Mining safety
Mind the gaps

The National OHS Strategy
What it means for the OHS profession

Contractor safety
Understanding your OHS obligations to contractors

Building cultures of safety
How Neptune Marine Services reduced its LTIFR

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SIA: what’s in it for you?

The news that your SIA has secured an arrangement with EBSCO to provide access to online bibliographic databases is perhaps more highly significant than many may realise. I am continually surprised by the frequency with which I am confronted by health and safety practitioners who argue that they can see no real benefits of joining the SIA. I admit that in the past my arguments may have sounded a little lame and have been along the lines of “doing the right thing as a professional”. Perhaps at the heart of membership is still “doing the right thing”. After all, the increasing recognition of health and safety as a profession and the demands of employers and governments that practitioners are members of a recognised professional body and are “suitably qualified” almost necessitate “doing the right thing”.

Today, however, I would expect the arguments to be easier to win; we have approaching 4000 members. We have strong executives exhibiting leadership in the move towards a corporate structure that will position us better for meaningful representation to governments, unions and employers as well as other professional bodies. We have excellent and successful conferences and seminars, we have a resource-rich website, weekly e-news, a quarterly magazine and a biannual journal.

The fourth issue of the Journal of Health & Safety Research & Practice (JHSRP) will shortly be published and is testimony to the recognition by the SIA of the significance of an evidence base to the OHS professional. However, the JHSRP represents just one very small proportion of the peer-reviewed evidence base and if this is all that people have access to they will not get a true picture of the information that is available nor will they appreciate its value. But how do we access the plethora of peer reviewed journals that offer information that supports our multi-disciplinary profession?

In the old days some of us might have been able to visit our local university library and read some of the relevant journals. Some of us may have worked for large organisations that supported an in-house library with subscriptions to some of the key journals. Some of us may have taken individual subscriptions to journals but subscription to just a few is, for most of us, prohibitively expensive.

In more recent times most of the key journals have become available online through university libraries and as we undertook our studies we became familiar with the wide range of available materials before we then graduated and lost access to the resource.

Many of us lament the loss having tasted the benefits. Today, academics are among the privileged few who have access to the broad range of materials we need to maintain currency.

Among those protestations of non-members who argue against the value of membership are the views that they can get all the current member-benefits without joining the Institute but, as the argument sometimes goes, if we could offer access to the on-line databases of journal articles, then that might be a different matter. Now that the SIA has secured EBSCO access I feel like going back to those people and saying, “hey, guess what …?”

However, the primary motivation for this significant development is not attraction of members. The prime motivator was the recognised need to provide members with access to the rich evidence base that supports their practice and to assist with the maintenance of currency. No doubt the attraction of members will be a bonus.

For those of us who graduated before databases such as EBSCO were available, there is a need to jump on line and play with it. It is a very powerful search engine that searches multiple data bases, each of which search enormous numbers of journals for articles matching our search criteria.

The search engine that is available through the members’ area of the SIA website marks a significant development in the health and safety profession in Australia and Pam Pryor and others behind the initiative are to be applauded.

Dr Steve Cowley, FSIA, SIA National Publications, Editor

For more member information, visit www.sia.org.au
Accrediting OHS education

In the last issue of OHS Professional I referred to “2011 being a critical year to improve health & safety” and referred to the welcomed harmonisation of OHS laws, regulations and code of practice planned to be implemented on 1 January 2012; and the OHS body of knowledge project that will have a major impact on course accreditation and professional certification.

In this issue, I want to mention a welcomed further Health and Safety Professionals Alliance (HaSPA) major initiative, to establish the Australian OHS Education Accreditation Board (Accreditation Board) and appoint Pam Pryor as its inaugural registrar.

As HaSPA is not a legal entity, it was agreed, in conjunction with the SIA National Board of Management, that the Accreditation Board would be auspiced by the SIA.

Its structure as created sets out the independence of the Accreditation Board in setting standards, accreditation processes and in decision-making regarding accreditation and related matters.

The vision, mission and goal of the Australian OHS Education Accreditation Board are as follows:

Vision: OHS professional education based on strong scientific and technical concepts, evidenced-informed, delivered by suitably competent persons and so recognised by the profession, government, industry and the community.

Mission: To be the recognised body in Australia for approving and recognising suitable education programs for the purposes of professional certification.

Goal: For all OHS professional education programs provided by Australian universities to be formally accredited by the end of 2012.

All members of HaSPA are to be congratulated on this major initiative and Pam Pryor’s appointment as Registrar, to improve health and safety in 2011 and beyond, under the OHS body of knowledge project.

Gary Lawson-Smith, Chief Executive Officer, Safety Institute of Australia

Innovative Occupational Hygiene Training for Developing Safety Professionals.

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• W501 Measurement of Hazardous Substances
• W502 Thermal Environment
• W503 Noise - Measurements and Effects
• W504 Asbestos and Other Fibres
• W505 Control of Hazardous Substances
• W506 Ergonomics Essentials
• W507 Health Effects of Hazardous Substances
• W508 Skin at Work

The courses are run by professional, qualified Occupational Hygienists who are recognised for their expertise in the field.

For more information
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or visit www.hazcon.com.au
What is “common sense”?  
I very much appreciate the responses from Barry Sheriff and Leo Rushena to my letter published in the November issue of OHS Professional. This is a necessary debate in my view, as it seems to be politically incorrect to ever criticise anything to do with safety. I regret that my article was taken as a personal attack on Dr Steve Cowley as I have no idea if he would impose OHS solutions that deserve ridicule. It was not my intention to attack him, but the view that OHS management is a sacred cow.

I am attempting to present a position where OHS is the result of common sense created and shared by people within a workplace or an industry, including workers, managers and other specialists where required, facilitated by OHS professionals and not dictated by them as so often is the case in my experience.

According to the Cambridge Dictionary, common sense means good sense and sound judgement in practical matters (“the basic level of practical knowledge and judgement that we all need to help us live in a reasonable and safe way”). Common sense occurs in a context, that must be specified as what is common sense in one context, is not common sense in another. In my view, common sense in a workplace means more or less the same as the term, “state of knowledge”. It is what a person responsible for or engaged in an activity ought to know and do to prevent harm and therefore has the same meaning as, “reasonably practicable”.

Surely, common sense is not bad decisions made without adequate information based upon what the “man in the street” may or may not know.

Common sense therefore, has the same meaning as W. Edwards Deming’s, “profound knowledge” that always exists in every workplace. Deming created a revolution by encouraging ordinary people to become aware of and apply their profound knowledge, to improve quality and reduce costs. Similarly, managers, supervisors and workers should have common sense, resulting from having shared goals and constant dialogue regarding safety and other matters.

No reasonable panel shop owner needs to have the OHS Act recited to them to know that isocyanates cause harm as this has been common knowledge in the industry for many years. Reluctant adoption of PPE including air-fed respirators by painters has been greatly enhanced by WorkSafe enforcement, which is usually the way that common sense is established within an industry.

In a recent conference in Melbourne, I heard Barry Sheriff say something to the effect that he did not believe in best practice, only in good practice. This aligns with my view of common sense: that best practice is in most cases is an imagined vanity, not an objective reality. I have personally created about 100 Good Practice Guidelines by capturing the collective wisdom of the industry, including one dated 24 June 2003 about the health effects of isocyanates.

My real beef is with the risk averse, “nanny state”, where workers are treated like children as this creates contempt among the people to whom the risk controls apply and in the worst case, it so trivialises safety that the real risks go uncontrolled.

My hope is that safety will result from properly enforced good legislation, led by management in cooperation with the people at risk, facilitated by professionals to the benefit of all concerned.

Warren Mills, director, CR Management Systems

Standing up for zero harm

In response to the SIA enewsletter article, “Zero harm a flawed safety concept” (published online 22 February, 2011) Andrew Douglas is very, very wrong and making some very damaging statements.

