

CRICOS # 01854A
RTO # 2875

HLTWHS004
Manage work health and safety
Learner Guide



Massage Schools of Queensland
HLTWH5004 - Manage work health and safety



CONTENTS

Application of the Unit	5
Required skills.....	Error! Bookmark not defined.
Required knowledge	6
Recognition of Prior Learning	7
Professional Organisations	7
Suggested Readings.....	7
Resources for Assessment.....	8
Method of Assessment	8
Personal Learning Objectives.....	9
Introduction to the unit	10
ELEMENT 1	11
Establish work health and safety practices.....	11
WHS legislation.....	11
WHS legislation & civil construction.....	12
WHS POLICIES	14
Who has duty under the law?	17
Whs systems in the workplace	19
What human resources are required to assist with a whs system?	19
Gaining financial approval	20
Element 2: Facilitate consultation, cooperation and communication.....	22
Consultation, representation and participation	22
What are participation arrangements?.....	23
WHS legislation in relation to WHS issues	25
Communicating information	28



Accessing & Understanding information and Whs	29
Element 3 Monitor compliance with risk control processes	30
Ongoing hazard identification procedures	30
Assessment and control of associated risks	30
Controlling existing hazards in the planning & design stage	33
Controlling hazards at implementation	33
Changes in the workplace after implementation.....	33
Hierarchy of risk control	38
Procedures for implementation of risk control	39
Identifying inadequacies	41
Providing more resources	41
LEGISLATION	42
Where WHS ADVICE WOULD be needed	43
Element 4 Evaluate and maintain WHS.....	44
Training and legislation	44
Safety induction program	44
Task specific training	45
Adequate supervision	45
Following procedures.....	45
Whs recordkeeping.....	46
Patterns of occupational injury and disease	46
Safety reports.....	47
WHS Legislation	48
Measuring the whs management system	51
Complying with legislation	53
Bibliography	54



HLTWHS004 - MANAGE WORK HEALTH AND SAFETY

This unit describes the performance outcomes, skills and knowledge required to establish, maintain and evaluate the organisation's work health and safety (WHS) policies, procedures and programs in the relevant work area according to WHS legislative requirements.

APPLICATION OF THE UNIT

This unit describes the skills and knowledge required to establish, maintain and evaluate work health and safety (WHS) policies, procedures and programs in the relevant work area, according to WHS legislative requirements.

This unit applies to workers who have responsibility for WHS as part of their role, including workers with obligations under WHS legislation, persons conducting a business or undertaking (PCBUs), or their officers (as defined by relevant legislation).

The skills in this unit must be applied in accordance with Commonwealth and State/Territory legislation, Australian/New Zealand standards and industry codes of practice.

PERFORMANCE EVIDENCE:

The candidate must show evidence of the ability to complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the job role.

- There must be demonstrated evidence that the candidate has completed the following tasks at least once in line with state/territory WHS regulations, relevant codes of practice and workplace procedures:
- conducted a workplace risk assessment and recorded the results, including:
 - identification of hazards and potential hazards
 - risk assessment
 - evaluation of policy/procedure in line with state/territory legislation and industry guidelines
 - development of risk controls and measures
 - conducted the following consultative activities with at least two workers:



- information session about workplace policies and procedures, including demonstration of personal protective equipment (PPE) where required for the job role
- consultative discussion regarding outcomes of a workplace risk assessment, including risk controls and measures developed as part of the risk assessment process
- monitored workplace compliance with WHS procedures
- developed a WHS action plan, including strategies for monitoring and review
- coordinated workplace procedures for a simulated emergency situation
- Problem-solving skills to deal with complex and non-routine difficulties.

REQUIRED KNOWLEDGE

The candidate must demonstrate knowledge of:

State/territory legislation and how it impacts on workplace regulations, codes of practice and industry standards, including:

- state/territory WHS authorities
- rights and responsibilities of persons conducting a business or undertaking (PCBUs), officers and workers, including duty of care
- legislative requirements for record-keeping and reporting
- due diligence and general duty requirements
- regulatory requirements relevant to the particular industry/type of work site
- legislative requirements for consultation
- hazardous manual tasks
- infection control
- hazards common to the work environment and strategies for minimisation

Requirements for WHS policies, including:

- hazard, incident and injury reporting
- hazard identification, risk assessment and control
- human resources policies and procedures
- consultation and participation
- incident investigation and record-keeping
- quality system documentation
- designated person/s for raising issues
- workplace support services
- use of personal protective equipment (PPE)
- emergency procedures



Principles of hazard and risk management, including:

- risk analysis
- hazard identification procedures
- hierarchy of control and its application
- principles of risk assessment
- examples of health and safety benchmarks
- principles of safe design processes

The course is structured into:

- Classroom delivery.
- Learner guide, which includes activities and exercises.
- Assessment workbook, which includes assessment questions.

RECOGNITION OF PRIOR LEARNING

If participants demonstrate that they have skills within this unit, they should speak to a trainer/assessor about this and applying for RPL.

PROFESSIONAL ORGANISATIONS

Work Safe Australia and Work Cover oversee the support of WHS into the workplace. They are worthwhile discussing your organisations needs.

SUGGESTED READINGS

There are many books, websites and other information available on coordinating services for people with disabilities within the Community Services sector some useful titles include:

It is recommended that any person who is directly responsible for managing people, that they read the following websites and documents for more information:

<https://www.worksafe.qld.gov.au/laws-and-compliance/workplace-health-and-safety-laws/laws-and-legislation>

<http://www.business.gov.au/BusinessTopics/Occupationalhealthandsafety/Pages/default.aspx>

<http://www.safeworkaustralia.gov.au/sites/SWA/Pages/default.aspx>

Worksafe Australia (NOHSC) 1989, Guidance Note for the Prevention of Occupational Overuse Syndrome in Keyboard Employment.

Grantham, D.L. 1992, Occupational Health and Hygiene Guidebook for the WHSO, Brisbane.



Grantham, D.L. 1992, Occupational Health and Hygiene Guidebook for the WHSO, Brisbane.

RESOURCES FOR ASSESSMENT

Assessment for the Statement of Attainment to the qualification HLTWHS004 - Manage work health and safety

This unit is assessed independently; however holistic assessment practice with other community services units of competency can occur.

The assessment workbook outlines all assessment tasks and an explanation of how to create a portfolio of evidence.

METHOD OF ASSESSMENT

A range of assessment methods are used for the Statement of Attainment which may include any or all of the following:

- analysis of responses to case studies and scenarios
- assessment of written reports
- demonstration of techniques
- direct questioning combined with review of portfolios of evidence and third-party workplace reports of on-the-job performance by the candidate
- review of WHS policies, information provided on the WHSMS, and information about the outcomes of participation and consultation provided to workers
- oral or written questioning to assess knowledge of WHS and WHS legislation
- evaluation of WHS induction and training
- Review of WHS recordkeeping system.



PERSONAL LEARNING OBJECTIVES

What are your personal learning objectives for this program?

List three.

1



2

3



INTRODUCTION TO THE UNIT

In 2011, a Work, Health and Safety Act were created and set out the legal obligations that must be complied with to provide for the health and safety of workers.

In June 2012, this legislation was updated to reflect new laws which then became WHS (replacing WHS) laws. The WHS Act was passed on 1 June 2011 by the NSW Parliament and received Royal Assent on 7 June 2011.

Transitional arrangements for the model WHS laws have been developed by Safe Work Australia to assist businesses to move to the new harmonised arrangements. These arrangements will apply to the model WHS Regulations and provide delayed commencement of up to 12 months or more where the new laws result in a new or significantly different set of duties, according to the Minister, Senator Chris Evans.

