

OHS Management System

BACKGROUND INFORMATION

This book is a REFERENCE manual. It will help you to understand WHY you must manage your OHS, and HOW it should be done.

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SECTION 1 – SETTING UP YOUR OHS MANAGEMENT SYSTEM

1 Write your OHS Policy

1.1 What is the OHS Policy?

Usually a one- or two- page statement, which should be SIGNED and DATED by the top management at a site, and POSTED on a wall or noticeboard on the premises.

A written statement of an organisation's OHS policy is considered to be an essential first step in attaining acceptable standards in this aspect of Management. An OHS Policy is **a formal and public statement** of both the attitude and goals of the organisation and establishes the fundamental climate for OHS Management within the organisation.

The purpose is also to state the OHS intentions and to define the requirements of individuals within the organisation. It is the **driver for implementing and improving** the organisation's OHS Management System.

The policy should therefore reflect the commitment of top management to compliance with applicable laws and continual improvement. The organisation sets its objectives and targets according to the policy.

The policy should be sufficiently clear to be capable of being understood by everyone - internal and external - and should be periodically reviewed and revised to reflect changing conditions and information. Its area of application should be clearly identifiable.

If the organisation is part of a larger corporate body the OHS policy should fit within the context of their corporate policy.

1.2 What's in the policy?

The policy should —

- a) be appropriate to the nature and scale of the organisation's risks;
- b) include the commitment to establish measurable objectives and targets to ensure continued improvement aimed at elimination of work-related injury and illness;
- c) include a commitment to comply with relevant OHS legislation and with other requirements placed upon the organisation or to which the organisation subscribes;
- d) be documented, implemented, maintained and communicated to all employees;
- e) be available to interested parties; and
- f) be reviewed periodically to ensure it remains relevant and appropriate to the organisation.

1.3 Implementing the policy

The OHS Policy should be communicated to all employees utilising an effective, clearly defined strategy. All appropriate personnel should be given all Policy material impacting on their work.

1.4 Keep it current

There is no such thing as a perfect OHS policy. It needs to become part of the everyday operation of the organisation. OHS issues need to be an implicit part of everyday decision-making process. The content, responsibilities and site-specific procedures contained in the policy **should be adapted and continually developed** according to the idiosyncrasies of the workplace. It should be a live, working document.

3 OHS Legal Requirements – what the law says

All OHS legislation in Australia aims to prevent illness and injury to persons in the workplace. Employers must comply with the State, Territory or Commonwealth legislation which applies to them.

Each State or Territory, or the Commonwealth, has a principal OHS Act. In many cases, such legislation is supported by Regulations and, often, Codes of Practice, Australian Standards and Guidance Notes.

Despite each jurisdiction having its own legislation, they are all similar in their intentions and in many of their provisions. Common to all are:

- Support for OHS in the workplace
- Provision of systems of work that are safe and without risk to health
- Prevention of injury and disease
- Protection of the general public's safety and health
- Rehabilitation of injured workers
- Inspectors
- Regulations
- Enforcement

Probably the most important principle in each Act is the '**duty of care**' which is placed on employers to provide a safe place of work for employees. Employers are not the only persons who have a duty of care – typically, workers, self-employed persons, occupiers of workplaces, owners of buildings and plant, designers, installers and erectors of plant or structures, manufacturers, and importers and suppliers are also given a 'duty of care' to provide for health and safety.

The intention is to eliminate all risk of disease or danger from workplaces.

3.1 Statute Law and Common Law

While all Australian States and Territories and the Commonwealth have OHS legislation (known as **statute**) in place, employers also have an underlying **common law** obligation to protect their workers from disease and injury at work. Failure to do so results in the common law tort of negligence. Legal cases heard by the courts in relation to alleged negligence and on workers compensation issues form part of the Australian OHS legal framework.

3.2 Actions to comply with OHS Legislation

Modern OHS legislation **places the major responsibility** for safe and healthy workplaces **on employers**. The legislation is unforgiving of ignorance or financial arguments from employers. The **finances are heavy** and the general financial impact on a business can be grave. In NSW, Workcover inspectors can require employers to answer questions relating to OHS at a workplace by force of law.

Business can be dramatically affected by an OHS failure independently of any prosecution or litigation. Workcover **inspectors can close down a site** that they assess as unsafe until the problems have been rectified.

So **what can employers do** to minimise the impact of enforcement proceedings (including prosecutions) and civil litigation arising out of OHS inspections and litigation? The short answer is to **compile evidence** of genuine and consistent attempts to comply with the

8 Training and Competency

This document provides guidance on how to develop a safety induction program and the issues that should be covered. It also outlines the process for completing a job safety analysis (JSA) and how to effectively use that JSA for on-the-job training.

8.1 New Employees

Statistics continually show that new employees are more likely to have accidents than other employees, regardless of the industry they work in, their age or occupation. Thus employers need to address the safety and health issues affecting new employees.

The costs of injuries to employees are enormous. Every time an employee is injured on the job, there is a loss of productivity. The employee may need to be replaced while they are unable to work and this could result in recruitment and training costs. The injured employee will suffer pain and may end up with a permanent disability. The family can be devastated and co-workers have to deal with the trauma of a fellow employee being injured.