Zero harm is a very much needed culture shift. The failings that I see are the people that go through life with a total disregard to their and their fellow worker safety. Never in 30 years have I heard someone say “I hurt myself following safety guidelines.”

I do have on my phone some workers at a building site here in Brisbane standing under crane loads, climbing along ledges, with total disregard for their safety.

Zero harm is still in its infancy, but growing and growing well we do not need people offering opinions that are wrong. While I believe I can see the “spirit” of some the comments, I certainly do not share his viewpoint, neither can understand why an attempt to remove the foundations of a very good developing process would be aired so carelessly.

I understand some of Andrew’s comments, but certainly do not agree with the synopsis that he offered regarding the process and employers. Society today has a long way to go, to reverse the damage created by the legal changes and some “shout from the hip” reactions, in order to restore the concept of people being responsible for themselves. Zero harm is a great concept and goes a long way toward energising people to care for themselves.

Safety needs to be a culture across all cultures, we should all embrace zero harm philosophy. My motto: Safety – not a rule, not a regulation but a way of life! This should be taught to our families from the time they are able to learn.

Rod Kison, Hibernia Pty Ltd

Something got your goat? Send us a letter to editor@sia.org.au (Letters may be edited)
Problems with safety management

There has been little progress in real terms to safety improvements, risk reduction and mitigation and injury prevention, says Brambles group OHSE manager David Tregoweth

I have been involved in safety management now for around 25 years and reflect that I am, in many ways, the sum of my failures in keeping people as safe as they deserve to be. Over this time I am sure I have done some good through a traditional approach to safety, but I have not been nearly as effective as I might have been, had I come to the conclusion earlier in my career that safety in organisations has in fact little to do with safety; it has to do with influencing the underlying business and dealing with the cause of the issue rather than the symptoms of the disease.

The symptoms are what are normally described as “safety” issues. Sometimes they extend further into health and wellbeing, but they are still largely safety. We are skilled at identifying that there is a problem in safety – too often by looking at an accident scene, a loss that has occurred, or an injury that we feel badly about for around 15 minutes. Nevertheless, we can identify it.

Instead of getting to the root cause, we too often deal with the superficial. Sometimes we might even get to the “safety” root cause – the piece of the organisation we have permission to meddle with – but is that really where the disease is, or is it somewhere else we dare not tread...

Perhaps I am overstating it, but in my experience these are our key weapons in our fight against “poor” safety. Weapons that really have made little difference in our underlying safety performance – not as measured by injury rates, but through the only real measure of success: do our people and organisations really engage, and what do they really think about safety?

The test of this can be heard in pubs and bars across the country. The people we are hoping to protect just don’t believe. In many cases the same will also be true of executive meetings and board gatherings. They might want to believe, but the reality of “safety management” just gets in the way. Too many rules, too many audits, too much red tape – and too few results. In many cases we have fatigued our audience and they have either stopped listening, or they just let us say our piece but carry on as though our message was never heard.

Lost time injury frequency rates, severity and duration continue to decline and point to success. But is it success or creative accounting by those who need to show it is all leading to a positive outcome? Call me a cynic, but I think many safety practitioners have become creative accountants – ironically now working against what they signed up to.

An alternative approach

Over the years I have recruited many safety managers because of the great knowledge they have around legislation and the “rules” of safety. On reflection, these were the very people not needed for these roles – that is unless they also had tremendous passion for people (their customers), for winning and for the business that they were engaged to work for. Regarding this last point, assisting the business to succeed is critical, because without that and a commercially/financially viable ecosystem to operate in, there is little chance of really succeeding.

I have described this as burning the safety rule-book; as finding new and creative ways to enable your business – without selling out on the needs of the people we are engaged to help keep safe. Whatever the focus, knowing who our customer is (and there are many) and delivering what they really need – as opposed to what they really want – is crucial.

Maybe those I really needed to recruit were the people already in the organisation, who really knew how things worked and what the real business and organisational issues were. They needed the history, they needed to know where the skeletons were and they needed real insight into why successive management programs for quality, safety, cultural change (the list goes on) delivered, or failed to deliver, on their promises.

It is this insight and the ability to see into the organisation – its issues, barriers and resisters – that makes the difference. It is the ability to soundly judge when to exploit the right moment, get involved in the right project or initiative, or just come at a problem from a different angle that makes the difference. And in this I am not talking just about safety. I am also talking about finding these things in everything the business does and using these as opportunities to propel safety forward, even though the links can sometimes be hard to see.

Lessons for OHS

I learn new lessons every day and frequently chide myself at night on how I might have achieved a better result through a different approach. One lesson that I do learn repeatedly is that the world is full of inertia and that more often than not, people do not enjoy change, even if it means that the fruits of their work are relatively fruitless. Sometimes it is just about paying the mortgage.

I openly admit that this frustrates me when working with many other safety practitioners, but I have accepted that occasionally there will be some friction in trying to convince individuals and groups to try a different approach. This used to sadden me, but now I just press on in the hope that I find like-minded people in our ranks and more generally in business. The good news is that I do.

A piece of advice for OHS professionals: be as bold as you can be and have confidence in your approach. When I say that safety management just isn’t working, what I mean is that we don’t make it work. Our own lack of passion and creativity is the blocker. It is OK to get things wrong. But it’s not OK to not try – or worse, take the easy road or sell out. People are relying on us.
Avoiding management walk-around pitfalls

While many companies understand that good management requires senior managers to spend time with frontline workers, the challenge is to make productive use of these visits, according to The Australian National University’s Professor Andrew Hopkins. Safety is often a focus for senior managers (or “VIPs”) who are visiting a worksite, but too often safety is understood to be a matter of “slips, trips and falls”, rather than the major hazards that can lead to major accidents, said Hopkins in a recent National Research Centre for Occupational Health and Safety Regulation paper. He examines this issue in the context of a VIP visit made to the Deepwater Horizon rig by senior managers from BP and from the rig owner, Transocean, just hours before the explosion.

SIA: simplify draft OHS law regulations

Much of the detailed content in the model Work Health and Safety (WHS) laws should be moved from the Regulations section to Codes of Practice and other guidance material, as this would allow organisations to better tailor the laws to their own workplaces, according to the Safety Institute of Australia (SIA). In its recent submission to Safe Work Australia (SWA) on the model WHS laws, the SIA said such a change would “assist accessibility, readability and enable implementation of the Regulations to be tailored to local risk factors”. Jon Temby, chair of the SIA National Technical Panel Working Group that put the submission together, said there had been concern about the model WHS regulations being too prescriptive.

Safety the biggest risk for oil and gas operators

In view of the major LNG capital projects planned by oil and gas projects in Queensland and Western Australia, the most prominent risks in the oil and gas industry are around safety, according to Deloitte. Safety is always a challenging issue, and will continue to be so particularly while thousands of new employees join the industry in the rush to resource major new projects, said Stephen Reid, the national leader of Deloitte’s oil and gas industry sector. “Project proponents can’t afford to outsource their safety obligations along with parts of the project. High safety standards will need to be maintained throughout the supply chain,” he said.

Rio Tinto cuts injury frequency rate by 18 per cent

Rio Tinto reduced its all injury frequency rate (AIFR) by 18 per cent in 2010 as a result of an increased focus on risk management, compliance and continuous improvement, according to the company’s 2010 annual report. Rio Tinto measures its progress toward its goal of zero injuries through an AIFR (which includes data for employees and contractors) per 200,000 hours worked. At the end of 2010 the AIFR was 0.66, an improvement of 18 per cent over 2009, while Rio Tinto’s lost time injury frequency rate also improved to 0.36 per 200,000 hours worked in 2010. “We use significant potential incident reporting and remedial action closure measures to promote identification, investigation, management and sharing of lessons learnt from minor and near miss events with potentially fatal consequences,” said the report.
Linking safety with shareholder value

Investors are increasingly looking at OHS performance as an indicator of management quality, according to a leading Australian fund manager. “Quality of management is something that investors look at, which we think is reflected in shareholder value,” said Ian Woods, a senior research analyst at AMP Capital Investors. “By looking at OHS systems, you can get a sense of company culture, company accountability how effective overall systems are within the organisation and how well a company can set and deliver on targets.” Woods added that the link is clearer in industries with major OHS hazards such as the mining, transport and building sectors.

