRW.*



The implication is that the *higher the risk* faced by an employee, the less concentration he/she can dedicate to the core of the task at hand (which, ultimately, is a task designed to increase the employer's profit). The analogy of ship at sea is used, where, once the situation is grim enough, the command of *'Every man for himself'* will be given. Which means no more thought for the employer's enterprise, just total dedication to *saving oneself*.

If we step back to a *fifty percent risk factor*, the *'One hand for the ship and one for the man'* illustrates the employer now has at least *half* of the employee's attention dedicated to the business enterprise, and *half* for him(her)self, and so on.

If we link this graph to the risk control methods outlined in the *Hierarchy of Hazard Control*, we can see how we *reduce* the RISK factor by moving *up* the hierarchy. Also, the higher up the hierarchy we progress, we can feel more comfortable with an operator who may not be fully aware of the potential for

the HAZARD to cause injury, illness and/or damage. That is, the higher up the hierarchy, the more likely we are to protect the trained *and* the untrained worker, the physiologically-affected and the psychologically-affected worker; the conscious and the unconscious worker in the workplace - and beyond! In the long-term, this means *less time spent on worrying* about negotiating hazardous situations, and *more time concentrating 'on the job'...* (note, too, *this is of assistance to a human resource department, since the skill requirement may then be reduced*)... overall, an important incentive to *increasing the profit making potential of each and every employee!*

### **All this from the earlier investment in WHS!**

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### **Back to our main story...**

A functional SWP will address the issues discussed above: outlining both the *responsibilities* associated with the task (demonstrating another difference between a generic Standard Operating Procedure and a SWP, since in a large organisation, the generic procedure may be applied in a number of differing departments, each with its own assignation of responsibilities), and the *operations* required to fulfil the task.

If an incident occurs and we feel the SWP for that task was accurate and should not have given cause to a problem, and we discover the worker carried the task to the letter of the SWP (and there were no 'acts of nature!'), the 'not in my control' might now indicate a failure within *other* SWPs that are supposed to interact with our original SWP. Further research of those SWPs may reveal they indeed earn the title SWP, and it is found an operator non-compliance, or an 'uncontrolled act of nature' occurred that negatively affected one of these *other interacting* SWPs.

Once a SWP exists for each and every task in the workplace, this would indicate each piece of the business operations jigsaw is now 'safe' to interact with another piece of that jigsaw.

Another example of this sort of problem within the system arises in a nursing home, where a SWP for the task: "Replace the 20 litre drum of dishwashing fluid in the kitchen dishwasher" includes the activity "Use hand trolley to transport the 20 litre drum from the chemical store to the kitchen." However, another part of the operations jigsaw includes the maintenance team, who have a SWP for the maintenance of the hand trolley. This SWP includes the information that a six monthly check is to be carried out, but for whatever reason, it is two years since the last check. In the meantime, due to that poor maintenance, the bearings of the wheels have rusted, with one wheel locking up. The kitchen hand who attempts to use the trolley cannot steer it properly, and runs into a resident causing a fractured ankle.

What happened to the kitchenhand's SWP?

Though the suggestion of 'keep an eye open for faulty equipment' might apply, *should* it? If we think the SWP has to list all the possibilities, it becomes too cumbersome. As emphasised elsewhere, the SWP must be safe when followed, without the need for continued judgement calls, or else it is *not* a SWP, and we are back with the WP. Undeniably, there should be training in place for the Kitchenhand to report unsafe equipment and to be aware of unforeseen hazards, but this may be argued as demonstrating the need for another part of the workplace activities jigsaw, and a SWP for the '*imparting of WHS knowledge*' would become part of the Worker training programme.

**The bottom line here is that someone in the Maintenance Department has let down the team effort with a non-compliance with the Department's own SWP for the maintenance of the trolley. Had their SWP been adhered to, no breakdown of the system need have occurred.**

Some of the issues to consider are:

***Kitchenhand:***

- The fact the SWP for the task is OK, but the Kitchenhand chose to use the unsafe trolley indicates a number of other issues to investigate:
  - if the Kitchenhand had been taken through a SWP for the '*imparting of WHS knowledge*', which included instruction in reporting unsafe equipment and/or practices, that training will need a review;
  - there may have been an unpreparedness to change schedule and look for another option;
  - the Kitchenhand may be sticking to a deadline and prepared to take risk outside the scope of the SWP;
  - the Kitchenhand may have received an instruction from a superior to 'carry-on' regardless;
  - the Kitchenhand may have been too afraid to speak up, and stepped outside the confines of the SWP;
  - was there another clearly defined option available?