National Legislation is covered by the Australian Safety and Compensation Council (ASCC).¹ Health and Safety legislation imposes a “Duty of Care” on employers, contractors, building designers, people in control of a workplace, manufactures, suppliers, employees, visitors, etc. Any of the above may then be prosecuted if an inspector deems that they have been in breach of their duty of care. Each state and territory has its own legal obligation and must be reviewed at this level.²



For information about regulations governing work health and safety in your workplace visit the work health and safety authority in your state or territory.

¹ (*Workplace Health & Safety Legislation, 2010*)

² (*Employer Obligations in your State or Territory, 2010*)



ELEMENT 1

ESTABLISH WORK HEALTH AND SAFETY PRACTICES

WHS LEGISLATION

WHS legislation may include:

- applicable commonwealth and state or territory WHS Acts, regulations and codes of practice
- common law duties to meet general duty of care requirements
- WHS legislative and regulatory requirements for:
 - effectively managing hazards
 - establishing consultation arrangements, including those for health and safety representatives and health and safety committees
 - providing information and training, including training in safe operating procedures; procedures for workplace hazards; hazard identification, risk assessment and risk control; and emergency and evacuation procedures
- WHS legislative, regulatory and other requirements for the maintenance and confidentiality of records of occupational injury and disease.





WHS LEGISLATION

The Commonwealth, states and territories are responsible for regulating and enforcing work health and safety laws in their jurisdiction.

Within industry, there are rules and regulations within each state and territory which need to be adhered to.

The Massage Therapy Code of Practice suggests that it needs to be read to support therapists work. It indicates how to meet the health and safety requirements under the WHS Act and Regulations relating to massage therapy work.

This Code should be read in conjunction with other codes of practice on specific hazards and control measures relevant to the industry including:

- Managing the Risk of Falls at Workplaces
- Managing Noise and Preventing Hearing Loss at Work
- Hazardous Manual Tasks
- Manual Handling
- Infection control procedures and precautions
- Confined Spaces

Codes of practice are admissible in court proceedings under the WHS Act and Regulations. The health and safety duties require duty holders to consider all risks associated with work, not only those for which regulations and codes of practice exist.

Compliance with the WHS Act and Regulations may be achieved by following another method, such as a technical or an industry standard, if it provides an equivalent or higher standard of work health and safety than the code.

An inspector may refer to an approved code of practice when issuing an improvement or prohibition notice.³



Read the Workplace Health & Safety Act, 2011.

http://www.austlii.edu.au/au/legis/nsw/consol_act/whasa2011218/



³ (Work Safety Australia, n.d.)



What should you be aware of when reviewing these documents? How does it apply to your work and organisation?

WORK HEALTH AND SAFETY REGULATORS

WH regulators must be contacted within your own state or territory to assist with regulation of this onsite.

Contact your local work health and safety regulator for information and advice on:

- Complying with work health and safety laws.
- Reporting a workplace incident.
- Renewing or applying for licences.
- Injury and workers' compensation claims.
- Workers' compensation insurance and premiums.
- Registration and notification of plant and plant designs.
- Health and safety representative training.
- Work health and safety training and assessment.



CODES OF PRACTICE

A code of practice provides details on how to achieve the standards required under the work health and safety (WHS) legislation, by identifying hazard and managing risks.

Under the (WHS Act), codes of practice are admissible in court proceedings. Courts may regard a code of practice as evidence of what is known about a hazard, risk or control, and rely on it to determine what is reasonably practicable in the circumstances. A person cannot be prosecuted for failing to comply with a code of practice. (Work Safety Australia)

WHS COMPLIANCE AND ENFORCABLE UNDERTAKINGS

Compliance and enforcement of work health and safety (WHS) legislation within varied states is enforced under the law. This means that, within each state, they have the power to:

- Obtain information about WHS
- Prosecute
- Enforce undertaking. (this means that the company must comply with WHS activities outlined by the WHS Act)



Read more about enforceable undertakings at

<http://www.workcover.nsw.gov.au/lawpolicy/enforceable-undertakings/Pages/default.aspx>



HIGH CONSEQUENCE; LOW FREQUENCY (HCLF) PROGRAM

Some industries require specialised management of risk due to the potentially high consequences of system failure. These industries and activities include:

- “Major hazard facilities such as large chemical processing and gas storage depots
- Hazardous chemicals (dangerous goods)
- Explosives
- High risk plant: machinery and structures towers, pipelines, infrastructure, underground works, amusement devices, cranes, hoists, scaffolds etc
- Hygiene and toxicology”

Licensing for high risk work, plant, chemicals; etc.



Source (Work Cover)

Read more about this at <http://www.workcover.nsw.gov.au/newlegislation2012/whs-compliance-and-enforcement/Pages/default.aspx>

WHS POLICIES

Policies should outline what work should be done, how and in what capacity, under WHS regulations. It is something that each person should be aware of.

Your own organisation as well as that for which you are working on within the construction industry should have WHS policies you should be reading, adhering to and also adopting. If your own organisation does not have any then they may be in breach of the WHS ACT. It is the responsibility of the organisation to create WHS policies, procedures and programs which should then be implemented across the organisation through these training and induction programs.

If you own or manage a construction business, then you should be ensuring that these are freely available for all workers to download and read. Everyone needs to be aware of them through toolbox meetings and discussions.

Workplace policies reinforce and clarify standard operating procedures in a workplace. Well written policies help employers manage staff more effectively by clearly defining acceptable and unacceptable behaviour in the workplace and set out the implications of not complying with those policies.



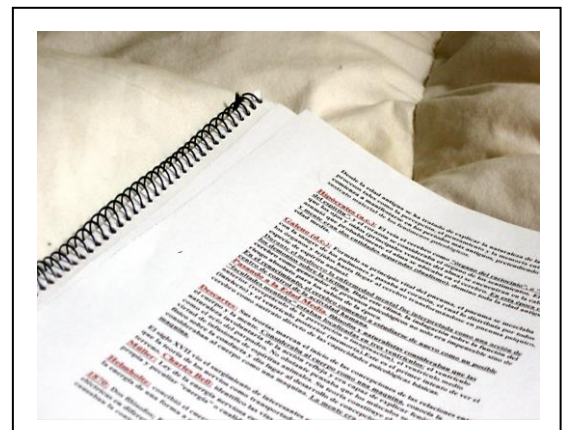
A workplace policy consists of a Statement of Purpose and one or more broad guidelines on action to be taken to achieve that purpose. The Statement of Purpose should be written in simple terms, free of jargon. The length of the policy may vary depending on the issue it addresses.

A study done by injury attorneys showed that:

- That many Australian employees were entirely unaware of the health and safety procedures put in place by their employer.
- Up to 50 % of the personnel interviewed claimed they had never looked at any WHS policy paperwork whilst they worked within a company although it had a labour force of several or more people.
- A small proportion of personnel was unaware of their company's fire safety procedure or even knew their particular health and safety supervisor. Some workers did not even know where the first aid kit was to be found.⁴

An organisation's WHS policies, procedures and programs may include:

- Consultative arrangements for employees in work area
- Dangerous goods transport and storage
- Emergency and evacuation procedures
- First aid provision/medical practitioner contact and attention
- Hazard reporting procedures
- Hazardous substances use and storage
- Incident (accident) investigation
- WHS arrangements for onsite contractors, visitors and members of public
- WHS audits and safety inspections
- Plant and equipment maintenance and use
- Procedures for hazard identification
- Procedures for risk assessment, selection and implementation of risk control measures
- Purchasing policy and procedures
- Safe operating procedures/instructions
- Site access



⁴ (Policies at your Fingertips)



- Use and care of personal protective equipment.



Look for your own organisation's policies in relation to WHS.



WHO HAS DUTY UNDER THE LAW?

The WHS Act places duties on persons, who by their acts or omissions from or associated with work being undertaken, affect health and safety.