The death of smoking in the workplace

There is “wind of change” sweeping through workplaces, brought on by the smoking laws and new attitudes, that is making it more uncomfortable for employees to light up during working hours, according to a specialist workplace relations and safety law firm. “Over the years employers have asked me: “how many smoke breaks is an employee allowed?” said Brad Petley, solicitor director of Acumen Lawyers. “My answer is simple. Unless there is a general right to a smoke break set out in an employment contract or workplace policy (which is highly unlikely) employees who smoke should wait until a prescribed rest pause or meal break to exercise their habit.”
The next National OHS Strategy

Craig Donaldson speaks with Dr Peta Miller, director of the national strategy team for Safe Work Australia, about the upcoming National OHS Strategy and what it means for the OHS profession.

What is the National OHS Strategy?
The current National OHS Strategy expires in May 2012 and the national strategy team for Safe Work Australia is charged with developing a draft proposal for the new 10-year National OHS Strategy as well as undertaking a third triennial review of the effectiveness of the current OHS strategy.

While the details have yet to be worked out, the new national strategy will help drive national activity around work, health and safety prevention activities.

Safe Work Australia members are quite mindful that a strategy is just a document, and it only ever achieves things by actually being taken up and implemented in individual workplaces. So the strategy is merely an influencing and guiding document.

Like the current national strategy, the new strategy will be a guidance template for national action. It will provide a nationally coordinated and evidence-informed process for actions to reduce death, injury and disease in Australia.

It will provide work health and safety professionals with clear guidance about national priorities and what regulators as well as employee and employer representatives think the big issues for Australia are in the next decade.

How is the National OHS Strategy being developed?
Safe Work Australia members met late in March and at their workshop agreed on some strategic themes to explore in the general workshops that will be occurring throughout Australia. In relation to the development phase, we undertook and will continue to undertake on behalf of Safe Work Australia members bilateral conversations and consultations with selected experts around Australia to give us insights into particular, particularly to the technical issues.

From May until September we’ll be running 12 invitation-only general stakeholder workshops around Australia, which are designed to seek the views and ideas of a wide range of Australian stakeholders. These will include regulators and those representing employer and employee organisations, but will also seek the views of work, health and safety professionals, academics and community groups that care for workers when they become injured.

We will be also raising particular issues that members believe are focus areas. For example, in the stakeholder workshops we will explore issues around safety culture and leadership as well as more effective prevention of exposure to hazards and measurement of control. That’s just some of the issues the members have asked us to explore.

This consultation process is quite extensive and after each workshop we’ll be producing an outcomes booklet which will be made publicly available, so that as can see the outcomes of the workshops.

When will the strategy be ready?
Behind the scenes, Safe Work Australia members recently decided to establish a temporary advisory group to guide the design and development of the new national strategy as well as the evaluation framework which will underpin it. This will be chaired by Tom Phillips, the Chair of Safe Work Australia, and will have extremely senior tripartite representation.

This group will take in the views from stakeholders and design a draft national strategy. The first draft will go to members later this year and then we will place the approved draft national strategy on the website and seek public consultation and comments. We’d be particularly interested in work, health and safety professionals looking at that document and providing feedback.

We will then refine the document further based on guidance from Safe Work Australia members and the public consultation inputs with the objective of it being ready for endorsement to come into effect on 1 July 2012. So it’s quite an ambitious project but members are very committed to ensure that that occurs during that timeframe.

THE CURRENT STRATEGY

The current National OHS Strategy 2002-2012 provides the basis for achieving the vision of Australian workplaces free from death, injury and disease. It sets very clear goals for work health and safety and is a key initiative to improve Australia’s work health and safety performance, and has set the following targets: to reduce the incidence of work-related deaths by at least 20 per cent by 30 June 2012; and to reduce the incidence of workplace injury by at least 40 per cent by 30 June 2012.

Source: Safe Work Australia
A lifetime of safety

Craig Donaldson speaks with Glynn Williams, Safe Work Australia award winner, about his greatest professional achievements, challenges and goals

At 75 years of age, Glynn Williams has had a long and unwavering commitment to the OHS profession. With a motto of “safety as a way of life”, Williams has been a practitioner in the field of safety and risk management for more than 30 years.

In recognition of this, he was awarded the Best Individual Contribution to Workplace Health and Safety at the 5th Annual Safe Work Australia Awards.

Professional achievements
Williams has held a wide variety of roles in his professional career. He first got into OHS in around 1975, when he was recruited by John Lysaght upon the opening of their Western Port Steelworks in the UK. After about four years as a production manager, his boss asked him to take a “tour of duty” around other departments in the facility – the first stop being (reluctantly at the time) the HR department.

Shortly after there was a “very nasty accident” and the safety officer “went to bloody pieces”, Williams recalls. “So they asked me if I would like to take the job of safety and security superintendent on permanently – and that’s how I got into occupational health and safety,” he says.

Williams conceived of his motto, “safety as a way of life,” following an accident which involved another production manager colleague at John Lysaght. “He was mowing his lawn with a rotary lawnmower in bloody thongs and lost a toe,” he recalls. “So that’s when I developed the concept of ‘safety as a way of life’. By that I mean we don’t just concentrate on safety within the workplace, but we also look at safety as far as our leisure pursuits are concerned – while we’re on the road or while we’re in our home. And I’ve followed that since 1976; it’s just a thing that I believe in, that’s all.”

Williams was recruited by Jardine Lloyd Thompson in 1985 to manage the OHS component of the South Australia (SA) Local Government Association Workers Compensation Scheme. With the introduction of the SA Workers Rehabilitation and Compensation Act 1986, Williams was instrumental in developing and managing programs to ensure the self-insurance status was maintained, and subsequently took on risk/OHS consulting roles for the organisation in both the public and private sectors.

Southern Cross Care
In 2004 Williams joined Southern Cross Care, one of the largest providers of aged care services to Australia’s aged and elderly. The board asked Williams to identify the 26 major risks to the organisation. He subsequently did, rated them and then shared the results with the board and senior management and put a structure in place to deal with the risks.

“When I went there they had safe operating procedures and safe working practices, but I said ‘no, we have standard operating procedures and standard working practices.’ If you follow these properly they’re going to be intrinsically safe anyway,” he recalls.

Williams also identified a culture of blame in the organisation, so he focused on the design, environment and behaviours of the, refined existing processes and introduced strategies aimed at improving the organisation’s OHS management. With a strong focus on inclusion, he promoted the involvement of stakeholders and also invited unions to participate in quarterly forums to speak on relevant topics.

“I have always tried to impress upon people the importance of a blame free culture, and I’ve succeeded in doing that with Southern Cross Care,” Williams says. “We don’t blame people if they have accidents, but we instead put it down to the fact that we’ve had a failure in the system. That’s worked very well.”

Williams acknowledges that he was supported by “the best CEO that I have ever worked for” at the organisation. “He had a total commitment to OHS, so I managed to get occupational health and safety totally integrated into the whole organisation.”

Sharing the wealth
Williams recently retired from Southern Cross Care and is contemplating his next step. One goal yet to be accomplished is writing a book. As far as OHS is concerned, Williams is a big believer in sharing as much as possible. “People are going to have to forget about intellectual property and forget keeping it to themselves when it comes to safety,” he says.

