Insight aims to provide useful information, links and tips in the areas of Risk Management, Occupational Health and Safety, Business Continuity Management, and other areas relating to management systems and corporate governance.

This issue:

- The risks of a neglected WHS system
- Tackling workplace bullying
- SNG Report

The risks of a neglected WHS system

As the financial year draws to a close, it is timely for organisations to consider the adequacy of WHS resources allocated for the new financial year.

As indicated in previous issues of *Insight*, the provision of resources for the development of WHS documentation alone leaves an organisation at risk of legislative breaches (refer Issue 20 "*Writing the OHSMS is not enough*" and Issue 28 "*The importance of enforcing the SMS*").

A WHS management system or set of safe work procedures, developed but left sitting on a shelf, is simply not enough to assure the health and safety of workers, nor to provide a defence against prosecution under the current Legislation.

Without regular attention to WHS management and the constant application of appropriate organisational resources to check and update the organisation's WHS risk controls, it is all too easy for an attitude of complacency to set in, both at management and workface levels.

The assumption that all is well and workers are safe and healthy can readily arise from the fact that work tasks have been undertaken, and repeated, without anything going wrong. However, the absence of an incident does not mean the absence of risk. To have confidence that risks to the safety and wellbeing of workers are adequately managed on an ongoing basis, an organisation needs more than good incident statistics.

RISK MANAGEMENT   MANAGEMENT SYSTEMS   SAFETY FIRST SAFETY MANAGEMENT   BUSINESS CONTINUITY MANAGEMENT

There also needs to be an active WHS risk management program which includes ongoing consultation, monitoring and improvement processes.

Therefore, in addition to any specific WHS management project that may receive funding in each financial year's budget, every organisation should ensure that the allocation of WHS resources for each year includes resources for:

- Consultation with workers to identify unaddressed or emerging WHS risks
- Confirmation of the implementation status and the ongoing effectiveness of all controls for WHS risks
- Review and update (as necessary) of all safety procedures and related documentation to ensure currency with any amended Legislation
- Review results of audits undertaken during the year, as part of a overall review of the effectiveness of the WHS management system
- Training of workers in WHS risk management.

Undertaking the above activities at least annually, and preferably in an ongoing, continual improvement fashion, will give assurance to the PCBU (and the regulator) that WHS risks are being managed as well as is reasonably practicable.

Please contact QRMC for more information.

Tackling workplace bullying

Although Fair Work Commission's first anti-bullying quarterly report released in April showed fewer than expected applications for an order to stop bullying at work, it is evident from court cases and case studies now reaching the media that bullying at work is occurring, and presents a serious risk to worker health and safety.

Most of the state-based WHS regulators have released detailed guidance materials for employers on the management and prevention of workplace bullying and harassment, not to mention the materials made available by Safe Work Australia and the Fair Work Commission themselves.

However, if your workplace hasn't yet focussed attention on addressing this work health and safety risk, some preliminary consideration of the following points will assist to set the context for specific controls:

- **Positive work culture**: a work culture based on respect will minimise the likelihood of bullying behaviours developing. Managers need to model the manners towards and respect for others that they would like to see in workers.
- **Participation and consultation**: openly surveying the experience of workers and asking for their help to identify problems will help an employer recognise bullying risks in the workplace and provide the information required to determine appropriate controls.

- **Organisational capacity**: check if the skills and training are in place to enable managers and supervisors to reliably recognise and appropriately respond to signs of bullying or worker complaints.
- **Systems and procedures**: in the best workplace culture, communicative workers and skilled managers notwithstanding, the risk to worker health and safety will not be fully addressed until appropriate processes are developed and implemented for the prevention and management of workplace bullying. This should include at least a policy statement clearly identifying that workplace bullying and harassment is unacceptable to the organisation, procedures for tactfully investigating complaints, and processes for protecting and supporting victims and for counselling wrongdoers.

As shown by a recent study of Australian businesses, organisations that don't look after the mental health of their employees struggle to attract and retain the best workers. It's in the interest of both worker safety and business bottom line to get on top of workplace bullying.

Please contact QRMC for more information.

SNG Report

Another Safety Networking Group session was held on the 30th May, hosted by Cardno (Qld) Pty Ltd.

The session was supported by WHSQ with the Acting Director Workplace and Electrical Safety Policy, Kirsten Way, providing a timely update on the amendments that have been passed in relation to the WHS and Electrical Safety Legislation, which commenced on 16 May 2014.

Kirsten explored the following amendments in detail providing the context to the changes:

- The right of entry provisions were amended to require that the WHS entry permit holders give at least 24 hours-notice to the PCBU. This was following concerns over the potential misuse of union right of entry for suspected contraventions of the *WHS Act*, and the identified inconsistency with the Commonwealth *Fair Work Act* (2009);
- The *WHS Act* has been amended to remove the power of HSRs to direct that unsafe work cease. HSRs can still issue PINs, and workers still have the right to cease unsafe work;
- Removal of the 'un-commenced' requirement from the *WHS Regulation* 2011 for mandatory audiometric testing, and maintains what was in place for audiometric testing prior to harmonisation. This requirement was considered particularly onerous for minimal benefit;
- Removal of the requirement to fit rollover protective structures to earthmoving machinery, which had not yet commenced;
- Allowing WHSQ to publish an online register of high risk work licence holders and assessors; and
- The removal of the requirement for some things to be notified to WHSQ 'in writing'.

Changes to the Electrical Safety Legislation were also enacted bringing it into line with the 2011 Work Health and Safety Legislation, and in particular ensuring consistency across the penalties.

In relation to the WHS Codes of Practice, Kirsten detailed that the Select Council on Workplace Relations met in April 2014 where the Ministers asked Safe Work Australia to rewrite the twelve 3rd and 4th stage Codes to make them clear, concise and practical, taking all sectors of business into account including small business, without compromising safety standards. The resulting re-formatted Codes are leaner and more userfriendly, and it is planned that fact sheets and guides will accompany the codes. As the essential elements of the codes, including control measures, are proposed to be retained, Safe Work Australia will not be undertaking a formal public consultation process.

The revised model Codes are proposed to be considered by Ministers on 30 June 2014.

QRMC thanks WHSQ for their ongoing support of the Safety Networking Group.

The session also included a presentation from Cardno of their prototype sliding weight hammer designed to mitigate a range of manual handling and pinch-point hazards, and some healthy discussion regarding the development and use of positive performance indicators within a number of organisations.

The next SNG meeting is earmarked for August 2014.

ABOUT THE SNG:

In 2005 QRMC founded the Safety Networking Group for senior safety professionals working in the greater Brisbane metropolitan area. QRMC continues to coordinate and arrange for speakers to present at quarterly meetings and discuss information on contemporary WHS issues. Group members also share information from their workplaces or industries, which other members frequently find interesting and useful.

More information on the Safety Networking Group can be found on our website. Senior safety professionals contemplating attending meetings in Brisbane can contact QRMC to express an interest.