Under the law, the following people have a duty to uphold WHS within any organisation:

The person with management or control of a workplace must ensure, so far as is reasonably practicable, that the workplace, the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person.⁵

PERSON IN CONTROL OF A BUSINESS OR UNDERTAKING (PCBU)

- A PCBU may be an individual person or an organisation conducting a business or undertaking.
- A PCBU must ensure, so far as reasonably practicable, the health and safety of workers and other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.
- A PCBU will be liable if they expose a person to risk to their health and safety and the risk arose from work carried out as part of the conduct of the business or undertaking.
- For PCBUs, their duties are qualified by what is “reasonably practicable” in ensuring health and safety.⁶

MANAGERS OR OFFICERS

- Managers and Officers have responsibilities to ensure that the organisation’s employees are safe by working with them and informing them of WHS policies and organisation procedures for undertaking any work. Within the Construction industry this may be the onsite project manager.
- These officers have high level obligations for work health and safety.
- An officer can be:
 - a director or secretary of a corporation
 - any person who can make, or participate in making, decisions that affect the whole, or a substantial part, of the business of the corporation
 - a person who has the capacity to affect significantly the corporation’s financial standing
 - a receiver, or receiver and manager, of the property of the corporation
 - an administrator of a corporation

⁵ (NSW Consolidated Acts, n.d.)

⁶ (Australian Federation of Employer and Industries)



- an administrator of a deed of company arrangement executed by a corporation
- a liquidator of a corporation
- a trustee or other person administering a compromise or arrangement made between the corporation and someone else

EMPLOYEES

- Employees have responsibilities to ensure that they are aware of the WHS Act and their organizational workplace policies on WHS. Ignorance is no excuse!
- While at work, workers are required to take reasonable care for their own safety and that of others who may be affected by their actions or omissions. They must also cooperate with any actions taken by their PCBU to comply with the WHS Act and Regulations.

WORKERS

These include:

- an employee
- a contractor or subcontractor
- an employee of a contractor or subcontractor
- an employee of a company who has been assigned to work in the person's business or undertaking
- an outworker
- an apprentice or trainee

Before any worker can carry out construction work, they must have successfully completed a recognized *general construction induction training* course and be equipped with an *induction training card* before going onsite.⁷ (Work Cover)

If the worker is carrying out high risk construction work they must be familiar and comply with the relevant *safe work method statement*.



Read the Handout "FACT SHEET PCBUs, WORKERS AND OFFICERS"

Research where you could do a general construction induction training course.

⁷ (Work Cover)



Find out more about safe work method statements.

OTHER PERSONS

Any “other” person at a workplace must:

- take reasonable care for his or her own health and safety
- take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons
- Comply, so far as the person is reasonably able, with any reasonable instruction that is given by the PCBU in order to comply with the WHS Act.

Source (Work Safety Australia, n.d.)

WHS SYSTEMS IN THE WORKPLACE

In order to be able to implement a WHS system effectively, it may require additional resources which the organisation currently doesn't have. It is the responsibility of the Officers to resource these and ensures that they are being utilized effectively. A WHS System will be dependent upon the business and industry in which it is being held. Within the construction industry, it will require numerous resources, both physical and human in order for the business to conduct its activities within WHS legislation.



WHAT HUMAN RESOURCES ARE REQUIRED TO ASSIST WITH A WHS SYSTEM?

The WHS Regulation⁸ states:

An employer must assess the risk of harm to the health or safety of the following persons arising from any hazard identified:

- *any employee of the employer, or*
- *any other person legally at the employer's place of work,*
- *Or both.*

⁸ (Occupational Health and Safety Regulation , 2001)



The implementation of a WHS system requires a review of all risks within the organisation and activation of a system which addresses these.

Once risks these have been identified, it is the responsibility of:

- The employee to report any workplace hazards
- The employer to remove the hazard or ensure safety of the workers through instruction and training on a regular basis.

Under the WHS Regulation the employer must identify any foreseeable hazards that may arise from the conduct of the employer's undertaking [Reg: 9(1)].⁹

GAINING FINANCIAL APPROVAL

Once risks have been identified, systems are reviewed, workgroups have communicated needs; and then resources may need to be sought to assist with the implementation of this WHS system. If necessary, consultants may need to be brought in or specialist staff trained.

Financial considerations need to be reviewed to support this implementation. These are all considerations that the organisation or business manager must be aware of and factored into the annual budgetary considerations.

Reviewing what is necessary and where assistance can be sought is the responsibility of the managers who are overseeing the WHS System. It is best to review what is needed in consultation with stakeholders and then find the cost of what each activity will cost. It is best to research costs and then budget for these. This budget will need to be approved by the company finance department or senior managers. The process will be dependent upon your organisation but it should include a sign off process.



Complete some research and find out where you could obtain a consultant on WHS matters which could assist your organisation. It needs to be someone who would specialize in your particular industry.



Find out what the process is within your own organisation for signing off and approval of budgets for WHS.

⁹ (WHS Acts, Regulations and Codes of Practice , 2010)



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ELEMENT 2: FACILITATE CONSULTATION, COOPERATION AND COMMUNICATION

The safety of employees within an organisation is *everyone's* responsibility who works onsite. It is therefore important that *anyone* who works on a construction site participates in WHS arrangements, regardless of what these are.

CONSULTATION, REPRESENTATION AND PARTICIPATION

Consultation with employees is required by the WHS Act. See below: (Work Safety Australia, n.d.)

Section 48: Consultation requires that:

- relevant work health and safety information is shared with workers
- workers are given a reasonable opportunity to express their views and to raise health or safety issues
- workers are given a reasonable opportunity to contribute to the decision-making process relating to the health and safety matter
- the views of workers are taken into account, and
- Workers are advised of the outcome of any consultation in a timely manner.

Workers should be encouraged to:

- ask questions about health and safety
- raise concerns and report problems
- make safety recommendations
- Be part of the problem solving process.

PCBU's should also share relevant information with workers and their health and safety representatives about matters that may affect their health and safety. This information should be provided early on so that workers and health and safety representatives have enough time to consider the matters, discuss them and then provide feedback. The information should be presented in a way that can be easily understood by your workers and take into account literacy needs and the cultural or linguistically diverse backgrounds of your workers.

Consultation can also be undertaken through health and safety representatives and health and safety committees. A health and safety committee brings together workers and management to assist in the development and review of health and safety policies and procedures for the workplace.

The objective of consultation is to make sure everyone associated with the work has a shared understanding of what the risks are, which workers are affected and how the risks will be controlled.



The exchange of information will allow the duty holders to work together to plan and manage health and safety.

HEALTH AND SAFETY REPRESENTATIVES

(HSRs) can be elected to represent various work groups and investigate health and safety issues.

HEALTH AND SAFETY COMMITTEE

(HSC) can be established: if requested by the HSR, or if requested by five or more workers, or

On the initiative of the PCBU (includes employers).

The role of the HSC is to facilitate cooperation between the PCBU (includes employers) and workers on health and safety matters as well as to develop work health and safety standards, rules and procedures.

WHAT ARE PARTICIPATION ARRANGEMENTS?

In order to fulfil “duty of care”, any employer or employee, must participate in activities which ensure the health and safety of all parties. All personnel must know how to participate in workplace health and safety management according to the procedures of your own work setting. You must also know how to do this within the scope of your own responsibilities and knowledge.

Some of these may include:

- Reviewing policies and procedures to ensure you are complying with these
- Participating in consultation and issue resolution procedures
- Participating in critical incident debriefing
- Assisting new staff to understand WHS procedures for the organisation or onsite
- Actively participating in a formal role relating to WHS arrangements.

Workers should be given reasonable opportunity to express their views and contribute to health and safety decisions. These may involve:

- providing a suitable time during work hours for consultation with workers
- allowing opinions about health and safety to be regularly discussed and considered during workplace meetings
- Providing workers with different ways to provide feedback, for example using email, setting up an intranet health and safety page or a suggestion box. Source: (Work Safety Australia, n.d.) p 10.