“There’s a body of knowledge around this so let’s share this. So with all these years of experience, I’d like to get into a position where I can share this and what we’ve developed, because there are no secrets in safety,” he says.
Q&A

Zero harm: help or hindrance?

“Zero harm is an admirable goal; however, we need to move past the rhetoric and strive to make sustainable improvements across all areas of business activity”

RUSSEL SKILLETER,
Director/senior executive consultant,
LCMS Australia/Safetysystems.biz

Q: A lot of organisations today talk of zero harm and safety above all else. In your experience, do you think that senior management might sometimes compromise this when it comes to protecting the bottom line?

A: The QLD Workplace Health and Safety Board states “that industry leaders play a vital role in achieving a systemic shift in workplace health and safety culture. The involvement and commitment of industry leaders not only means good business, good performance and effective risk management for the organisation, but also means a safer and healthier environment for all.”

There is no doubt in my mind that compromises do occur. However, I am confident that this does not necessarily occur deliberately to protect the bottom line; rather, through an ignorance (learned or otherwise) and a lack of consequences of decisions, and the failure of OHS and risk practitioners to clearly identify the potential impacts.

OHS professionals must change the method and language they adopt to inform leadership regarding risk issues. There remains too much focus on the emotive side of the equation without appropriate recognition of business issues. Objective data and supporting risk information is an essential component to ensure success in achieving this vision.

In my corporate governance work with boards and executive management I am constantly confronted with a desire for more objective information and facts – tell us what needs to be done and identify the consequences of our decision?

Zero harm is an admirable goal; however, we need to move past the rhetoric and strive to make sustainable improvements across all areas of business activity. Safety must be embedded in the basic values of the organisation to minimise the potential for compromise.

“Although it is fashionable to speak of zero harm the phrase itself is both meaningless and unhelpful”

ANDREW DOUGLAS,
Principal, Macpherson + Kelley Lawyers

Q: A lot of organisations today talk of zero harm and safety above all else. In your experience, do you think that senior management might sometimes compromise this when it comes to protecting the bottom line?

A: Many executives and senior OHS managers have adopted the mantra and concept of zero harm because it creates a rule that people must not be injured, therefore reducing workers’ compensation claims and eliminating the risk of liability for managers and officers of organisations.

However, the actual effects of the “zero harm” concept are quite different because it: reduces reporting to management of injuries; is not believed by employees and is seen as a ruse by management to avoid liability and accountability; and ultimately leads to a mirage of safety, that is, the appearance of safety principles being met when in fact they are not.

Inevitably, business will pursue business ends. Safety is commonly not seen as a priority but a “bolt-on” compliance responsibility to a business. Strangely, the way to create a safe environment is cheaper than adopting fashionable mantras such as zero harm. It is about the organisation as a whole believing that employees should be safe, educating people to be safe and implementing safe methods of control. Once people know how to act safely, and are authorised and encouraged to act safely, you will get a safe working environment. More importantly, the employees will embrace it and therefore the workplace will be safe.

The zero harm concept is sought to be driven down to provide safety and security for the owners of business. It is done at their peril. Business must make OHS core business, working with its employees to get a collective belief in safety, and providing the education and resources to identify hazards, assess risks and institute appropriate controls. Only then will Australian business be safe.

Although it is fashionable to speak of zero harm the phrase itself is both meaningless and unhelpful. Even OHS legislation recognises that zero harm is unlikely, if not impossible, by providing the defence of “reasonable practicability” for employers.
Some years ago, The Australian National University’s professor Andrew Hopkins was asked by the CEO of a mining company to examine how good safety practices were at his mines. “He said to me that I could stop work underground if I wanted to talk to the guys,” Hopkins recalls.

“So in one of the mines I actually said: ‘I want you to stop work. I want the whole operation to come to a standstill and I want to talk to you guys at the mine face.’” This action was much resented by the miners, according to Hopkins, because their bonuses were at the line. It also drew the ire of the mine manager, who told Hopkins when he got back to the mine’s surface: “Do you realise that that stoppage that you have ordered cost us about $20,000 in production?”

“Now, what was astonishing to me was that, here I was, a representative of the CEO, and this [mine manager] was willing to make this point to me about how unwilling he was to stop work in this kind of way.”

More than anything else, this demonstrated to Hopkins the pressure to continue operations and how the production imperative took precedence over almost everything else. He recalls a sociologist called Harold Garfinkel, who said the best way to understand implicit social order is to experimentally violate it and see what happens.

“In fact, that’s what I had done. I had conducted an experiment violating the implicit social order and what it demonstrated to me was, the power of that production pressure operating in that environment is just so overwhelming. This is something that we need to understand,” says Hopkins.

“We’ve got to find ways to curb this pressure — that’s the real challenge for health and safety professionals. It’s not the case that production pressures inevitably lead to accidents, but they will if they’re not curbed. You have to find ways to curb them.”

Hopkins believes OHS professionals know a great deal about the technical aspects of health and safety, but they need to combine forces with organisational sociology to understand why...
"Here I was, a representative of the CEO, and this [mine manager] was willing to make this point to me about how unwilling he was to stop work in this kind of way"

Andrew Hopkins, professor of sociology, The Australian National University
organisations such as mining companies behave the way they do, as well as take part in the process of organisational redesign to give safety a high priority.

**Does mining pay lip service to safety?**

Australia’s mining sector experienced a massive growth in wages for unskilled workers, skilled tradesmen and OHS managers. The wage growth reflects the isolation of many mining sites, the climatic extremes and Australia’s shortage of skilled labour and technically qualified, expert OHS practitioners, according to Andrew Douglas, principal, Macpherson + Kelley Lawyers.

While there is no doubt that the large miners treat safety seriously and act accordingly, he believes this is not the case across all the industry.

Further, as a result of the scarcity of skilled labour, Douglas says there is substantial use of contractors and casuals who do not have the same dedication to safety as the miners. “As a result there is a two-tiered approach to safety which compromises safety at many mining sites,” he says.

The problem in mining (and in all sectors) is that the OHS profession has a large number of technically expert OHS professionals, but very few OHS professionals who have high leadership and change management skills necessary to alter the culture that exists in heavy industry. “Mining and manufacturing are two examples of industry where the culture of safety is often rigorously enforced but behaviourally not core business,” he says.

“The wages paid to many OHS practitioners working in remote mining areas is often disproportionate to the leadership and change management skills required in those sites.” However, Douglas notes that the remoteness, the isolation from family and the extreme climatic conditions has meant it is hard to attract skilled OHS practitioners with senior leadership and change management skills to such remote places.

David Cliff, professor of OHS in mining and director of The Minerals Industry Safety and Health Centre, agrees that one of the major problems facing the mining industry is the skills shortage.

“There are not enough workers at all levels and people are changing jobs frequently. This places OHS systems under great strain to ensure that people are properly trained and that there is sufficient expertise at mine sites to adequately manage OHS, particularly when dealing with major hazards,” he says.

The mining industry does invest in safety research and does share its safety information, and Cliff says the Earth Moving Equipment Safety Round Table (EMESRT) is an example of companies working to gather to improve equipment design.

“This does not mean that there are not poor performers and some companies with poor OHS culture, but from my 22 years working in OHS in the mining industry generally there is a real commitment at all levels to improve OHS. The failings to manage OHS in the mining industry are all too obvious but the improvements and successes are seldom reported or recognised,” he notes.

**Common OHS gaps**

The findings of investigations into fatal and serious incidents in NSW mines have shown that the underlying causes are deficiencies in the OHS management systems of the mining company, according to Rob Regan, director of mine safety operations and chief inspector at Industry & Investment NSW.

“These deficiencies, or organisational failures, are most evident in risk management,” he says. “While it can be said that the mining industry probably does more risk assessments than any other industry, and that in general that approach has contributed to improved safety, the quality of such risk assessments is still not at a generally satisfactory standard.”

