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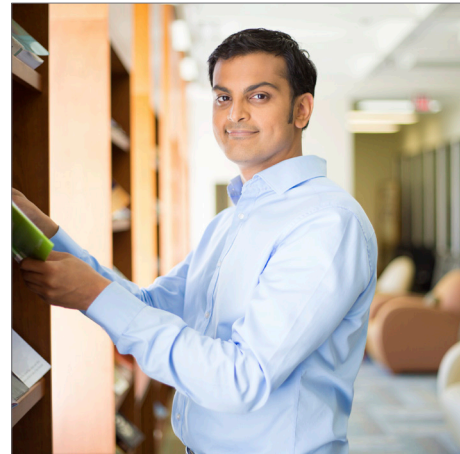
1A

Locating and communicating WHS policies

The WHS policy is the driver for achieving strong performance in health and safety in the workplace.

It is also the starting point for an effective WHS management system. The policy is the statement of intent from senior management that shows that the organisation has made a commitment to the health and safety of its workers and other people that are impacted by the business operations.

Under WHS law, every workplace needs to have detailed WHS policies and procedures that workers have access to and can understand. These documents should be based on the latest laws, relevant to the state or territory that the employer is based in.



Model WHS laws

The model WHS laws began in January 2012 as part of the national harmonisation process, which aimed to bring Australia together under one uniform set of WHS laws.

It includes common standards and legal duties for the people involved in the supply chain.

Led by Safe Work Australia, the *Work Health and Safety Act 2011* (Cth), the *Work Health and Safety Regulations 2011* (Cth) and a set of model codes of practice were developed. Currently, all states and territories have adopted the model laws, except Western Australia and Victoria.

Here is a list of WHS legislation in each state and territory.

Commonwealth	<i>Work Health and Safety Act 2011</i> (Cth)
ACT	<i>Work Health and Safety Act 2011</i> (ACT)
NSW	<i>Work Health and Safety Act 2011</i> (NSW)
NT	<i>Work Health and Safety Act 2011</i> (NT)
Queensland	<i>Work Health and Safety Act 2011</i> (Qld)
SA	<i>Work Health and Safety Act 2012</i> (SA)
Tasmania	<i>Work Health and Safety Act 2012</i> (Tas)
Victoria	<i>Occupational Health and Safety Act 2004</i> (Vic)
WA	<i>Occupational Safety and Health Act 1984</i> (WA)

Note: For simplicity, all health and safety laws, including those governing Victoria and WA, will be referred to as WHS laws, unless otherwise specified.

Communicating WHS information

Under the WHS laws, a primary duty of the PCBU is to inform and update workers on all matters that could impact their health and safety.

You are required to ensure this legal duty is carried out by:

- conducting induction sessions
- providing information to workers on new policies, procedures or legislation
- updating the organisation's WHS policies and procedures manual
- ensuring all workers are familiar with the procedures.

You need to use effective communication skills to make sure all WHS information is clear and easy to understand. Consider the following points.

Audience

Think about the audience, including:

- what they should know
- their language, literacy and numeracy skills
- the technology limitations that may influence the way you disseminate information.

Diversity

Consider the diversity in the group and make sure you cater for the different needs of individuals. Workers should have an opportunity to clarify any information that is communicated. Follow up with them afterwards to ensure the communication has been successful.

Specific issues

Be aware of specific issues in your organisation. Here are two examples:

- An office environment may focus on working ergonomically, ensuring aspects such as noise and air quality are monitored and ensuring walkways are free from hazards and risks.
- A factory may focus on ensuring that all workers wear correct personal protective equipment (PPE).

1B Identifying duty holders and their responsibilities

Duty of care means that all duty holders are required to eliminate or minimise risks to health and safety, so far as is reasonably practicable.

This means the PCBU and every worker in any organisation must do everything that is reasonable to remove or minimise the possible cause of harm.

Duty of care states that everyone in the organisation has a responsibility to look after their own safety, and the safety of other workers, customers, contractors and visitors to the workplace.

WHS duty holders

Under WHS laws, the PCBU and managers must clearly set out and communicate the legal responsibilities of duty holders.