***Maintenance Department:***

- The fact the task did not get carried out may indicate several other issues:
  - no responsibility for the task being *highlighted* in the SWP (making it a UWP);
  - perhaps responsibility *is* highlighted in the SWP, which:
    - indicates flaw in a maintenance flagging system which would have warned responsible party that a timely maintenance check was due;
    - deliberate non-compliance of the SWP instruction (whether complacency, too lazy or too busy).

Obviously, there may other issues in real life, such as poor engineering in the design of the trolley in the first place, etc., but the basic premise remains the same: a SWP must *be* **safe!**

**Where interaction involves a greater number of Workers, increasing exposure, the likelihood of operator error compounds. (A distraction by one Worker might now increase the likelihood of a domino-like effect, involving a number of others in the breakdown of the system.) EG a Worker misusing an acetylene torch and setting fire to a demountable office on a construction site, vs the same misuse of the acetylene torch in a multistorey hospital: same core-breakdown, but enormously different outcome.**

### **SWP: A lot of documentation?**

#### ***Why bother documenting?***

***The interesting thing regarding the steps to achieving many tasks in a long-term business is that they have already been 'tried-and-tested' but never actually documented. In the short term, the process of documentation is arduous, but the positive, long term results far outweigh the initial effort.***

*An understanding of the benefits of documentation itself is handy here, among other things it:*

- Allows duplication
- Is demonstrable
- Plans, actions and reviews
- Is a legal requirement in some cases
- Reflects commitment
- Provides a homogenous service/product – and same information is seen/heard by all relevant staff
- Is available to all appropriate staff
- Is Professional
- Educates
- Promotes discussion/debate
- Is easy to review
- Can be revised
- Limits interpretation
- Looks good, and demonstrates pride in work

**All the above can be applied to reasons for having a system of SWPs.**

#### **WPs vs SWPs**

**Until a WP has been well and truly tried and tested over a period time, it cannot be deemed a *safe WP*. A SWP must deliver 100% safety when followed. If it can only provide 99% safety, it remains a WP.**

Many businesses have WPs or standard operating procedures, and these are usually documents covering the *generic* approach to activities likely to occur in a number of locations not specifically identified on the WP. A *safe WP* on the other hand should be a site specific document. A generic procedure for the removal of a hydraulic valve from a large piece of plant will probably have recommendations and reminders regarding a formidable number of possible hazards likely to arise from the myriad number of places the plant might be installed. Such concerns would include confined space, hazardous atmosphere, isolation points, passing traffic, noise levels, lighting, etc. On the other hand, a SWP can specifically pinpoint and highlight the issues concerned. The general actions regarding the mechanics of removal of the valve will still apply, but these actions will be included in the broader SWP for the valve removal from that specific piece of plant in its specific locale. *The operator has only to address the hazards actually present.*

Where the plant is regularly re-locating, it may be that a WP, in conjunction with JSA skills, is the only instruction that will suffice. The WP will always have to *suggest* a broad range of hazards to consider, along with the assessment and control *possibilities*. This will, in turn, mean a higher level of awareness on the part of the operator, who must now be open to – and capable of - identifying a broader range of hazards, with the concurrent increase in exposure to risk, and the greater focus on risk control that this demands.

Problems arise with the re-negotiation of safety in the above situation since it is open to very personalised, subjective interpretation. Another example would be a WP which involved work which required cleaning of some machine parts. The WP would ask the worker to consider *any* hazardous substances likely to be used. A *SWP* would have the particular substances listed for the specific location, along with considerations of safety data sheet (SDS) access, where the appropriate emergency gear is (spill kit, first aid, fire extinguisher), etc.