As catastrophic incidents have declined in mining in Australia, so too has the identification and assessment of hazards and risks that can lead to such events, according to Regan – a former mine general manager at BHP Billiton. There is a trend to identify individual person safety risks, such as slips, trips and falls, with the high consequence/low probability risks apparently being discounted or not identified, he adds. “The hard won lack of exposure of individuals in industry today to such catastrophic events inevitably leads to reduced risk consideration and lack of knowledge of such events,” he says.

Reviews of many risk assessments related to fatal and serious incidents in the mining industry have shown a reliance on procedural controls (soft barriers) over engineered risk controls (hard barriers), says Regan.

There is a trend to identify yet another written procedure (that has similar risk assessment as its basis) as the risk control, rather than eliminate or mitigate the risk through the application of the hierarchy of risk controls. “In most of these risk assessments the major risk has not been considered, or when it has, it has been determined as low risk due to no one identifying it as a potential risk as ‘there hasn’t been such an incident for years’,” he says.

“The mining industry does not have to look very far to see the

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**IMPROVING OHS CULTURES**

The NSW mining industry can improve its health and safety management systems and, in particular, risk management process, according to Rob Regan, director of mine safety operations and chief inspector at Industry & Investment NSW.

OHS management systems can be improved through increased attention to monitoring, review and audit, and he says management of OHS risk has to include managing all organisational factors from the top down to ensure that the correct safety compliance culture flows from the boardroom to the “coal face” and is entrenched at every point in between.

He says the tripartite NSW Mine Safety Advisory Council (MSAC) that advises the NSW Minister for Resources and Energy is directing an OHS culture change project to establish the current OHS culture of the industry and develop self-assessment tools to enable mines to assess their own OHS culture and performance on key elements of an OHS management system that will identify areas for improvement.

MSAC commissioned the culture change project, and nine pilot mine sites in NSW have been selected to participate. “The project is envisioned to deliver a self-sustaining method for achieving and monitoring continuous improvement in OHS culture and practice to the NSW mining and extractives industries,” says Regan.
result of catastrophic risk, for example; 29 fatalities at New Zealand’s Pike River and the United States Upper Big Branch coal mine where 29 men died.”

Rising to the challenge
The major OHS challenge in the mining industry is to ensure that official policy is implemented in such a way that it cannot be viewed by the workforce cynically and seen as a paper exercise, according to Cliff. “The production over safety debate still rages and I have seen examples of this, usually unintentional examples. There is still a focus on hardware solutions to problems and we face the challenge of recognising the role of human factors in OHS,” he says.

Occupational health also lags behind occupational safety in Cliff’s view, partially because the outcomes of poor occupational health are often not visible in the workplace and the link between cause and effect is often not clear, and Cliff adds that the influence of non-work factors, such as diet, exercise and sleep on the workplace is complex and a mining company has limited ability to influence these so that safety performance improves.

He acknowledges that the challenge in the mining industry is to maintain the momentum and interest in improving safety performance in the face of pressure to produce. “Funding and resources are required now to deal with the difficult and multiple issues causing our injuries, illnesses and fatalities. The quick-fix big changes have happened; we are now in phases of complex activities causing incremental change. This does not deliver the big benefits quickly,” he says.

Knowledge you can use
It is essential that those involved in maintaining and managing the management system understand the real needs of the business and respective challenges. Unfortunately, there are plenty of examples of wasted efforts and resources by individuals who are not properly trained. An effective management system enables your company to be more productive, efficient and cost effective without comprising promises to customers and stakeholders.

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Neptune Marine Services is emerging as a leading provider of engineered solutions to the oil and gas, marine and renewable energy industries. Headquartered in Perth, the company’s presence spans operational centres located in Australia, the UK, USA, Asia and the Middle East.

In early 2007, the company consisted of three locally acquired businesses with a combined Lost Time Injury Frequency Rate (LTIFR) of more than 20. Fast forward to 2011 and Neptune now consists of 11 businesses acquired across Australia, Asia (Singapore) the UK (Aberdeen) and USA (Texas), with a combined Lost Time Injury Frequency Rate of 1.4.

The realisation

So how does a multinational business operating in the inherently dangerous environment of the offshore energy industry successfully effect such a dramatic change, in such a short space of time, against the backdrop of accelerated international expansion?

“Early analysis of the business’ safety performance in 2007 returned a particularly underwhelming result – a LTIFR of more than 20 per 1,000,000 hours worked,” says Adam Mroz, Neptune’s group HSEQ manager. “The main contributing factor to this result was the fact that Neptune effectively inherited the safety and reporting cultures of its acquired businesses, cultures that were not sufficiently systematic in their approach to managing OHS.”

As an ASX listed company contracting to the international offshore oil and gas sector, Mroz says Neptune realised it required a substantial improvement in its safety performance, a standardised approach to safety management and a significant shift in its safety culture – “and it needed it fast”.

The company needed to develop and implement an integrated health, safety, environment and quality (HSEQ) management system that traversed the operational and statutory requirements of 11 diverse businesses, located across four geographic regions.

Concurrently, the system needed to ensure there were measurable improvements to individual and collective OHS performance that matched and maintained industry standards, while also setting the foundation for the continuous improvement of Neptune’s overall safety culture and performance.

A phased approach

Following an intense program of investigation and consultation, Neptune developed NepSafe, a bespoke HSEQ management system aligned to the requirements of AS 4801/OHSAS 18001, ISO 9001 and ISO 14001.

In order to prioritise the company’s emerging needs, a phased implementation was adopted comprising multiple phases.

The first, phase 1A, focused on incident and hazard reporting. “This first phase was born out of the mindset that if you don’t know about it and cannot measure it, you cannot manage it,” Mroz says. “A key outcome of this phase was the development and company-wide implementation of the NepSafe Hazard Observation Report Card – known as the ‘blue card’, that takes 60 seconds to complete.”

The next phase (1B) focused on regulatory compliance and risk management of low frequency/high consequence incidents. This phase comprised site-based inspections and compliance audits as well as consultation with all parts of the workforce, in each business, to ensure: management understood all the grass-roots issues; that the workforce understood the resourcing challenges; and that everyone had an opportunity to develop improvements.

“The outcome of this phase was the development and implementation of targeted programs that ensured appropriate risk management of potential major incident events associated with the likes of fire, electricity, hazardous substances and high risk work,” Mroz says.

The next phase (2A) centered on bespoke NepSafe manager
and supervisor training. HSE training courses developed exclusively for supervisors and managers were rolled out across the business. The courses are aligned with the principles of the Australian Quality Training Framework and are tailored to specifically address Neptune’s diverse operational activities to ensure relevance to the workforce.

The next phase (2B) focused on risk management of high frequency/low consequence incidents (based on data from incident reporting and blue cards). “Direct input from our people at the ‘coalface’ ensured the broader workforce was empowered to identify problems and opportunities for improvement and also take ownership of the solutions,” Mroz says.

“Out of this phase was born the philosophy that ‘No job is worth an injury’ whereby our workforce knows they have the support of management should they decide that they need to stop a job in order to make it safe.”

The next phase (3) was about safety culture development, which Mroz says is “an ongoing and constantly evolving process underpinned by the "No job is worth an injury" philosophy.

“At Neptune all of our people understand that nobody needs to hurt themselves in order that the business can make a buck. For as we all know, the bucks will take care of themselves if we work safely,” Adam said.

Mroz says the “easy bit has been done” over the past four years, but believes it will be harder as the company strives for zero injuries. “Building on the can do attitude that lies at the heart of all of our original businesses, we are actively moulding and fostering a culture that believes we can do it safely,” he says.
Stopping slips, trips and falls

Slips, trips and falls comprise some of the most common workplace hazardous events. Craig Donaldson looks at what OHS professionals can do to reduce such hazards and subsequent incidents in the workplace.