Read more about Consultation, representation and participation at

http://www.comlaw.gov.au/Details/C2011A00137/Html/Text#_Toc309986390

Read the HANDOUT whs-consultation-cooperation-coordination-code-of-practice-3568

It is recommended that managers keep records to demonstrate compliance with consultation requirements. Documentation should include:

- who is involved
- what the safety matter is
- what decision has been made
- who is to take action and by when
- When the action has been completed.

Participative arrangement within any organisation includes:

- Identification of hazards
- Risk assessment of these hazards
- Consultation with employees
- Risk control methods put in place
- Change of policy if necessary.

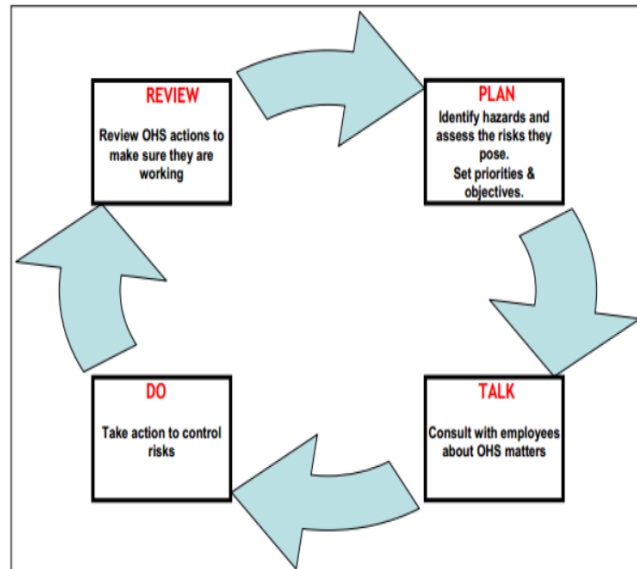


Diagram source:¹⁰



Watch the following video on WHS Consultation

<https://www.youtube.com/watch?v=PN8SVJJR6A>

¹⁰ (Govt WA, n.d.)



If issues have been raised by employees then these need to be addressed in accordance with organizational policy. Employees should note that they have raised the issue and that it has been addressed and Safety Committees, representatives or other Duty of Care holders should document these issues and identify how they have been resolved.

An important component of a systematic approach to managing WHS and essential to the effective implementation of action plans is being accountable. Managers and supervisors must have the authority and the resources, as well as understand what is expected of them and the organisation. They should also have the knowledge and skills to be able to act on any issues which arise. There also needs to be a sign off and review process implemented to support the resolution of any WHS issues and identification of actions.

Effective WHS management of issues includes:

- inspection and audit reports,
- WHS meetings,
- hazard reporting
- processes, incident reports and investigations,
- Corrective actions or tasks.

All identified corrective actions as a result of monitoring activity need to be:

- Explained and identified to make sure recommendations for corrective action or improvement are made and are working in practice.
- communicated to management
- documented with times for completion and the responsible person,
- tracked
- signed off on actual completion date by the responsible person

WHS LEGISLATION IN RELATION TO WHS ISSUES

WHS Regulations: Part 2.2

The WHS Act refers to a requirement to utilise the default procedure prescribed in the WHS Regulations where a PCBU/s does not have a written agreed procedure for issue resolution.

Matters to be taken into account by parties to the health and safety issues include:

- the number and location of workers affected by the issue;
- any relevant accepted industry practice, if that practice is consistent with the WHS Act and the

WHS Regulations;



- the requirements for the management of risks (WHS Act s17);
- what (if any) temporary measures are required;
- what (if any) further information is required;
- a method and timeline for resolution of the issue;
- whether any other persons may reasonably be required to assist the early resolution of the issue;
- and
- Who is to be responsible for implementing the resolution of the issue on behalf of the PCBU?

Source: (NSW Business Chamber, n.d.)



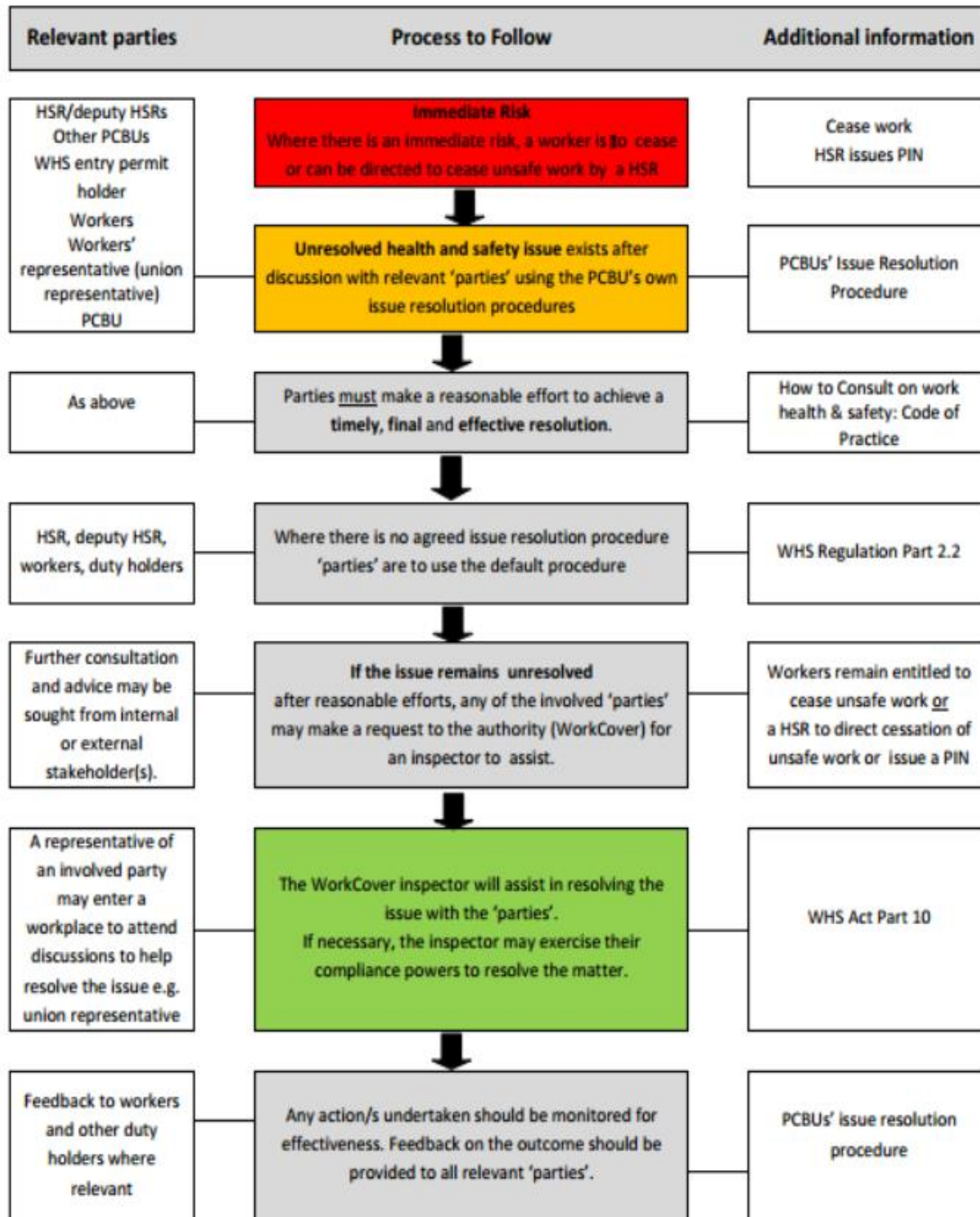
Read the Handout WHS Issue Resolution Fact Sheet. Source (NSW Business Chamber, n.d.)



Look at the sample Issues Resolution Process on the next page. Think about whether this process would be suitable in all organisations?



Issues Resolution Process (sample) Source (TABMA, n.d.)