**It is possible, of course, that over a period of time, some of the types of location involving mobile plant, etc., become repetitious, which would allow a SWP to be developed for that specific situation, and for this SWP to be kept on file and re-introduced with each visit to type of location.**

WPs have their place in the scheme of things, but it is important to grasp that so long as an individual's capacity to make an incorrect decision in the workplace exists, injury, illness or damage will occur. It follows that so long as a business relies solely on WPs without making an effort to improve these to SWPs, then demands on operator-awareness increases, and the potential for injury, illness and damage increases. Since the WPs will have as many tips for things to look out for as can be imagined, the operator awareness must be



much higher because of these variables, and moment-by-moment assessments made of the work-in-progress.

**A simple example to consider here is the worker who travels for the business. Whether it is an estimator visiting a site to prepare a quote, a salesperson making calls, an executive touching in at various boardrooms, how does a SWP fit into the schedule? The WP certainly rises to the occasion, with its generic reminders of things to look out for. However, this still underlines the need for greater worker awareness, and includes greater attention to training.**

As with all these aspects, the incumbent Worker's comments are essential for ongoing development. Whether it is the delivery truck driver's comment on visits to company A's loading dock, with its poor lighting that always results in momentary blindness as the driver's eyes adjust as the truck is reversed into the dock; whether it is the poor site inductions that do not allow a visitor to company B to understand where to go in an emergency; whether it is company C with the undisciplined, maniacal fork-lift drivers who take great joy in doing wheelies around the store-room, and so on, it is the *shared* duty of all *our* staff to highlight such issues so WPs can be updated with identified hazards. As relationships with these other enterprises matured, of course, there may be the opportunity to have a *site-specific* WP prepared that really *does* become a SWP that can be referred to by any other Worker entering that particular business' area. (*Some businesses include another business' staff in WHS consultative meetings to ensure cross-pollination of safety issues.*)

Regardless, the maxim still applies:

**“Once a document relating to a task is called a SWP, it must not, of itself, lead to injury, illness nor harm while carrying out that task.”**

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a) *SWPs and Emergency Services*

Emergency services' Workers face a similar dilemma to the mobile plant/vehicle operator and the travelling Worker: *a constantly changing (often accelerated change) working environment*, and again the more generic WP is going to be the more commonly used document. With regular job safety analyses, WPs in emergency services *can* become more refined, and (say) where there was what once may have been a very generic JSA entitled “Putting out a fire” may now be a collection of WPs with headings such as “Fighting a bush fire in a rural area”, “Fighting a bushfire in an urban area”, “Fighting a fire at a service station” and so on. That is, a collection of more *specific* hazard controls already identified for a more *specific* work area. From this, we may surmise:

**“The more *specific* the work procedure is, the *closer* it is to becoming a *safe* work procedure.”**

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b) SWPs and Acts of Nature

The Universe is in a constant state of flux. Nature reflects this in a myriad number of ways. Environmental issues arise from the ‘act of nature’ that often surpass the ‘acts of humankind’. (*The 2004 SE Asian tsunami is an obvious example.*) Though not possible in all instances, a SWP *can* take into account possible acts of nature, and deliver safety. The bolt of lightning that hits a tower or block of units can be run to ground by a correctly mounted lightning rod and earth bar. The potential for damage within an office inside a building constructed in an earthquake prone area can be minimised with the installation of furnishings designed to be fixed in place so no-one is crushed as the building leans at a frightening angle during the ‘quake. (The building itself having been correctly built so as to prevent actual collapse, of course!)

Occasional contact with poisonous insects/reptiles/plants may be part of the interaction with Nature. The SWP for an area would include the reminder for care when lifting pit covers, putting unprotected hands into dark places and so forth. Where the identity of types of critter/plant life that could come in contact with the workforce is known, the emergency control part of a SWP might include the access points for specialised anti-venene, special lotions, etc.

If we can *guarantee* absolute protection against these natural pests, etc., then we can definitely add the prefix of ‘safe’ to the WP.