Accidents from slips, trips and falls account for 19 per cent of all workplace injuries – second only to manual handling related accidents, according to research from WorkSafe Victoria. Furthermore, the Monash University Accident Research Centre has found that 51 per cent of hospitalisation cases can be attributed to slips, stumbles and falls on the same level, while injury deaths from slips trips and falls across the entire population are the highest of any other group – including transport related deaths.

It is clear that slips, trips and falls are cause for concern for any OHS professional. However, most companies pay lip service to their OHS responsibilities as far as slips, trips and falls go, according to Gary Martin, founder and technical director of ATTAR, a NATA accredited testing laboratory for slip resistance testing. “Why do I say that? Very few companies have their floors tested and even fewer have them regularly monitored. The BCA [Building Code of Australia] indicates floor surfaces should be slip resistant or non-slip, but fails to define these terms.”

If companies are interested in compliance Martin says they can look up Standards Australia Handbook 197 and determine what level of slip resistance is appropriate for their application, and then select appropriate floor surfacing material and monitor its performance as it wears or is cleaned, by regularly testing.

Common hazards

In kitchens, liquid spills such as water, oil or detergent are the main cause of slips and falls, according to Jérémy Daunay, owner of TIGER-GRIP, which provides non-slip overshoes as well as safety cap overshoes. On slippery floors, if the adequate footwear is worn, business can dramatically reduce the risk of injuries, he says.

All industries face very different causes of hazards and pitfalls, liquids spills in kitchens, wet tiles in the cleaning industry and in the roofing industry, slips in showers in the aged care, home care and healthcare industries, says Daunay.

Martin says that behind slips, trips and falls are many factors, only some of which a company has control over. Floor surface factors, for example, include the coefficient of friction value of the floor versus the sole/heel of the shoe, the presence of foreign substances (such as water, oil, dust, food deposits or other liquids) and the condition of the floor due to wear, damage, changes in gradient as well as changes in slip resistance.

John McNeil, general manager of Safemate, which manufactures and supplies a wide range of antislip systems, says the most common hazard is basic housekeeping. “This is the number one issue, and if this is kept up to scratch it will eliminate 80 per cent of your slips, trips and falls hazards,” he says.

“Get someone from outside the company that has a different view to identify your hazards. It’s good to have a third party, like ATTAR or WorkCover, walk through your workplace because they will notice things that you might not otherwise pay attention to on a daily basis. So get them to do an assessment for you – a lot of people will do this free of charge.”

What can be done

Daunay says safety guidelines are usually a good checklist to start with, while training staff regularly in OHS matters is also very important.

“Different anti-slip floorings are used to prevent injuries but fitting to anti-slip flooring standards does not stop slips and falls occurring on a daily basis. Floor grip is poor and still depends on the employees’ shoes,” he says. “The irregular floors’ surface also prevents hygienic and effective maintenance. Each industry – I would even say each workplace – needs specific recommendations to avoid slips, trips and falls. Every company’s working environments are different and therefore safety measures have to be adapted to perfectly address hazards and pitfalls.”

Martin recommends fostering a culture of immediately cleaning up any spills and eliminating trip hazards as well as regular cleaning, ensure attentiveness in relation to workplace risks (for example, not walking while talking on mobile phones or introducing deliberately distracting signage).

Carrying out regular slip resistance testing to monitor the floor surface and any changes caused by wear or cleaning regime variations is also important, he adds.

Advice for OHS professionals

McNeil believes that safety professionals can become complacent about such hazards as they are often working in the same environment every day. “That’s why it can be helpful to get a third party in to have a fresh look at things,” he says.

“In an office the OHS professional might not get down to the manufacturing site on a daily basis, but if they do it once a week they will pick up hazards they might otherwise miss. Similarly, if you get someone from the manufacturing site to walk through the office they might pick up on something like a hole in the carpet that’s come about through everyday wear and tear. So those sorts of things can be picked up by an outside person.”

OHS professionals should ensure floor surfaces with appropriate slip resistance ratings are used in all areas, says Martin. “If floors are already in existence but slippery then have them assessed and be conscious that maintenance is fully aware and up-to-date with any changes to OHS, while ongoing training and safety checks must be carried out.

Make people aware of products on the market, specifically designed to prevent accidents of slips trips and falls, and discuss with colleagues how they must research and sort out any new products and ensure the public know about them.

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Contractor safety: the state of play

Previously contractors may have been used by principals in an attempt to transfer health and safety risk: “not my employee and not my problem”. However OHS legislation in most states and territories and under the new harmonised legislation means that principals effectively have the same health and safety obligations to contractors as they do to their own employees, but how far do these obligations extend.

There is no doubt that principals will be responsible for contractor safety where they have direct control. However the “expert” nature of contractors and the level of knowledge of a principal about the work contractors do and the risks posed by that work, may limit the obligations.

Contractors and case law

In Leighton Contractors Pty Ltd v Brian Allen Fox, Leighton engaged Downview to pour concrete. Downview then engaged a subcontractor. The work was of a specialist nature. A worker was injured and brought proceedings against Downview and Leighton. The NSW District Court ordered damages of $472,562 against injured and brought proceedings against Downview and Leight-

The High Court upheld the Appeal and confirmed the common law position established by Stevens and Brodribb Sawmill- ing Co Pty Ltd that the common law does not impose a duty of care on principals for independent contractors engaged by them of the same kind which they owe their employees. The High Court confirmed that once “an activity has been organised and its operation is in the hands of independent contractors, liability for negligence by them within the area of their responsibility is not borne vicariously by the ‘principal contractor.’ “

The High Court found that the imposition of a common law duty of care for an independent contractor, involves an unwarranted extension of the liability of principals for the negligent acts of other independent contractors engaged by them.

In Kirk v WorkCover NSW, Kirk Holdings employed an experienced farm manager to manage a farm on its behalf. Mr Kirk, the director of the company, did not have any experience in farming. Palmer was riding an all terrain vehicle down the side of a hill off road when it overturned, killing him. Kirk and the company were charged for breaches of the NSW OHS Act. The NSW Industrial Relations Commission found Kirk and the company guilty and fined them $11,000 and $110,000 respectively. Kirk and the company appealed to the High Court.

In unanimously quashing both convictions the High Court found that “it is absurd to have prosecuted the owner of a farm and its principal on the ground that the principal failed to properly ensure the health, safety and welfare of his manager, who was a man of optimum skill and experience – skill and experience much greater than his own”.

These comments reinforce the view that where expert contractors or employees are engaged to undertake work on behalf of an principal who does not have those skills and experience the obligations of the principal for the safety of contractors are likely to be more limited.

In Fortescue Metals, Fortescue engaged a contractor to erect danglers at one of its camps. During cyclone George several danglers came adrift, killing two people. The WA Magistrates Court dismissed charges against Fortescue Metals after finding it had justifiably relied on an “expert” contractor to ensure the safety of a construction camp. WorkSafe WA is appealing the decision.

The implications

These decisions indicate that where a contractor is of an expert nature and a principal has little knowledge of the work they do, the hazards posed or control over the work obligations under OHS legislation and the common law may well be limited.

The cases show that the extent of a principal’s obligations for contractor safety must be considered in terms of:

1. What is the nature of the contract service being provided and
2. Under what terms a contractor is being engaged

When engaging expert contractors, principals must satisfy themselves that:

1. The task the contractor has been engaged to perform falls within the contractor’s area of expertise, and
2. The task reasonably appears to the principal to have been carefully and safely performed by the contractor.

Case law and principals

In Stevens v Brodribb Sawmilling Co Pty Ltd the High Court explained that if an entrepreneur engages independent contractors to do work that might as readily be done by employees, in circumstances in which there is a risk to them of injury arising from the nature of the work and where there is a need for direction and coordination of the various activities being undertaken, the entrepreneur has a duty to prescribe a safe system of work.