Once a consultation process has occurred and all parties have participated in the risk identification process, then it is important that everyone has access to the outcomes of this process. This may be in the form of:

- New documentation which must be used to document risks.
- Risk management policies or processes which must be followed.
- WHS activities such as training, coaching or mentoring which may need to be undertaken.
- Material which may need to be reviewed.
- Toolbox or similar meetings which need to be held and participated in on a regular basis.
- Action items which need to be determined.

Whatever the activity, it is in the best interest of all parties to ensure that they are aware of these outcomes so that they are not in breach of any WHS legislation which may need to be followed or adhered to.

COMMUNICATING INFORMATION

Communication is an important component of the WHS process. This can be supported through a variety of means and to suit all employment conditions. Undertaking communication strategies to suit all forms of workplace hours needs to also be reviewed.

Shift workers, contractors and part time employees will all need to be part of the process and communication. Therefore they need to be considered when the communication strategy is formed.



Think about the communication strategy which would need to occur for employees who are within your own organisation.

ACCESSING & UNDERSTANDING INFORMATION AND WHS

Communication of WHS outcomes will support information transfer however it is also important to ensure that all stakeholders also have access to both information documentation and other materials necessary. Documentation, policies, etc must be stored in an area where all stakeholders can access them at all hours through their working activities.

Ensuring that workers understand the information is also important to ensure that they are able to action WHS where necessary. This may mean that the information is constructed in a format which will suit employees with Non English Speaking backgrounds (NESB) and literacy or other issues or disabilities.



Think about employees who may be within a manufacturing workplace where there are shift workers who have a NESB. What sort of documentation might be needed? How might this be communicated and what format might the information take?



Where could this information be stored so that all employees can access it?



ELEMENT 3 MONITOR COMPLIANCE WITH RISK CONTROL PROCESSES

ONGOING HAZARD IDENTIFICATION PROCEDURES

Ensuring that hazards are identified and acted upon is an ongoing issue for all organisations. It is not enough that the risks are initially identified and managed, these need to be controlled and reviewed regularly.

Any new issues must also be identified and acted upon as they arise and this is the responsibility of the WHS Committee and all personnel within the organisation to ensure that this is kept under control.

Organisations should expect:

1. A clear method statement or description of the hazard process, defining:
 - when it was conducted
 - how it was planned and prepared
 - who was involved and
 - What tools and resources were employed to reduce the hazard?
2. That the hazard process was based on a comprehensive and accurate description of the facility, including all necessary diagrams, process information, existing conditions and modifications;
3. That the overall hazard reduction process did not rely solely on data that was historical or reactive and that employers ensured that predictive methods were also used.

ASSESSMENT AND CONTROL OF ASSOCIATED RISKS

Assessing the risk is the second step in the process. It is important at this stage in determining how hazardous the risk may be and can occur through a number of means such as:

LIKELIHOOD:

How likely it is that someone will be exposed to the hazard? This will depend on the probability and the frequency of exposure to the hazard.

Once a hazard has been identified, it should then be determined how the risk the hazard poses be assessed?



CONSEQUENCE

What is the likely outcome as a result of the risk? What is the severity or range of the potential consequences resulting from the hazard?

CONTROL

Control of the risk is important. Once identified, it needs Control of associated risks might include:

- administrative
- as specified in WHS Acts, regulations and codes of practice
- counselling/disciplinary processes, such as those associated with alcohol and other drugs
- education about alcohol and other drugs work-related issues
- engineering
- hazard elimination
- housekeeping and storage
- issue resolution
- personal protective equipment
- purchasing of supplies and equipment
- Workplace inspections, including plant :





Think about risks which may be around your own workplace.

What is the likelihood that they may arise?

What would be the consequence?

How could the risk be controlled?



Think about the following risks and complete the table:

Likelihood: H= High M=Medium L=Low

<i>Risk</i>	<i>Likelihood this will occur</i>	<i>Consequence of this occurring</i>	<i>What Control should be implemented</i>
Fire in the office			
Tripping over the computer lead			
Cutting myself on a knife in the kitchen			



A control is a mechanism or process that minimises the risk of the hazard becoming actual so it protects people, property or the environment from the identified hazard. (Source: The Risk Management Process)

CONTROLLING EXISTING HAZARDS IN THE PLANNING & DESIGN STAGE

Identification of existing risks has been outlined previously in terms of developing procedures to assess where risks may be occurring. “The identification of hazards should occur at varying stages throughout the organisation’s actual business, although the initial set up of the business (ie planning stage) is important in identifying the *actual* hazards. This can occur with the support of a specialist consultant who can identify what specific hazards there may be and how to control them or alternatively someone within the organisation may be trained to identify the risk by:

- attending WHS workshops
- contacting Work Cover
- Reading up on risk identification”.¹¹

CONTROLLING HAZARDS AT IMPLEMENTATION

The implementation stage of the business shows different issues which may arise and these needs to be addressed in a different way. It may be too late to plan for the issue, so, often it may need a specialist to come into the business to support the review of what issues are occurring as a result at this stage.

CHANGES IN THE WORKPLACE AFTER IMPLEMENTATION

When the WSH Act came into being, it created a number of issues in them for organisations. Issues which had not been acted upon now need to be reviewed. Planning for WHS issues needed to be implemented and procedures created to ensure that issues were addressed.

WHS is addressed at every stage of the organisation’s working life and this also then includes any changes which may occur within the workplace.

¹¹ (Wagner)



Changes may occur as a result of:

- Change of or additional necessary equipment which will then need to be assessed and controlled.
- Change in human resources any increase or decrease or even change of personnel may mean that training for new personnel needs to occur.
- Changes in building or office layout or additions.
- Changes in the way work hours occur,

If we think about, for example, the construction of a new building. We would need to identify the WHS issues which may occur with this building. However when we implement any other changes into an existing workspace, we may not automatically think about what WHS issues may arise as a result. In this case, the needs to be *purposefully* addressed by all parties once the change has occurred.

Let's take for example, a project where a new office has been updated. With these updates, there may be changes to furniture, changes to electrical items and perhaps the location of employee needs such as a kitchen. It is the role of the WHS Committee, as well as any employees to *purposefully* identify any issues they think may need addressing as a result of these changes. This needs to be done firstly at the planning stage.





PLANNING

The planning stage of any changes in the workplace are where issues may be identified and policies created or addressed before issues arise.

“Plans should include:

- the financial and human resources allocated to achieving the objectives and targets
- strategies for including the WHS management system in mainstream corporate/business plans
- strategies for informing workers when the organisation’s WHS management system is implemented or improved
- particulars of any risk management or WHS audit systems that are in place or will be implemented in core business activities
- the activities necessary to bring the organisation to full compliance with all relevant legislation
- procedures for regularly reviewing the WHS management system
- consultation arrangements for developing or varying WHS systems to fully inform workers and ensure that their views are represented”¹²

IMPLEMENTATION

The actual implementation stage of any change in the workplace will need WHS identification of issue re-addressed with may not perhaps have been through in the planning stage. The effectiveness of a WHS management system will depend on how successfully it has been implemented and integrated into

the organisation’s daily business operations. Communication and consultation strategies should be put in place so that all workers understand their responsibilities and the actions could include:

- “make WHS a leading agenda item at senior management meetings, and worker meetings
- make WHS awareness training compulsory for all new inductees, with half-day refresher courses for all workers on a yearly basis
- provide specific competency-based training for workers involved in hazardous situations on a regular basis (for example, hazardous chemical usage)
- require health and safety committee members to undergo training so that they become familiar with the organisation’s hazard

¹² (Commcare)



- identification, risk assessment and risk control procedures
- engage a WHS Advisor or Workplace Health Officer who is responsible for monitoring the organisation's WHS performance and reporting to the most senior level necessity of implementing an effective WHS management system.”¹³

REVIEW, MONITOR AND EVALUATE

At this stage, WHS policies and procedures should have well and truly been addressed, however it may be that perhaps post project, issues need to be identified in “lessons learnt” from these changes in order that they may be address in the *planning* stage for the next project! These changes and issues should also be monitored regularly to ensure that further issues don't occur and to make sure that they are reviewed regularly.