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**SWPs and Manual Handling Issues.**

**It is helpful for the persons assisting in the preparation of SWPs to consider the derivative meaning of ‘ergonomic’ here.**

The word is made up of two Greek words, ‘ERGO’ and ‘NOMUS’: *Ergo* meaning ‘work’, and *Nomus* meaning ‘Natural law’. In most workplaces, the only things we see are ‘work’ – in the form of various tasks being done, and the ‘natural law’ – usually in the form of fellow *human beings*. In the last few years, in the majority of developed countries, industrial relations laws have recognised the duty of a PCBU is to ensure the *work* (ergo) fits the *worker* (nomus), whereas not so many years ago, it was the other way around: “There’s the work: do it!” with no thought being given to whether the work was within the worker’s capability or not.

One of the more prominent examples of the modern approach is witnessed in the office furniture business where there are many postural adjustments

available on desks and chairs. Interestingly, if we travelled back to the stone-age human at work, he or she would have made his or her own tools. Tools that would have been made, so far as possible, to suit *themselves*. As the processes of work became more collective and there was perhaps one toolmaker for the tribe, an *average* tool would have emerged, probably not fully suiting anyone, but 'close enough'. In the modern industrial setting, we have moved 'back' to the individualising of the tools of trade. Many years ago (well, not *that* many: I was the subject of this practical joke myself), the apprentice would be sent to the tool store to get a 'left-handed screwdriver' or some such mythical hand-tool. A joke back then, but nowadays, such tools exist, since consideration nowadays is that *a tool vectors energy*. If you want to maximise this vectoring of energy from the worker, provide the right tool for the task *and* the person performing the task. Don't forget, this includes both the hardware (hammers, drills, furnishings, etc.) as well as the software (knowledge handling and negotiating skills, presentation of ideas, etc.).

One very simple example of the right tool and its potential for improving worker performance – and well-being - is to consider the effect of lifting a weight in a balanced manner vs an unbalanced manner. A person with a properly fitted, balanced backpack, standing in a balanced upright position has their oxygen uptake measured. The uptake of oxygen in this balanced mode is now taken as the benchmark of 100% oxygen uptake for performing the work of supporting a load (say: X kg). This same person is now told to hold the same pack of X kg in the right hand, and in this 'unbalanced' mode, the oxygen consumption is measured again. The uptake is increased to over 240%! (Kroemer and Granjean 2001. p.12.)

***Yet again, the closer we can get to using the right tool, in the right way – the more efficient the use of energy becomes... and the corollary: the less energy lost! This will translate into less fatigued workers at the end of the day, and so forth. The difference between leaving work, ready to enjoy some leisure activity or leaving to go home to bed, exhausted! This is also likely to be reflected in less time off work or more 'sickies' along the way.***

In *theory*, it is the *human resource (HR)* team that can make best use of, and benefit from, taking into account the physical/psychological profiles of workers likely to perform the tasks that comprise a job.

It is this team, that, armed with the collection of tasks that make up the job description, ascertain the best match of people and the job to be done. Most job descriptions will have 10 to 20 'tasks' associated with the role, and each task will, in turn, be broken down into a collection of activities. If a collection of SWPs exists for these activities, the job of the HR team becomes a lot easier – especially in a firm where 'pre-employment medicals' are part of the hiring process. For example, the applicant can be given the collection of SWPs associated with the job and their own doctor can give an assessment as to the applicant's capabilities – perhaps even bringing something to the applicant's attention an activity that might endanger the applicant. The activity might relate to some medical problem that is confidential to the applicant and

their doctor, but at least is highlighted *before* the applicant takes up the post. (*In fairness to all, the applicant should be advised to discuss the issue with the HR team who may be prepared to negotiate an adjustment to the task if they decided this was a person they really wanted on board.*) The HR team that really worked at the SWP concept would also be advised to make use of such tools as “*Heyde’s Modapts*”, a collection of indicators to assist in the calculation of effort and musculoskeletal positions and positioning with relation to the type of work being done. (This is a highly focused area within the discipline of ergonomics and beyond the scope of this essay, but for the purist, well worth the effort when considering the preparation of a SWP.)

In *practice*, the hiring of persons for the workplace has many issues to be negotiated. After all, how is anyone to know that an emotional crisis arising from a non-workplace event is just around the corner for the new Worker? Something that may cause an imbalance in the Worker’s physical/psychological metabolism? Something that reduces the new Worker’s ability to fulfil their contract of employment (which includes the duty to follow relevant SWPs), and, at best, reduces a department’s efficiency, or, at worst, results in a breakdown in the safety system?