In contrast, in Leighton the High Court confirmed that once
“an activity has been organised and its operation is in the hands of independent contractors, liability for negligence by them within the area of their responsibility is not borne vicariously by the ‘principal contractor’.”

In cases where liability for contractor safety has been attributed to principal contractors it is clear that the contractor was either performing work over which the principal had control or the risks arose from the undertaking of the principal.

For example in Inspector James v Roads and Traffic Authority of New South Wales the principal was held liable for a contractor’s death when he was hit by mobile plant. In C&J Carpentry both the principal and contractor were held liable for an employee who fell through a void in the floor of a house being constructed. In Ivariy Pty Ltd trading as Craftsman Homes v Sijuk the principal was held liable when a contract cleaner fell through inadequate scaffolding.

These cases confirm that the principal retains control of the site and must manage site related risks and retains liability for risks associated with the work the principal is undertaking. They do not, however, provide support for the position that principals will be held liable for any injury to contractors, particularly expert contractors and injuries arising from risks associated with that expert work.

In light of the Kirk, Leighton and Fortescue Metals cases, it is arguable that principals may (having confirmed a contractor’s qualification to undertake work, inducted them onto the principal’s site, including providing information about site safety risks and their management) have as a defence that the particular nature of the contractual relationship provides for reasonable reliance on the contractor to manage safety in respect of the specialist work they are undertaking.

Sue Battrell is a lawyer at Piper Alderman, director of Simple OHS Solutions and committee member of the Victorian division of the Safety Institute of Australia

MANAGING CONTRACTORS: STEP-BY-STEP

Understanding OHS obligations to contractors requires a more sophisticated approach to interpreting and applying the case law and not just applying a one-size-fits-all approach and the following steps when engaging will provide clarity in respect of engaging contractors:

• Clearly define the tasks a contractor is being engaged to undertake
• Determine if the contractor’s work is expert work over which the principal has little knowledge or control.
• Identify how the contractor’s expertise will be confirmed e.g. evidence of licensing, accreditation

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A recent survey found that while almost 90 per cent of OHS managers believe safety is of critical or high importance to their organisation, more than a quarter still use manual and paper-based processes to manage their OHS strategy.

"Every year, OHS managers are being asked to do more in line with organisational aims to improve productivity and enhance competitiveness and sustainability," said Moshe Woods, sales director – Salvus, ComOps, which conducted the survey.

"It’s clear that organisations which have integrated safety and risk management systems on board will have the capacity to handle ongoing legislative challenges and the management of an increasingly mobile and flexible workplace environment."

### OHS management system benefits

In addition to the above, there are a number of other benefits associated with OHS management systems. "By simplifying a management system, you immediately increase the likelihood that the system will actually be used," says Tim Johnson, managing director of Rapid Global, formerly Rapid Induct.

For example if your incident reporting system is paper based, requires multiple copies, and is managed by multiple stakeholders, incidents are less likely to be reported. By simplifying the process, more, if not all, incidents are recorded.

By tracking results through reports, which all good OHS management systems will do, there is a constant and up-to-date flow of relevant information that can be acted upon. In this example, Johnson says the OHS manager has real data that can be used to more effectively improve safety.

"All of this, in the end, provides the information needed for companies to more easily meet compliance," he says.

Technological developments are also improving the benefits of OHS management systems. There is a growing and seemingly inevitable trend towards creating cloud-system software, Johnson adds. "The simple fact that online systems can eliminate in-house IT issues, no matter how complicated the software, make online technology very appealing to OHS managers," he says. "Basically, people are looking for simplicity of use without compromising on the complexity required to effectively manage the demands of workplace safety."

### Common challenges

Dedicated leadership is essential in the successful implementation and daily use of an OHS management system, and Johnson says that any system, no matter how self-sufficient or simple to use, is only as good as the people using it. "While OHS managers need to be looking for systems that make their jobs easier and more effective, they need to be conscious of this leadership requirement. Better systems do not negate involvement or responsibility," he says.

Likewise, OHS professionals should be looking for a two-way partnership from their system providers. Training, availability and knowledge should be expected, and even if IT issues are minimised, Johnson says OHS managers should expect their system providers to understand and value the end result – workplace safety.

Another common pitfall is to build systems in-house, he asserts. "While this is tempting for larger companies that have their own in-house developers, it often takes a long time, can end up costing a lot more and invariably the new system is based on the old system," says Johnson. "Improving OHS systems has to be more than simply digitising the existing paper-based system."

### Getting the most out of a system

Executives and IT professionals look for very different things when it comes to OHS management systems. At a base level, Johnson says executives are interested in three questions:

- **Making the most of OHS systems**
  
  One trend in OHS management systems is around facilitating employees to act safely in the workplace, says Paul Brabender, lead facilitator OHS, SAI Global. "Making it easier to follow instructions and comply with legislation can help to ensure employee compliance," he says.

  The most common challenges associated with OHS management systems are deeply entrenched work practices, conflict between safety and production and management buy-in, says Brabender, who notes that safety should be built into the business.

  He advises OHS professionals to appreciate the constraints of the business and be aware of how the business operates in order to successfully integrate an OHS management system. "Set SMART goals and view OHS as a value add to the business, rather than an overhead," he advises.
“What does it cost?” “What is the expected ROI?” and “Exactly how will it improve safety/production/shareholder satisfaction?” while IT will ask: “Will it integrate with our existing systems” and “What will it mean to our workload?”

“Of course it’s a bit more complex than that, but basically the key is to understand the concerns and needs of each individual you’ll need to convince – and to know how the new system will meet them. The main thing to remember is that no one is likely to have as strong an understanding of the benefits as you do,” says Johnson.

As such, he advises OHS professionals to know and use their systems. It comes down to the simple idea of “you get out of it what you put into it”.

“Make sure you understand the extent of your system’s capabilities as well. Use it to its full potential. Many OHS managers will use a system only for what they need it for. To compete in today’s market, systems often have a host of additional features that are geared to deal with real industry issues. So make sure you ask a lot of questions, you may find some hidden treasures,” he says.

Finally, Johnson recommends challenging your system. “Is it doing everything you need it to? Can you see a way to improve it? Work with your providers or IT department on improving capabilities.” OHS professionals are at the frontlines of workplace safety and should be actively involved in improving OHS management systems.
In April, Professor Sidney Dekker delivered the annual Dr Eric Wigglesworth AM Memorial Lecture on “Safety, ethics and organisational justice – Are we victims of our own success?” in Melbourne.

Over the course of his lecture, Professor Dekker took us on a journey. He questioned our decision-making, the basis of our ethics and how we develop our view of the world. He asked how our perspectives on responsibility and justice were formed, what constitutes success in safety practice and why should we be asking these questions. In his words, “Never stop questioning”.

Using an animated technique, Professor Dekker began by citing the example of a small child, so neglected that she died even while under the care of a government authority. Community outrage ensued: “we need to do something!”

Two weeks after her death, a second social worker who had monitored the child and the family situation was charged for failing to protect the little girl.

Professor Dekker examined the varied perspectives that influenced the decision-making by those involved, the outcomes achieved and the consequences of those actions.

If one takes the ethical view of “Is that the right thing to do?”, this may change depending on how you look at things. It may be linked to the duty ethic of “Don’t get your kid killed!” which was Professor Dekker’s succinct summary. He also proposed the utilitarian view: “What is the best outcome for the most people?”

Then there are the ethics of consequence. Professor Dekker asked the question: “We as a society have constructed a bad situation. Is it the worker or the situation at fault?” Our choice will dramatically alter our perspective, and he asked who is responsible or, more importantly, what is responsible.

In looking at the structure in a critical safety situation, he suggested that we need to have this “constant conversation” in organisations that should be non-punitive, protected and voluntary.

Each of these aspects has its own requirements to achieve success.