“Review of WHS management systems may be carried out at any stage following integration with your core business activities and can take many forms. For example:

- a full annual audit of the effectiveness of the system
- regular monthly reviews following analysis of objectives, targets and performance indicators
- a review following hazard inspections
- during audit of a particular group, division or branch (for example, an ANAO or internal audit)
- as a feedback mechanism from workers following training
- following an investigation into an incident or accident.

Reviewing your WHS management system should identify:

- reasons why WHS performance may be below the organisation's targets and objectives
- any instances of non-compliance with legislative requirements
- opportunities to improve the organisation's WHS performance by adjusting the WHS management system
- changes necessary as a result of the introduction of new technology, plant, equipment, chemicals or work practices
- the effectiveness of any changes made.

The audit of a WHS management system will often identify a gap between the effectiveness of the current system and what would

¹³ (Commcare)



- be considered a 'best practice' system. For this reason, it is necessary to implement a system which will allow corrective action
- to be taken where required. Corrective action may be necessary to fix a gap in the system as a preventative measure following
- evaluation. It may also be used as a reactive measure following an incident in the workplace. It is preferable that any corrective
- action taken is preventative and proactive."¹⁴

To ensure that the change doesn't affect the workplace, ensure:

- audits and workplace inspections are conducted
- listed control measures are in use and maintained
- the Risk Register is reviewed on regular basis

Case Study



A manufacturing organisation decided to change its working hours from 12 hours per day to around the clock, 24 hours per day.

What issues might need to be identified as a result at all stages:

- Planning
- Implementation
- Evaluation.

Source: (Govt WA, n.d.)

¹⁴ (Commcare)

HIERARCHY OF RISK CONTROL

This is where the control measures are prioritised in order that the risk can be eliminated or minimised.

“The hierarchy of control creates a systematic approach to manage safety in your workplace by providing a structure to select the most effective control measures to eliminate or reduce the risk of certain hazards that have been identified as being caused by the operations of the business.

The hierarchy of control has six levels of control measures, the most effective measure is at the top of the hierarchy and the least effective is at the bottom. So the idea is that you start from the top of the hierarchy in choosing your control measure, and work your way down.

The hierarchy of control involves the following steps:

Elimination – removes the cause of danger completely.

Substitution – controls the hazard by replacing it with a less risky way to achieve the same outcome.

Isolation – separates the hazard from the people at risk by isolating it.

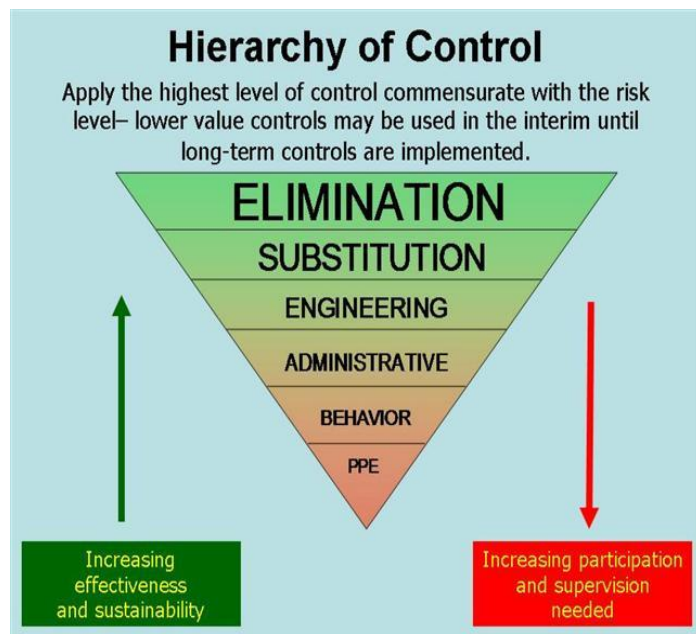
Engineering – using engineering controls, i.e. making physical changes, to lessen any remaining risk, e.g. redesign a machine by adding safeguards.

Administration – use administrative controls to lessen the risk, e.g. install signs, and rotate **jobs**.

Personal Protective Equipment (PPE) – require your employees

To wear PPE, e.g. provide gloves, earplugs, goggles, iridescent vests.

Note: The use of PPE to control hazards should always be the last resort.” Source (Weekes, 2012)





The “Hierarchy of Controls” should be used at all times when implementing controls to eliminate the hazard or reduce the risk of a hazard causing loss / damage / injuries. This is done by giving preference to the use of the ‘engineering controls’ and then strategies are used, where possible, because they are less subject to human failure and because they are less disruptive and uncomfortable for people working in the area.

PROCEDURES FOR IMPLEMENTATION OF RISK CONTROL

The most effective method to deal with a hazard is to *eliminate* it; however this is not always possible as some hazards cannot be eliminated. Therefore the risk needs to be *minimised* or *controlled* in order that it is controlled with the least exposure to the risk. Often, a combination of elimination, substitution, engineering and administrative controls are used.

Procedures for ongoing hazard identification might include:

- Regular review by the WHS committee.
- Regular review by external consultants.
- Ongoing identification by employees.
- Review of WHS issues as they arise and identification of any regular accidents which may be occurring as a result of a hazard.

ELIMINATION

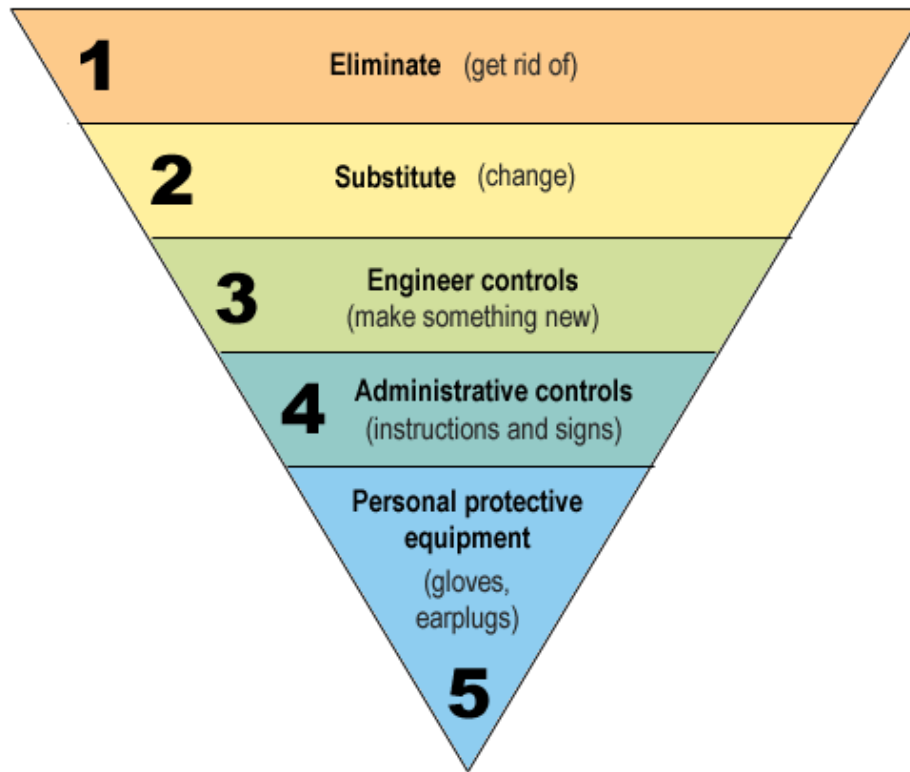
Where possible the risk or hazards should be completely removed. However this is not always possible, which means that there risk may need another method of control.

SUBSTITUTE

Where the risk can't be eliminated, it may be possible to substitute something to reduce the risk such as a less-noisy machine or noisy work process.