## **CONCLUSION:**

**A "Safe Work Procedure" (SWP) is a very specific outline of what is required to carry out a task, and do it SAFELY.**

A *Job Description* may contain many tasks, requiring a number of SWPs to be available to the Worker. It is quite possible a particular task will appear in several Job Descriptions. For example, keeping an area tidy and clean may be the role of an Office Assistant, an Usher in a theatre, or an Electrical Trades Assistant (not to mention the first year apprentice!), and require a SWP that is virtually identical.

Basically, a well-prepared SWP fulfils a number of purposes:

- Outlines a safe method of work for a specific task
- Accompanies a prospective Worker to the doctor for a 'pre-employment' medical examination
- Provides an induction tool for new starters to the task
- Assists in meeting legislative requirements, both health and safety and industrial relations issues
- Allows for programming of workload, materials, staffing and time
- Anticipates possible problems
- Assists in meeting quality control
- Assists the Return-to-Work Coordinator/Rehabilitation Provider to find useful and meaningful work for any injured Worker brought back into the workplace on a 'return-to-work' scheme.

From a preventative, safety perspective, the SWP is very much part of the site safety plan:

- It allows for safety to be introduced formally at the point of considering the task
- It anticipates all hazards likely to be met while working on the task, including hazardous substances, environmental and psychological stressors, and manual handling issues
- It considers legislation relating to the WHS requirements of the site where the task is to be carried out
- It includes the local area organisation chart and concurrent responsibility for each person
- Provides injury control procedures by outlining 'what-if' scenarios
- Provides emergency procedures by outlining 'what if' scenarios, and considers contingencies.

It must be noted by all concerned parties that though the effort in establishing SWPs is demanding on the short term, the long run gains far outweigh the initial costs, and savings will be made in both industrial relations issues as well as WHS matters.

In his 1997 book on quality control management systems, writer Christopher Mouatt makes this very strong postscript:

*“Lately, you may have seen journal articles and talks advertised with titles such as ‘Beyond Quality’ or ‘Beyond Quality Assurance’. If the proponents of this position are honest, they either misunderstood quality assurance, paid lip service to it, or were unable to implement and maintain efficient, effective quality systems. A documented quality system is about consistent management achieving the projected results. If the system does not achieve the desired result, modify it. If the system does not consistently produce the desired result, modify it or enforce discipline. No system will work without discipline, and if you want self-discipline, introduce personal accountability for quality and environmental impact targets, not only financial and production targets.*

*There is no ‘beyond quality assurance’ because at that point you cease to produce consistent, reliable products and services. Would you buy inconsistent, unreliable products and services? Quality assurance is still needed, but preferably without the fuss that has accompanied it to date.”*  
(Mouatt 1997)

Applying these thoughts to the SWP concept: *it is a SAFE work procedure or it is NOT.* There are no shades of grey, nor extraordinary deviations from the rule outlined at the opening of this essay:

***“A Worker who follows a SWP can only come to grief from two things:  
a) operator non-compliance (either conscious or unconscious; possibly from another Worker not following their own SWP), or  
b) an uncontrollable act of nature.”***

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## **Serious injury**

See 'significant injury'.

## **Significant Injury**

(Sometimes called 'serious injury' or 'notifiable injury'.) Generally, a significant injury is any injury likely to lead to a person being unable to perform their pre-injury functions for seven days or more. It is possible, for example, for an injury to occur, and an employee be sent to a medical centre for a few hours, and return to the job. They may, however, have a wound that takes several weeks to repair, and so are given alternate duties for that time. This means they are will be away from their 'pre-injury duties' and so have suffered a 'significant injury'. (This must also be reported to the WHS authority using the authority's official incident report form.)

## **Staff Manual**

An informative and instructional reference given to Workers when they first commence work for XYZ. The handbook should include the Worker's job description, any associated safe work procedures, (which will include specific hazards likely to be encountered in the job, an outline of XYZ industrial relations and human resource policies and procedures (including organisational structure and where the Worker's position sits within the structure, grievance procedures and disciplinary procedures). The handbook will also include the XYZ WHS Policy and references to the various WHS

Procedures. The hand book must be capable of being reviewed and updated, with opportunities to easily replace adjusted pages.