To be non-punitive, he said to separate an incident/situation review from a performance review, establish confidential rather than anonymous reporting and provide feedback to the reporter. Voluntary reporting assists in reducing manipulation of the situation for individual reasons.

Professor Dekker then posed the question: “Organisational justice – how do you arrive at it?”

It is not the outcome, he said, but the process by which the decision is made – as well as who is involved in arriving at that decision. He said some organisations have a simple card to outline this process to stakeholders. So, “does organisational justice equal power?” asked Professor Dekker. “W.W.W.D?”

“We as a society have constructed a bad situation. Is it the worker or the situation at fault?”
he mulls... “What Would Wigglesworth Do?”

As a long-standing safety activist, Dr Wigglesworth is spoken of as someone who continued to ask questions: “What contribution do you have to show for your efforts?”, “Why don’t we have formal education in this stuff?”, “How can we keep a discussion of risk alive?”

We can do this by teaching people how to think critically and “not just to know”, said Professor Dekker.

But people need courage to ask and to think, he added, quoting Aristotle’s hierarchy of learning: there is a need for technical knowledge, social wisdom, intellectual wisdom and virtue/duty ethics. The last is the most difficult to teach, but Professor Dekker set out a number of approaches to the audience:

Cognitive: be free of denial – “Don’t cheerlead from the past”

Strategic: develop alternatives

Political: “Divert resources into meaningful ways for the future”

In closing, he asked us to never stop questioning – “and don’t believe a word of what I just said”.

For photos and a highlights video of the 2011 Dr Eric Wigglesworth AM Memorial Lecture, visit www.wigglesworth.org.au.
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GOOD LUCK!
Challenge, explore, inspire

The theme for this year’s Safety in Action conference was Challenge, Explore, Inspire – and it did not fail to deliver.

Day 1

“It is never acceptable to fail due to the lack of preparation,” said Nick Farr, mountaineer, owner of Trek, Climb, Ski and opening breakfast speaker. “The mountain is very much a process. It’s not a mountain where you can simply climb from base camp to camp 1 to camp 2 to camp 3 and so on to the top.” It is a process and a journey – similar to safety.

The standing ovation he received at the Sydney conference came again in Melbourne for Darren Flanagan, ‘The Gun’ behind the Beaconsfield mine rescue and day 1 keynote speaker. It was a raw and emotional account from a man who would rather not be named a hero, but was jointly responsible for the trapped miners walking out alive.

Providing delegates with the ‘true’ story from Beaconsfield, he closed out his presentation by providing the audience with this takeaway; if people won’t do safety because it’s the right thing to do then do it for your kids and your family. Start reminding people what’s at stake.

Safety leadership was on the minds of the panel during the Business Leader’s stream. “It has to be believed to happen”, said Angela Seidel, chief risk officer of Goodman Fielder, while Paul Cutrone, partner, Sparkle Helmore, said leaders who are open to criticism along the journey and prepared to implement improvement strategies are what set good organisations apart. Chris Sutherland, managing director of Programmed Group, said that despite how well an employee knows their job and despite how long they have been in their role, safety should be approached as new, each and every day. “It’s a journey and takes time”, he said.

Spreading the think safe, play safe message, Preparing Youth for the Workforce kicked off with a presentation from the KIDS Foundation and panel discussion with four Year 11 students coming to grips with the challenges faced by a young person making the transition from school into the workplace.

Touching on their own experiences, all agreed that employers should be exploring the opportunity to develop mentor or buddy programs to help young people make the transition from school, into casual or part-time work and onto full-time employment.

Day 2

After an impressive day 1, Professor Niki Ellis, CEO, Institute for Safety Compensation & Recovery Research opened day 2 by challenging traditional OHS models, leaving many asking the question, what’s in store for the future? A packed day saw a full program of presentations across four streams including Contemporary Matters, Applied Innovation, OHS Professional as a Researcher, and International Trends – all providing delegates with useful takeaways.

Professor Ellis believes that the future will see less government domination and the development of partnerships between business and government to drive change in OHS.

“If we are going to meet the needs of the future of OHS we are going to have to look at different models”, she said.

Health, for example, will become a more prominent aspect of OHS in the future. “How well are our systems set up for health rather than injury; is it ‘fit for purpose’?” she asked.

“A traditional OHS model sees the workplace and separates out the work related issues with the non work related issues.”

Day 3

If there was a session not to be missed on day 3 of this year’s Safety in Action it would have to have been the last session of the day Lessons Learned – Panel discussion. And the question posed by all three speakers; Andrew Hopkins (BP Oil Spill); Jane Cutler (Montara); and Martin Dolan (Airbus A380 Engine Failure), was: why do we continue to see these types of disasters of a similar nature, why are we not learning from the lessons of others?

This followed a day that included a Keynote presentation from Ian Forsyth, Deputy Chief WorkSafe Victoria, and streams including “How to motivate for safety,” “Low risk doesn’t mean no risk,” and “Capability coaching – coaching the safety professional.”
Following the Gulf of Mexico oil spill, journalists scrutinised heavily the BP operation, referring to it as reckless operation. According to Andrew Hopkins, Professor of Sociology, Australian National University, these types of statements are self-serving and if other disasters (such as Shell and, Exxon Mobil) are scrutinised he said you find the same thing.

Giving an insider’s perspective of the Gulf of Mexico disaster, Hopkins detailed the many selected failures and focused on the complacency of engineers who didn’t feel there was any risk, despite the numerous tests conducted which showed signs there was something wrong.

“It couldn’t happen here”, said Jane Cutler, CEO, NOPSA, as she described the disappointment that lessons are not being learned because similar types of disasters keep occurring.

Talking in reference to the Montara oil spill of the coast of Australia, she said a lack of knowledge and leadership from a senior level and a common theme of poor systems and process is perhaps a result of industry culture. “We must never forget that we work in a high hazard industry and must never forget to be afraid,” she said.

Martin Dolan, CEO, Australian Transport Safety Bureau, added that there are always more lessons to be learned. This is just one of the six key lessons learnt from the Airbus A380 engine failure. It is important to note that “there were positive lessons also and it’s important not to forget these, such as a safe landing,” he said.

This wraps up this year’s conference, and while there were many insightful, interesting and informative presentations, a full wrap-up of each day can be found on the Safety in Action website www.sia.org.au/safetyinaction providing you with a sample of the calibre of this year’s conference.

If you had to answer in a single sentence, “what is the biggest challenge facing the OHS professional going forward?” what would it be?

Speaking ahead of the Queensland Safety Conference from 21 to 23 June 2011, Andrew Douglas, principal, Macpherson + Kelley Lawyers, asked guest speakers Professor Niki Ellis, CEO, ISCRR, Dr Steve Cowley, executive editor, SIA Publications, Clarke Martin, chair, HaSPA, and Aaron Neilson, national manager, recruitment & search, SafeSearch, about the future of OHS.

The focus of the discussion was centered on underlying shifts in the profession, certification of OHS professionals; what’s required; and meeting the demands of industry.

Professor Ellis said we need to be looking at a model other than what we have now, and look beyond the next three years.

Martin said the need for accredited certification is clear. Students need a solid skills base in addition to leadership and communications skills, but how do we bring this standard into place?

Dr Steve Cowley did not believe it is up to the educational institutions to teach communications and leadership skills.

Aaron Neilson, as an OHS recruiter, said industry is demanding these skills, and the profession demanding professionals look to a future model, but it is difficult to talk to a candidate about looking beyond a three-year strategic plan.

So where to from here? Andrew Douglas, Professor Niki Ellis, Clarke Martin, Dr Steve Cowley and Aaron Neilson are among speakers at the upcoming Queensland Safety Conference from 21-23 June at the Brisbane Convention & Exhibition Centre.


A video of the above conversation is available via www.sia.org.au/qldsafetyconference or the sianational YouTube channel.
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