ISOLATE

If the risk is still not reduced then it may be possible to actually isolate it completely from the workers by relocation; changing the hours of operation so that the noisy task is carried out when the majority of workers are not in the vicinity or isolating the hazard.



(Diagram source Safework.SA) ¹⁵

¹⁵ (Safe work SA)



IDENTIFYING INADEQUACIES

Inadequacies in the risk control measure may arise where risk management processes have not been put in place for some reason, it may be as a result of:

- Lack of funds
- Lack of resource personnel or equipment
- Partially complete risk control measures.

In whatever the circumstance that the risk hasn't been managed correctly, it needs to be identified and addressed immediately in order that there is no actual health risk to employees or clients. This may also result in litigation or further the risk to the organisation.

In order to identify any inadequacies, the business or WHS Committee may need to:

- review the original risk management process
- consult with the experts
- create a checklist
- act on the risk
- Implement control measures.

At all times, the risk process should be reviewed and discussed with management and consultants who specialise in the particular risk in order that it is identified and appropriate measures are implemented.

In many cases, it will be necessary to use more than one control method.

Whichever methods used, regular monitoring is important to make sure that the control is working effectively and that exposure to the hazard is reduced or eliminated.

(Quality Systems Toolbox)

PROVIDING MORE RESOURCES

Further resources may assist with the management of the risk and should be factored into the budgetary requirements. Where there are insufficient resources to assist with elimination of risk, then the risk management process should be reviewed

LEGISLATION

NSW legislation requires employers to provide their workers with any information, instruction, training and supervision necessary to ensure their health and safety at work. At certain points within the process, it is necessary to identify areas where intervention may be necessary. It is at these particular points that expert WHS advice or support will assist in determining what activity or intervention will occur.



Read the following Clause 36 in reference to the Hierarchy of Control where it is directly written in relation to the WHS Act 2011

(Source <http://www.legislation.nsw.gov.au/>)

36 Hierarchy of control measures

- (1) This clause applies if it is not reasonably practicable for a duty holder to eliminate risks to health and safety.
- (2) A duty holder, in minimising risks to health and safety, must implement risk control measures in accordance with this clause.
- (3) The duty holder must minimise risks, so far as is reasonably practicable, by doing 1 or more of the following:
 - (a) substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lesser risk,
 - (b) isolating the hazard from any person exposed to it,
 - (c) implementing engineering controls.
- (4) If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by implementing administrative controls.
- (5) If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by ensuring the provision and use of suitable personal protective equipment.

Note. A combination of the controls set out in this clause may be used to minimise risks, so far as is reasonably practicable, if a single control is not sufficient for the purpose.



There will be times when it is necessary to consult with an expert in order that they are able to give advice on matters relating to WHS issues within the workplace. In this instance, it is necessary that you research and find the appropriate personnel for the issue.

WHERE WHS ADVICE WOULD BE NEEDED

WHS expert advice may be needed at times where internal personnel are not able to support the identification or management of issues. It may be that the risk presented is higher than expected or that it is not within the WHS Committee or organisation's area of expertise. In these cases, consultation with an expert is in the best interests of the organisation in order that they can be acting within the best interests of all personnel who may come in contact with the risk.

Advice is usually in the form of verbal and written information regarding the risk involved and the action which will minimise or reduce the risk involved.

REQUESTING WHS ADVICE

Requesting advice about issues should be something that is brought to the attention of the WHS Committee in the first instance, depending upon the urgency of the risk.



Complete some research and find out the consultants you might need for one high profile risk for the organisation you are working in.

Why would you need a consultant?



ELEMENT 4 EVALUATE AND MAINTAIN WHS

TRAINING AND LEGISLATION

Work Coverⁱ (¹⁶WorkCover) have a number of fact sheets which can be downloaded outlining the necessity to ensure that training occurs according to “traffic light colours” which indicate whether there is sufficient understanding and review of WHS training in the workplace.

Work cover’s Fact Sheet 4 indicates that ¹⁷training and supervision is important because it “is one of the best ways to ensure that your workers are safe while at work. By providing them effective training and adequate supervision, they will become aware of safety issues and will perform their jobs competently, consistently and safely.”

Work Cover suggests that the following strategy for training occurs under the organisational WHS policies and procedures.

- Establish a safety induction process
- Provide task-specific training
- Provide adequate supervision
- Ensure that procedures are followed
- Keeping training records.

SAFETY INDUCTION PROGRAM

Induction into an organisation should be the very first activity where WHS is discussed with new workers. New employees should be made aware of any risks which they might encounter as part of their workplace activities, no matter how small they may be.

Risks identification should be factored in to support an employee’s understanding of WHS issues and the fact that training may need to as a result of these issues.

The risk management process should also be discussed so that employees are fully aware of what their responsibilities are in relation to managing any risks they might identify themselves.

Any personal protective equipment (PPE) should be identified in order that new employees are aware of what they may need to wear to minimise exposure to risk factors whilst working.

¹⁶ <http://www.workcover.nsw.gov.au/Pages/default.aspx>

¹⁷ (Fact Sheet 4 Serious Safe Business Training Supervisions, 2010)



TASK SPECIFIC TRAINING

Training provides workers with information about potential risks associated with their work, as well as the safety policies and procedures which the organisation has implemented to support WHS within the workplace.

ADEQUATE SUPERVISION

This is the old question of “how much and how often should I supervise the employee”. The answer here should be “enough to ensure their safety.” This may mean that an employee may have a supervisor who oversees their work process wherever risks may occur for a period of time on a full time basis until they are confident that the employee is fully aware of the risk and it becomes “second nature” to manage the risk.

FOLLOWING PROCEDURES

A step by step process should be outlined and available in hard copy on the walls of the location of the risk in order that it is not forgotten by the worker. This will enable all workers to know what needs to be done to reduce risk as well as protect the organisation.

Work Cover suggests that employers also have a responsibility to provide all workers (including casuals, labour hire, temps etc) with suitable training and supervision so they can do their job safely.

Work Cover also facilitates a range of formal training and assessment services for people working within an organisation.



Research and read all information in relation to WHS training on the following website:

<http://www.WorkCover.nsw.gov.au/trainingassessment/Pages/default.aspx>



WHS RECORDKEEPING

WHS records are necessary for audit and management purposes. They should include what occurred, how it was managed, what decisions were made to address the issues and prevent them from occurring again as well as the reasons behind the decision. Sometimes decisions are made which may not really address the issue correctly and so it needs to be understood before addressing. This may take research or consultation into the issue.

REASONS WHY RECORDS ARE KEPT

There are a number of reasons why WHS records should be filed and stored. These may include:

- Audit and inspection reports.
- Consultation e.g. meetings of health & safety committees, workgroup meeting agendas including WHS items and actions.
- First aid/medical post records.
- Hazardous substances register.
- Induction, instruction and training.
- Manufacturer's and supplier's information including dangerous goods storage lists.
- Plant and equipment maintenance and testing reports.
- Workers compensation and rehabilitation records.
- Workplace environmental monitoring records.

PATTERNS OF OCCUPATIONAL INJURY AND DISEASE

WHS Management Systems should identify and address any patterns that occur within an organisation which may need attention and may also pose risk to worker's safety. We can all recall the problems with asbestos and why the Pink Batt scheme failed.¹⁸ Therefore if there are recurring injuries or illnesses within the workplace, they need immediate attention in terms of reviewing why they are occurring and then any risks or issues addressed as soon as possible at the highest level.

¹⁸ (McAuley)



SAFETY REPORTS

Reporting safety allows the organisation to develop safety improvement and procedures for WHS. It also assists them to action items implement safety improvement measures. When incidents or injuries occur, these safety reports can be used to review and improve safe work procedures. Reviewing trends identify underlying safety problems.

