

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

If It's Not Recorded, It Didn't Happen: Proving WHS Due Diligence

Under the *Work Health and Safety Act 2011 (Qld)*, officers have a clear and non-delegable duty to exercise due diligence to ensure their organisation complies with its WHS obligations ([s.27](#) of the Act). While many officers actively engage in safety leadership activities, a critical gap often remains: failing to adequately record those actions. This is not simply an administrative issue, it is a governance and legal risk.

Why Recording Due Diligence Matters

Due diligence is not just about what officers do, it is also about what they can demonstrate they have done. In the event of an incident, investigation, or regulatory scrutiny, a critical question will always be asked: can the officer provide evidence that they took reasonable steps to fulfil their duties? Without documented records, even appropriate and well-intentioned actions may be difficult to verify. Regulators and courts rely on objective evidence, not assumptions or recollections.

What Needs to Be Demonstrated

Section 27 requires officers to take reasonable steps to acquire and maintain up-to-date WHS knowledge, understand operational risks, ensure appropriate resources and processes are in place, and verify that those processes are effective. Each of these elements must be supported by visible, traceable evidence. This may include records of site visits, meeting minutes where WHS matters are discussed, documented reviews of incident reports, evidence of resourcing decisions, and records of follow-up and verification activities.

The Risk of Informality

A common pitfall is reliance on informal or undocumented engagement, such as verbal updates, unrecorded site visits, or decisions made without a documented rationale. While these activities may contribute to positive safety outcomes, they provide limited assurance or protection in demonstrating that due diligence obligations have been met. In practice, the



absence of records can be interpreted as the absence of action.

Embedding Better Practice

Stronger organisations move beyond ad hoc approaches and implement structured methods for recording officer due diligence. A practical and effective solution is the use of a WHS due diligence planner or tracker, which enables officers to systematically capture key activities against s.27 requirements. This may include logging site visits, recording WHS discussions at leadership meetings, tracking decisions on resourcing, and documenting verification of corrective actions. Using a centralised planner or tracker not only improves consistency, but also ensures records are readily accessible, auditable, and aligned to legislative expectations.

Moving from Activity to Assurance

Recording due diligence is not about generating paperwork for its own sake. It provides assurance that officers are actively fulfilling their responsibilities, supports transparency in governance, enables continuous improvement, and strengthens the organisation's ability to respond to regulatory scrutiny.

The Bottom Line

Officers cannot rely on good intentions alone. If due diligence activities are not recorded, they cannot be reliably demonstrated. Maintaining structured records, such as through a due diligence planner or tracker, not only strengthens legal defensibility but

also reinforces the effectiveness and credibility of WHS governance. Notably, a number of leading Australian workplace and corporate law firms advocate the use of due diligence trackers and similar governance tools as a practical means of evidencing officer compliance with due diligence obligations under WHS legislation.

Please [contact QRMC](#) for more information.

AI at Work: The Safety Manager's Role

Artificial Intelligence (AI) now appears in everyday tools: rostering systems, task-allocation platforms, monitoring software, robotics, and wearables. This is changing how work is planned, allocated, monitored and reviewed. For a Safety Manager, it may create an opportunity to spot risks earlier, support better decision making and make safety systems more responsive.

It also creates new hazards. Faster task allocation can drive increased work pace. Wearables can distract or discomfort workers. Dashboards can improve visibility while quietly reducing control. The key question is not whether the technology works, but whether it can be used in a way that makes work safer.

To best manage the safety impacts related to an AI program/function being implemented, a safety manager should be involved before rollout, not after. Every technology rollout is also a work design change, potentially affecting workload, fatigue, role clarity, supervision, consultation and training.

Some risks are obvious: moving plant, robots, vehicles or automated equipment. Others are harder to see: software can set unreasonable pace expectations, allocate tasks without context, or monitor performance of workers in intrusive ways.



Safety managers should ask: what does this system change about the work and how does it impact workers? Look for time pressure, reduced autonomy, unclear responsibilities, repetitive work, sedentary work and how performance targets may be affected.

The most effective controls are those that are built-in well before going-live. Systems need to be tested against real work, and the affected personnel need to be consulted.

An effective safety manager needs to consider: Who is affected? What decisions does the system influence? And what happens when it goes wrong?

When preparing to change work design by the introduction of AI tools, we recommend a pause in the process in order to map the digital systems influence on work, to consult the workers affected by those systems, and to review whether the current controls still match how the work is actually being done.

AI will not replace sound safety judgement. In most instances AI serves to highlight the importance of it.

Please [contact QRMC](#) for more information.