## **Supervisor**

Another of the four pillars of good WHS (the others being Information, Instruction and Training – as required by the WHS legislation).

A supervisor is usually part of management, but at a line management, 'coal-face/shop-floor level', and not classed as an 'Officer'.

In this manual, the term applies to:

i) *Heads of Department* who manage an organisational section of the facility, directly below the *XYZ Manager* on the organisational chart, and who report directly to *XYZ Manager*.

ii) *Those who direct in any way, other Workers of the organisation*. These persons are generally site-based, with duties involving training, informing and instructing relevant Workers and Others, implementing safety rules within the team, and must act on safety concerns brought to their attention (whether by upper management or by members of the team).

Supervisors will be capable of some discretion in control of hazards, and assist management to investigate WHS incidents. They have the power to discipline breaches of the XYZ WHS policy and procedures.

*Importantly for supervisors, they need to know and understand the application of **discipline** as well as the concurrent **grievance** procedures available to Workers.*

## **Training**

Another of the four pillars of good WHS (the others being Information, Instruction and Supervision – as required by the WHS legislation).

Training may be carried out formally or informally. It may occur on the job or off the job. Depending on the subject matter, some academic training may be advisable to give a deeper understanding of the subject, at other times, a competency based training session is the answer. Training should not just be treated as an off-hand need. The relevant task or situation should be assessed to see what *sort* of training is acceptable, and the subject matter.

Some WHS courses may need to be taught by a state-accredited training organisation (for example, the 'General Induction Training for Construction Work' courses). Some others may be taught by the supervisor, and a simple briefing be sufficient to pass on the knowledge of how to achieve a goal.

A simple rhyme to assist in most competency-based training is:

"Do it fast; Do it slow; Do it with me; Now... off you go."

The first two activities are carried out by the trainer, the third with both parties, then the fourth is by the trainee - under a continued supervision of course.

*One of the driving forces behind the adequate training of staff must be the possibility of 'vicarious liability'.*

*Vicarious actions are actions carried out by a Worker on behalf of a PCBU and which lead to an incident. The PCBU is liable for the more obvious liabilities arising from the Worker "following the PCBU's instructions and those instructions led directly to the incident occurring", but the more obtuse possibility is that a vicarious liability may successfully be prosecuted when a Worker can show he or she did what he or she did, out of a desire to better serve the interest of the PCBU. This has far reaching implications on such virtues as discretion and initiative.*

*This point alone should be seen as reason to include legislative awareness into a Worker's induction so they realise at the earliest stage, their discretion and initiatives are always appreciated, but must be tempered with good judgement and a true and fair assessment of each situation likely to lead to an incident. Workers, once aware of the way the law can impact on their PCBU, do not feel so aggrieved toward the PCBU if controls are imposed.*

*"Occupational health and safety? Isn't it just common sense?"  
(See also the specific definition.)*

Driving a car *safely* could well be described as a *common sense* thing to do, and yet, before the advent of seat belts, pro-rata statistics show deaths from motor vehicle accidents were lower after the introduction of compulsory wearing of seat belts. This compulsory wearing of seat belts was a '*health and safety*' initiative based on monitoring, reviewing and applying statistical data relating to, among other things, momentum and the movement of the human body in relation to that momentum, along with the penetrability of the human skull as a result of the infinitely variable nuances of that momentum and movement, in motor vehicle impact scenarios. Common sense certainly played its part (*crash test dummies rather than live humans?*), but the ability to learn and apply safety is not based solely on that '*common sense*'.

Effort must be put in to analyse a situation not just after an event, but *before* an event. Consider outcomes and probabilities - (*these aspects of chance are associated with horse races, but 'common sense' does not work these out for the gambler - although it might be 'common sense' to not gamble!*). We have to not just *observe* risks associated with hazards, but be able to *assess* them and *control* them - sometimes at a moment's notice. We also have to consider what is likely to occur if the risk is uncontrolled and something goes awry.