New employees are often inexperienced and unfamiliar with the new work environment, procedures, equipment and materials that are required to do the job and are therefore at greater risk of injury or illness while at work.

New employees often don't receive the necessary information, instruction, training and supervision they require, particularly in relation to safety and health. In addition, new employees are usually very keen to impress the employer or supervisor and thus are reluctant to raise safety and health issues for fear of being seen as incompetent or a troublemaker.

It is the employer's responsibility to provide employees with adequate information, instruction, training and supervision to be able to do the job safely.

Induction provides an opportunity to give new employees a positive attitude to safety.

An employee's experiences in the first few days or weeks will shape their attitudes towards their work, fellow employees and the company. Induction provides an employer with an opportunity to influence a new employee's attitude towards the company and their work through the provision of information, training and supervision. It will assist employees perform their job safely, particularly in the first twelve months when they are most at risk of injury.

Induction is much more than having a one-hour chat, completing a few administrative forms and being introduced to fellow employees. Induction should occur over a period of weeks or months. The time spent training an employee on safe work procedures will result in a productive workforce with fewer injuries.

All new employees require an induction. They require adequate information and training to do their job safely. Employers should not assume that because a new employee has received prior education and training, especially those employees who have a trade, that they know how to do the job safely. The procedures, material or equipment may be unfamiliar to the new employee and thus present new and unfamiliar hazards.

The needs of individual workers need to be assessed. The individual's experience and knowledge of the tasks and associated hazards need to be considered when developing their induction and training program. Language, cultural, literacy and other needs must also be accommodated when providing information and training to new employees.

SECTION 3 - IDENTIFYING AND MANAGING RISK

12 Workplace Inspections

This background information provides a basic understanding of workplace inspections and checklists. It covers their advantages and disadvantages, and explains how to formulate one's own inspection procedure and procedural audit as part of the approach to accident prevention.

Workplace Inspections: An inspection of a workplace aimed at identifying hazards. The inspection should be performed with a checklist and be periodically reviewed.

Workplace inspections have legal status, being an obvious part of the general duty of care. In some jurisdictions worker safety and health representatives must inspect the workplace for hazards.

Workplace inspections on their own will not guarantee that a workplace is free from hazards that may cause injury. They must be used in combination with other occupational safety and health management systems for good OH&S performance.

12.1 Purpose of Inspections

Inspections are necessary to:

- identify aspects of the working environment and work tasks that could contribute to injury/damage - and thus allow unacceptable conditions or conduct to be addressed;
- review workplace standards in accordance with legal and company requirements; and
- provide a systematic means, for those who are at risk of injury, to help control the working conditions.

Inspections are an essential element in hazard reduction because issues are identified, assessed, fixed or reported. In this way hazards are reduced and thus the workplace is safer. Inspections are only part of the hazard control strategy. They are complemented by:

- plant and equipment audits;
- task analysis and introduction of safety procedures;
- control and monitoring of materials;
- employee training; and
- consultative procedures.

12.2 Snapshot Approach

Workplace inspections are a "a snap shot" of the processes and procedures occurring at a workplace. In some cases spending 2 hours inspecting a work area where the workplace operates 8 hours a day, 40 hours per week, 52 weeks a year **can be ineffective** particularly if the work processes are variable. In most workplaces the work varies from day to day and, as a result, this has an influence on the effectiveness of workplace inspections. To overcome this hurdle workplace inspections should be regular and used in combination with other tools (where applicable) such as:

- systems audits;
- job safety analysis;
- consultative discussions;
- tool box topics;
- reviewing accident statistics and trends;
- preventative maintenance;

15 Incident Management

15.1 Incident Response

Any procedure for Incident Management must begin with immediate response to the incident. The procedure might include provisions for:

- First Aid
- Securing the scene
- Armed Robbery Survival Skills
- Assault / Aggression management
- Emergency contacts
- Reporting procedure

15.2 Incident Investigation

Thinking of an incident as "the result of a malfunction or inadequacy in the safety program" encourages good investigative efforts. Looking for a malfunction in the system will help direct you towards meaningful data regarding the incident.

All accidents and near-miss incidents should be investigated regardless of whether anyone was actually injured. The level of detail in which the accident is investigated varies with the severity or potential severity of the injury. Thorough investigations must be completed for all serious injuries and fatalities. Gathering factual information is critical.

The best information is always that which is learned immediately after the incident. Because of this, the investigation should occur as soon as possible after the incident. Any unnecessary delay can result in changes of initial observations and possible removal of important evidence. Interviews of witnesses (including the injured worker, if possible) and a visual inspection of the accident site are essential.

Interviewing and observation skills by the investigator are essential. If an accident is not investigated immediately, it is more likely that witnesses will recall things they believe they saw. Or at times they may innocently convey inaccurately what another person discussed with them regarding the incident. The following is a successful model of incident investigation:

1. GATHER EVIDENCE

Look for clues from the scene of the incident. For example,

- Take pictures.
- Make sketches.
- Take measurements.
- Take samples of substances/fluids.
- housekeeping of area
- weather conditions
- lighting levels
- noise levels
- Collect foreign objects or broken pieces of equipment.
- Check procedures.
- positions of injured workers
- equipment being used
- materials being used
- safety devices in use
- position of appropriate guards
- position of controls of machinery
- damage to equipment