Duty holders and their legal roles and responsibilities are outlined in the following table.

PCBU



A person conducting a business or undertaking (PCBU) is the principal duty holder and has the primary duty of care in the workplace.

Officer



An officer is a senior person who makes decisions that affect the whole or substantial part of the organisation's activities, including how finance is spent. An officer may be a chief executive officer (CEO), director, executive or general manager in an organisation. Note that this is different to a health and safety officer, which is a person with a WHS qualification or expertise.

Worker



A worker is any person who carries out work for a PCBU. This includes direct workers at all levels: contractors, subcontractors, self-employed people, outworkers, apprentices, trainees, work experience students, workers placed by labour hire companies and volunteers.



Summary

- PCBU's and managers need to understand and comply with their WHS obligations.
- They need to learn how to adapt the laws to the work areas and communicate WHS information effectively to all workers.
- Duty-of-care provisions outline the general responsibilities of PCBU's and all workers and visitors to a workplace.
- All organisations should establish a system of managing WHS matters, which is outlined in their policies and procedures, and WHSMS.
- WHS roles and responsibilities must be clearly defined for the PCBU, officers, managers and workers.
- WHS needs to be included as an integral part of an organisation's strategic planning.
- WHS should be reflected in all management decisions and allocation of resources, responsibilities and accountabilities.
- PCBU's and managers need to consult with workers and other relevant stakeholders to determine WHS priorities and incorporate these in the WHSMS planning processes.

2A

Setting up and maintaining consultative arrangements

WHS laws require PCBUs to regularly consult with workers regarding health, safety and welfare issues.

Consultation is an important part of developing and maintaining a safe and healthy workplace. Consultation is a two-way process involving the PCBU and workers. In some cases, it also involves health and safety committees (HSCs), health and safety representatives (HSRs) and/or unions.

For consultation to be effective, four key elements must exist. PCBU and workers must do the following:

- Talk to each other about health and safety matters.
- Listen to each other's concerns.
- Seek and share views and information.
- Consider what the other party says before making decisions.



An effective consultation process should encourage workers to participate in discussions about any workplace matter that has an impact on their personal health and safety.

Consulting with workers

Worker consultation is a legal obligation of the PCBU under WHS laws.

You need to regularly engage with workers to have a good understanding of the team's duties, work practices and procedures, the equipment they use and the work environment.

As workers are the people performing tasks on a daily basis, they know better than most the hazards and risks associated with their job. In addition, workplace issues such as bullying may not be apparent in a safety audit if it is conducted by people outside the workforce.

You are more likely to gain support if workers feel they have made a contribution to the decisions, and that they are not just made by management. Therefore, developing and effectively implementing health and safety policies and procedures requires the input of workers.

Consultation can also improve overall relations between PCBU and workers as it helps to establish an environment of open communication, trust and mutual respect, which decreases the chance of incidents occurring.

Improving worker consultation

Health and safety consultation is a two-way process.

Workers need a mechanism to provide ongoing feedback regarding health and safety matters. The organisation should also use internal systems to provide health and safety updates to workers.

Workers should be aware of how the PCBU will deal with health and safety information they receive.

Management may:

- make decisions about the adequacy of facilities for worker welfare
- monitor workers' health and workplace conditions based on information received
- provide further information and training
- propose changes to the work performed at the workplace that may affect the health and safety of workers.



If you want consultation to be truly participative, consider:

- where workers are located and how they can contribute to health and safety issues; for example, consider whether they are on site, in a remote location or working from a home office
- the nature of the work; for example, whether it is flexible, inflexible or systematic
- times workers are available for consultation; for example, consider whether they work during business hours or are rostered onto shifts
- diversity of workers; for example, consider whether any workers have intellectual and physical impairments that may increase their safety risks.

Monitor all consultative arrangements by asking workers for feedback and discussing the ways in which the arrangements can be improved. You may also seek advice from a health and safety specialist to determine whether your arrangements are as effective as they can be.

Maintaining ongoing consultation with workers

Establishing and maintaining ongoing consultation between management, HSRs, health and safety officers, HSCs and workers is crucial for ongoing safety performance and compliance.