**Safe workplaces do not just happen, someone works to make them that way. To carry out such work requires education and training, to a greater or lesser degree.**

As humans become more specialised in their jobs, interesting WHS problems develop. For example, Occupational Overuse Syndrome (OOS) resulting from continuous repetitive muscular skeletal stressors is not so widely spread across workplaces where each person carries out a wide variety of tasks. As soon as work becomes specialised however, the chance of OOS increases.

*An early documented case of this came from an Italian physician, Bernardino Ramazzini, in 1713. He was an early occupational physician who observed what he described as 'unnatural movements of the body' in workers who carried out daily routines which included such things as extended sitting and repetitive movements. In particular, he noted the malady among 'scribes and notaries' due to their long periods of sitting, short movements of the hand in the same direction, and concentration of the mind to accomplish accuracy. This 'malady' resulted in irreversible weakness and constant pain: OOS. 'Common sense' would not have us do such things at all\*!*

It is the result of investigation by such people as Dr. Ramazzini that we realise the need for actual applied training in WHS. The need to develop awareness of, and corrective measures for, issues likely to impact upon us as a result of work, no matter what that work is, nor even our position in the hierarchy. In any facility all staff - whether upper-management or front-line employee - have various WHS training needs. Occasionally, these are similar (eg fire drills), and at other times, very individual (eg preparing an WHS management system or safe handling of chemicals for use in a swimming pool).

***XYZ is obliged to ensure the WHS of all persons under its control, and must ensure the issue of appropriate training for each and every Worker is addressed in a reasonable and meaningful manner.***

In some instances, this is mandatory, as in the case of WHS health and safety representatives who have elected to do the five day training course.

A PCBU must ensure the HSR attends a registered training organisation (RTO) which is accredited to deliver that particular course. (For example, in the Federal jurisdiction, 'Shared Advantage Pty. Ltd.' is a group authorised by the Federal authority, Comcare' to deliver the course.)

In most cases of 'training', however, the training is not so formal, and may simply be a supervisor (in the instance of chemical handling) instructing the Worker in safety procedures including safe chemical storage, where information (eg safety data sheet – SDS) is available and how to use it, where appropriate personal protective equipment (PPE) is available, and when and how to use it, emergency wash and spill procedures, safe decanting requirements and safe – both to the Worker and the environment - disposal of used or excess chemicals.

***The timely and appropriate training of staff will ensure XYZ is capable of at least addressing the foreseeable WHS issues it is likely to confront, as well as having a good probability of mitigating issues as yet unidentified.***

Training must also be viewed in the sense of increasing a PCBU's assets. Training, when well presented and followed-up, will be of great benefit in increasing a Worker's efficiency and commitment to the organisation. Training can have effects that improve a Worker's self-esteem and make them feel a valued member of the workplace. Human resource departments can provide good references to these positive traits and trends.

***Two final points to keep in mind:***

- i) **“Monkey see, monkey do.”** If a Worker is trained to do something and perceives the instruction is not being carried out by persons ranked higher in the organisation, all the training will be of no use to the facility. An example is fire drills which may find some ‘higher ranks’ not taking part because they are ‘too busy’. If the Workers perceive this (without sufficient prior discussion\*\*), the drills will not be very effective, and the situation could be disastrous if the real thing happened;
- ii) **“Tell me what you want, let me know how I’m doing.”** This statement is the very essence of the finest human resource information you will ever read. If we want to achieve good training with positive outcomes, the statement must read both ways, of course. Clear instruction, preferably documented for later referral if required, allows both parties to the instruction to see the guidelines. A game of tennis played on a marked court allows for the ‘ins’ and ‘outs’ to be clearly defined by all parties. Training and instruction (“*Tell me what you want...*”) with appropriate overt encouragement and correction (“*... let me know how I’m doing.*”) will save time and effort later if a small deviation from policy and procedure is allowed to pass by. (A one degree deviation in a flight from Sydney to London does not require much correction just after take-off, but if we waited for twelve hours after take-off we would be many kilometres off-course).

\*Refer to entry for ‘Common Sense’.

\*\* Note the participation in fire training drills may occasionally be impossible for all staff. EG emergency call stations may have several personnel on duty who are exempted from the day's drill. However, XYZ will ensure all staff are notified of the exempted parties and the reason, before the actual drill takes place. Obviously, the exempted parties must participate in another drill at an appropriate later time.