Safety reports should be used as a management tool to continually improve safety in the workplace. Information from the safety reports may indicate:

- Problems with equipment
- Difficulties with the workplace layout
- Flaws in procedures.¹⁹

Work Cover suggest in their Advice Sheet on Reporting Safety²⁰ that regular reporting helps to identify health and safety problems, and identify solutions when they arise and address them.

AUDIT AND INSPECTION REPORTS -

These may include:

- Site Risk Assessment (SRA)
- Assesses the risks onsite in your workplace
- Work Health and Safety Management System (WHSMS)
- Audit- comprises a full audit of your WHS documentation, systems and procedures
- Hazard Specific reports

e.g. - Hazardous chemicals, hazardous manual tasks (manual handling)

CONSULTATION REPORTS

Consultation must take place on all work health and safety matters including:

- undertaking risk management activities
- proposing changes that may affect workers
- making decisions about any work health and safety procedures
- the adequacy of facilities for the welfare of workers.²¹

¹⁹ (Wagner)

²⁰ (Advice Sheet 6- Safety Reporting, 2010),



Consultation may be with:

- Health & safety committees
- Work groups
- Consultants.

It needs to be reported in order that if there is incorrect information it can be acted upon and records kept of who was consulted and what their outcomes are.

MANUFACTURERS' AND SUPPLIERS' REPORTS

These include dangerous goods storage lists and should be reported upon to ensure that WHS committee personnel are aware of who the manufacturers are should issues arise and they need to know what action to take to minimise the risk.

HAZARDOUS SUBSTANCES REGISTERS

Many hazardous substances (including solvents and acids) might be used in machine and equipment manufacturing. It's very important to have a register that shows what chemicals are onsite, how and where these chemicals are stored, and how they should be used.

Source (Wagner)

WHS LEGISLATION

Clause 167 of the *WHS Regulation 2001* places an obligation on the employer to ensure that a register is kept and maintained for all hazardous substances kept and/or used at the employer's place of work.

WHY YOU NEED A REGISTER

Each organisation and each work area must have a register of injuries that enables workers to record any workplace injuries they sustain.

- **Keeps** a record of what hazardous substances are kept on the premises.
- **Makes** checking important to see how and where hazardous substances are being stored and used.
- **Reminds** employers and employees to make sure Material Safety Data Sheets (MSDS) have been obtained from suppliers.

²¹ (Work Cover)



- **Reinforces** to employees that it's important to work safely with hazardous substances (eg wearing personal protective equipment).

You can use the hazardous substances register provided, or develop your own form. These should show:

- What matters to report – eg faulty equipment, hazardous spills, housekeeping, issues, injuries, near misses?
- How to report them – for those work tasks that pose a serious risk, a written reporting procedure for major safety issues is appropriate so that the employee is able to better identify and analyse trends, and develop prevention strategies.
- To whom to report them – someone should be nominated to have authority to act upon the safety reports, such as an employee or a supervisor.

Make someone (eg supervisor) responsible for recording all hazardous substances on site.

- Record the details.
- Check the details.
- Inform staff. (Source: WorkCover)²²

PLANT AND EQUIPMENT MAINTENANCE AND TESTING REPORTS

A Preventive Maintenance (PM) inspection program is often developed and used by owners of critical process equipment and piping to evaluate condition, identify critical defects and trend rates of degradation over time. Inspections are performed while the equipment is in operation and also during scheduled shutdowns. Preventive Maintenance extends service life and prevents unnecessary repairs. Results of inspections are used to predict future repairs, assist planning of maintenance budgets and to prevent unplanned outages caused by unexpected failures.

(Source FSE Maintenance).

WORKERS COMPENSATION AND REHABILITATION RECORDS

If a worker is injured at work, you must notify your Scheme Agent within 48 hours. You also need to complete your workplace Register of Injuries as soon as possible.

²²

http://www.workcover.nsw.gov.au/formspublications/publications/Documents/keeping_hazardous_substances_register_5325.pdf



Once the injured person is deemed to be able to return to work, then they must be given appropriate workplace activities to support them.

All information, including relevant documentation about the workers compensation claim, must be sent to your Scheme Agent within seven working days.



Download and read the following document from

http://www.WorkCover.nsw.gov.au/formspublications/publications/Pages/WC01406_EmployersGuideWhattodoifaninjuryoccurs.aspx





MEASURING THE WHS MANAGEMENT SYSTEM

WHS Management systems should be measured regularly to ensure that they are effective and working well. Measurement of systems should be through benchmarking and performance monitoring using KPI's which are reviewed regularly.

Evaluating the systems through this measurement will show whether it is effective or if it needs improvement and review. It should be a regular activity for all organisations. Once inadequacies have been identified, then these should be monitored regularly to ensure compliance and safety for all workers. Failure to do so may result in injury or death so it is important that it is followed, documented and reviewed.

ORGANISATIONAL POLICY ALIGNMENT TO WHS SYSTEM MEASUREMENT

Work Cover suggests that there should be processes in place for measurement and evaluation which align with organisational policies and quality system framework. By benchmarking WHS systems against other organisation's or even internally, it allows a process of improvement.

Quality of the risk management system should also be measured against ISO: 9001 standards to ensure that they are efficient and effective. Policies should then align to these systems and evaluation frameworks so that all personnel within the organisation are aware of these through communication of these policies.

Safe work SA suggests that the following WHS Management system process isⁱⁱ South Australia; however it could apply to any organisation within any state under the new legislative Act.

- Have a good WHS policy.
- Create a document control process
- Ensure that there is accountability
- Create a consultation, communication and reporting process.



Through reviewing WHS systems, it allows an organisation to develop a process to implement improvements within the organisation to this system. Mapping these to the organisation's objectives is part of the process of ensuring that the organisation reflects upon and develops a system which will be monitored and supported by all employees. It will also ensure that it becomes part of the performance management process to ensure that WHS policies are implemented.

Responsibilities within organisations for WHS are the responsibility of everyone within the organisation. It can no longer be suggested that contractors are responsible for their own WHS either as the business owner or as Work Cover describe it: Persons conducting a business or undertaking (PCBU) are now responsible for liaising with the contractor and ensuring that they are working safely within the organisational environment. This means that policies must be created and liaison occur between the owner and the contractor to ensure that the contractor meets his obligations as laid out by the organisation and vice versa where the organisation's owner, or manager is also directly responsible for ensuring that the contractor has and understands their WHS requirements.

DEVELOPING IMPROVEMENTS

Creating improvements to the system include ensuring that:

- There is a written policy that meets all the essential and best practice criteria in the guidance.
- There is a written policy that meets all the essential criteria in the guidance and specifies a systematic approach to planning and implementing WHS.

Implementation of these improvements is the responsibility of the PCBU initially and then the responsibility of everyone within the organisation to uphold these improvements and changes, within the new WHS legislative requirements as well as organizational requirements.



COMPLYING WITH LEGISLATION

Compliance with WHS legislation is a requirement under the law. In order that the organisation is completely compliant with all aspects of the WHS Act 2011, each individual must be aware of their obligations, rights and role within their position. They must act upon the organisation's policies, report any risks or issues they come in contact with and ensure that they are following all organisational requirements.

Compliance and enforcement of work health and safety (WHS) legislation in NSW is the role of Work Cover in your state and the Department of Trade and Investment.



You need to read the following website pages to ensure you completely understand your role and requirements under the WHS legislation.

<http://www.workcover.nsw.gov.au/lawpolicy/acts-and-regulations/work-health-and-safety-legislation/Pages/default.aspx>

<http://www.workcover.nsw.gov.au/newlegislation2012/whs-compliance-and-enforcement/Pages/default.aspx>

<http://www.workcover.nsw.gov.au/newlegislation2012/your-industry/construction/Pages/default.aspx>



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ⁱ (Work cover is short for “Work cover Authority of NSW”. It is the NSW Government website and authority which oversees and governs WHS in NSW and is a great source of information for all business owners)

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