Ensure workers understand how they can provide input about WHS matters and the type of information they may be able to contribute.

They will need to know who the health and safety personnel are that they can speak to on a daily basis and the strategies used in the organisation to give and receive information so the process is as transparent as possible.

Whichever method you choose to apply, ensure the principles of effective consultation are followed.

Example

Improving health and safety systems

A large civil and engineering construction firm is investigating ways it can improve its health and safety system. At an organisational level, management reviews the health and safety management system and sets objectives for the next two years. One of its goals is to improve the participation rate of staff and contractors in health and safety decision-making.

The organisation employs an external health and safety advisor, who establishes a task force to set priorities consistent with the organisation's strategic goals.

The first priorities for action are identified as:

- electing health and safety representatives
- setting up a health and safety committee
- reporting health and safety hazards
- inspecting workplaces
- investigating incidents.

New policies and procedures are written in plain English to assist in communicating to everyone. Regular consultation groups are run to test draft procedures to ensure they are realistic. Training targets are then identified and action plans for on-the-job and external training options are selected.

Finally, an action plan for implementing and maintaining participation arrangements is developed. Resources required to implement the plan are identified and commitment is sought from senior management.



Practice task 6

Question 1

Why must managers provide feedback and information about consultation outcomes to workers? Select all that apply.

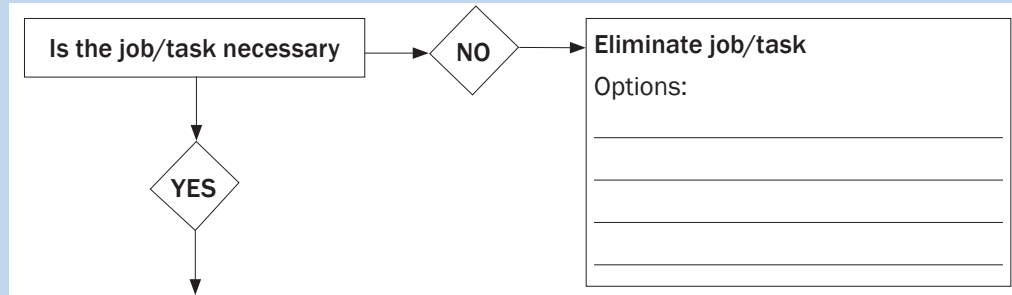
- ☐ To build open communication with workers
- ☐ To ensure workers know their job and legal duties
- ☐ To comply with WHS laws
- ☐ To show workers that they are valued and build better relationships

Example

Risk control worksheet

Here is an example of a risk control worksheet.

1. Factors assessed as a risk.



2. Is it practical to reduce the risk by using engineering controls?

Category	Options or actions	Time frame
Short term		
Medium term		
Long term		

3. Is it possible to reduce the risk by using administrative controls?

Category	Options or actions	Time frame
Short term		
Medium term		
Long term		

4. Is it practical to reduce the risk by using personal protective equipment?

Category	Options or actions	Time frame
Short term		
Medium term		
Long term		



Topic 4

Evaluate and maintain a WHS management system

As a manager, you need to prioritise the health and safety of your workers and include WHS in your planning tasks.

A work health and safety management system (WHSMS) for a work area can be used to help you manage workplace hazards and risks. It also helps to ensure workers are aware of their health and safety responsibilities.

A WHSMS for a work area should form part of the organisation's overall WHS management system. It should include:

- clear roles and responsibilities
- safe work procedures
- training
- reporting processes
- resources for implementing and reviewing the associated risks.

All WHS management systems must be maintained and reviewed to make sure they comply with WHS laws and the needs of the organisation and its workers.

In this topic you will learn about:

- 4A Developing and providing a WHS induction and training program
- 4B Maintaining WHS records to identify patterns of injury and illness
- 4C Evaluating the WHSMS
- 4D Implementing improvements to the WHSMS
- 4E Ensuring compliance with WHS legislation

Evaluating internal systems

As a manager, you need to evaluate your internal WHS systems for your work areas to check whether they align with the organisation's quality systems framework.

The following example provides a description of work systems and how these might be evaluated.