## **Visitor**

Basically, under the conditions of the WHS Act, this is considered to be anyone who is not doing ‘work’ on behalf of the firm. In the WHS Act, ‘visitors’

are considered as 'others'. It will include door-to-door salespeople, relatives and friends of employees, and so on.

### **Visitor sign-in**

This is a book/page usually kept at the reception area, where visitors to the site are to sign. The visitor signature will infer they have read and understood the XYZ site rules, including an overview of major WHS issues and emergency procedures. There will also be a space for the visitor to sign themselves 'out'.

### **Volunteer**

This is a Worker who is not paid, but who must still adhere to the rules of the Workplace as if they were being paid. It is important to still separate 'Volunteers' versus paid 'Employees' since some 'Worker's Compensation' insurance schemes do not cover 'Volunteers'. It is recommended 'volunteer insurance' be considered when planning to take-on such personnel.

Note a 'volunteer' manager, who is considered senior enough to be considered an 'Officer' of a PCBU will not be prosecuted as an 'Officer', but still has duties as a 'Worker'. (Ref. s.34 of the Act.)

### **Witness**

A person who can give evidence about a matter being investigated. The person may or may not be a victim of the matter in question, and the evidence may be direct or indirect evidence.

### **Whistleblower**

A person who discloses wrong-doing to the public. This may be alleged or suspected activity, and involve private and public organisations, as well as those in authority. One of the definitions of a free society is 'I may not be liked, but I will not come to any harm', and the disclosure of wrong-doing in 'high places' must remain a protected right in any free society. In the current WHS legislation, any Worker has the right to speak out – without being discriminated against - on any matter the Worker *considers* is unsafe: a very powerful right indeed! Ideally, a workplace will make it easy for Workers to speak up within the workplace before there is any need for external interventions.

### **Work Health and Safety Management System (WHSMS)**

Is a system that includes all the programmes, policies, procedures, organisational structures, planning activities, responsibilities, processes, practices and resources for developing, implementing, achieving, reviewing and maintaining the Work Health and Safety of all persons in, or affected by, XYZ workplaces.

## **Work Method Statement**

See “Job safety analysis”, “Safe Work Procedure”, “Safe Work Method Statement” above.

## **Worker**

**Section 7 of the Act defines a ‘Worker’ as follows:**

- (1) A person is a *worker* if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:
  - (a) an employee; or
  - (b) a contractor or subcontractor; or
  - (c) an employee of a contractor or subcontractor; or
  - (d) an employee of a labour hire company who has been assigned to work in the person’s business or undertaking; or
  - (e) an outworker; or
  - (f) an apprentice or trainee; or
  - (g) a student gaining work experience; or
  - (h) a volunteer; or
  - (i) a person of a prescribed class.

***Note an ‘Officer’ will always also be a ‘Worker’, but a ‘Worker’ may not necessarily be an ‘Officer’. This can be of importance to volunteer officers of not-for-profit organisations, since unpaid ‘Officers’ will not be prosecuted as ‘Officers’, but they are still liable for prosecution as ‘Workers’.***

## **Worker handbook**

See **Staff Manual**.

## **XYZ**

The PCBU responsible for all persons entering areas (both geographic areas and organisational areas) where it has control, or it may be *deemed* to have control.

## **XYZ General Manager**

The executive officer appointed for the day-to-day functioning of the business of XYZ, with executive powers from, and reporting functions to, the XYZ Board. The XYZ General Manager has responsibility for all persons likely to be affected by XYZ activities. As such, the General Manager must ensure the development and implementation of an effective WHS programme, including compliance with the WHS Act 2011, the WHS Regulation(s) 2011, and all

other statutory obligations likely to impact on the organisation and its environs.

Even though the General Manager is presented with long-term operational policy by the XYZ Board, the day-to-day functions will be the General Manager's concern, and it is highly recommended legislation be considered in light of this.

The usual measure of *culpability* is the degree (consideration being given to what would be 'reasonably practicable' or 'what would a prudent PCBU do in the same circumstance?') in which the person had in control of the circumstances which led to an incident in the workplace. (Refer to sections 18 and 27 of the WHS Act 2011.)