System	Description	Evaluation
WHS induction system	A WHS induction system is established and implemented for all workers, including contractors.	<ul style="list-style-type: none"> Induction has reduced the number of incidents that occur in the first three months of a worker's employment. Workers report that they understand their WHS responsibilities, and their actions confirm this.
Roles and responsibilities	The roles and responsibilities of all workers and contractors are documented. Procedures are put in place to ensure these are distributed and understood.	<ul style="list-style-type: none"> Workers consistently demonstrate they understand their job description and WHS responsibilities.
WHS documents and forms	WHS documents and forms are prepared, easily understood, stored correctly and accessible.	<ul style="list-style-type: none"> Workers complete appropriate forms promptly and correctly.
WHS officers	A WHS officer is assigned. HSRs and HSC members are appointed where appropriate.	<ul style="list-style-type: none"> Regular WHS meetings occur. WHS is on the agenda for every worker meeting. Workers are kept informed of WHS issues.
WHS policy statements	<p>WHS policy statements are clearly written and regularly updated, providing information about:</p> <ul style="list-style-type: none"> the statement of intent (how the organisation intends to keep workers and visitors safe) objectives (specific WHS targets the organisation wants to achieve) consultation (how the organisation intends to consult workers on WHS) training (how the organisation intends to provide WHS training to workers) roles and responsibilities (specific tasks of workers) accountability (who is responsible for specific WHS issues) monitoring (how the organisation intends to monitor WHS). 	<ul style="list-style-type: none"> The policy is communicated to all workers. The policy is regularly reviewed.

Example

WHS action plan

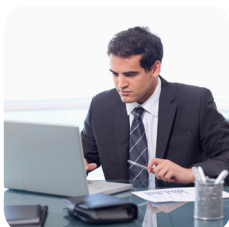
Organisation: Library Person: Amanda Smith			Area for improvement: Phase out the use of A-frame ladders and replace with elevated work platforms (EWP), mobile scaffolds or platform ladders			
No.	Actions	Required outcome	Resources	Responsible	Target date	Sign off
1	Determine access equipment requirements to replace A-frame ladders currently in use.	List of quantity and working heights of EWPs, mobile scaffolds and platform ladders required for the site.		David – Site Supervisor	14/3	
2	Determine from list of requirements what items are to be purchased and what will be hired. Obtain quotes.	Most cost-effective solution to phasing out the use of A-frame ladders.	Supplier catalogues and price lists	Mike – Managing Director	15/3	
3	Order and arrange delivery of new access equipment.	New access equipment to be available on site.		Mike – Managing Director	16/3	
4	Prepare safe work method statements (SWMSs) for new access equipment.	Training reference for workers.	WHS regulations and codes of practice	David – Site Supervisor	16/3	
5	Provide training to all workers regarding correct application and use of new access equipment. Workers to sign toolbox talk minutes.	All workers to be aware not to use A-frame ladders and to be trained in use of alternative access equipment.	SWMSs and toolbox talk sheet	David – Site Supervisor Workers	17/3	

A defined audit process

Although the auditing process may differ between organisations, there are clear steps involved.

These steps are outlined below.

Step 1: Set policy for the audit



- Establish purpose and scope of the audit.
- Determine which standards, procedures and tools to use.
- Provide details of the audit team.
- Formulate the audit program.
- Determine audit report format and arrangements for responding.

Step 2: Conduct document review



- Supply relevant documentation to the audit team before on-site activities.
- Review documentation.
- Prepare the audit plan.
- Assign work to the audit team.
- Prepare work documents/checklists.

Step 3: Conduct on-site audit



- Conduct an initial meeting with senior management to introduce the audit team and confirm audit arrangements.
- Interview relevant personnel and gather evidence using checklists, copies of records, documents, samples and photos.
- List or report non-compliance issues.
- Establish a non-compliance register to monitor and review status.

Step 4: Prepare audit report



- Prepare a summary of the audit findings.
- Include details of any non-compliance.
- Develop a list of recommendations/considerations.

Step 5: Conduct follow up



- Review the non-compliance register to monitor progress.
- Check whether recommendations for improvement/compliance have been addressed.