

# Getting help with safety



## QUICK LINKS

Around 17 Queenslanders die each year as a result of traumatic injuries at the workplace and over 5000 suffer a permanent impairment as a result of work. These deaths and injuries carry with them a devastating and personal impact on workers and their families, with a significant financial cost to the Queensland community.

This information sheet explains the different sources of help available to a person conducting a business or undertaking (PCBU) to prevent workplace injury and to help health and safety representatives, managers/supervisors and workers to meet their duties under the *Work Health and Safety Act 2011*.

## Workplace Health and Safety Queensland

Workplace Health and Safety Queensland (WHSQ) administers work health and safety legislation in Queensland to reduce the risk of workers being killed or injured on the job. In enforcing work health and safety laws, WHSQ investigates workplace fatalities and serious injuries, prosecutes breaches of legislation, and educates workers and PCBUs on their legal duties for managing health and safety.

## Inspectors

WHSQ inspectors are a great resource to draw on to get help with health and safety. Inspectors are appointed primarily to administer work health and safety legislation. This includes assisting PCBUs to develop and improve systems of work that prevent people from being injured or becoming ill as a result of their daily work activities. They can help you manage health and safety by:

- providing advice on PCBU and worker duties and rights
- supplying practical guidance material on hazard identification and risk control
- promoting consultation between PCBUs and workers in health and safety matters.

To ensure workplaces comply with the law, inspectors also carry out regular inspections. Following an inspection, they may issue improvement or prohibition notices and carry out other enforcement and compliance activities. For more information refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

A key role of the inspector is to provide information and advice. Inspectors are trained health and safety professionals who usually specialise in a particular aspect of safety management. One inspector may be able to provide guidance about how to better manage ergonomics, while another might be better equipped to provide advice about hazardous chemicals management.

If you would like advice on health and safety, your local inspector is happy to help.

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## Small business

WHSQ provides small business operators free guidance, advice and information on how to keep workplaces safe and healthy. Under the program, safety advisors provide information and advice to businesses on request. The advisors are not inspectors and have no enforcement powers.

### The program offers:

- one on one workplace consultations
- information sessions
- workshops
- resources to help businesses establish a simple safety management system
- various information, tools and templates to help businesses identify safety issues.

To find out more about the small business program, check out the small business section at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## WHSQ website and eNEWS

The WHSQ website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) will help you comply with work health and safety laws. The website has information, safety alerts and films for free download to help you manage health and safety in your workplace. You can also access legislation and codes of practice.

Subscribe to our eNews service to receive regular eSafe newsletters, safety alerts and the latest work health and safety news.

## Publications

There are publications available to help you manage health and safety at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

Information	Focus
Industry hotspots	Industry-specific information pinpointing where workers in that industry get hurt at work and providing practical solutions for making workplaces safer.
Safety alerts	Alerts describes a work practice or item that has recently proven to be dangerous and needs immediate corrective action
Educational materials	Presentations, posters and fact sheets on various topics.
Codes of practice	The codes are designed to help you comply with the law.

## Infoline

WHSQ has a phone service to help answer any questions you may have about our processes or about safety in general. Infoline staff are available from 8.30 am to 4.45 pm Monday to Friday on 1300 369 915.

## Employer, trade and industry associations

Many employer, trade and industry associations provide a wide range of support to their members about workplace health and safety. They also promote and support effective workplace consultation between PCBUs and workers to improve work health and safety.

Employer, trade and industry associations work with WHSQ to improve standards, policies and programs to benefit Queensland's wider community.

## Employee organisations

Authorised representatives of registered employee organisations such as unions have the right to enter workplaces to look into suspected breaches of the *Work Health and Safety Act 2011* and associated regulations.

The organisations provide a wide range of WHS support to their members and encourage consultation between workers and PCBUs to improve work health and safety.

## Health and safety representatives (HSRs)


HSRs are elected by workers to monitor health and safety in the workplace. HSRs are entitled to undertake inspections and review the circumstances of workplace incidents. They are also entitled to participate in a work health and safety committee. HSRs can also issue provisional improvement notices to require PCBUs to address work health and safety issues.

The *Work Health and Safety Act 2011* provides a legal entitlement for HSRs to request and receive training in work health and safety. This entitlement allows HSRs to attend training courses that are delivered by approved training providers.

## Work safe. Home safe.

For more information visit our website or phone the WHS Infoline

 [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au)

 1300 369 915

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## Health and safety committees

Health and safety committees help achieve cooperation between PCBUs and workers to consider and resolve WHS issues. It is mandatory for a PCBU to have a health and safety committee if an HSR requests one. There are benefits to having a health and safety committee even if it is not requested by an HSR. At least half of the members of a health and safety committee must be workers who are not nominated by the PCBU.

## WHS education and training

Effective WHS training for employees, supervisors and managers is good business. It improves skills, knowledge, productivity, morale and in-house WHS capacities to help identify hazards and risks and identify appropriate control measures to reduce workplace incidents.

The *Work Health and Safety Act 2011* requires PCBUs to provide training to workers to enable them to perform their work in a manner that is safe and without risk to health. This type of training can be undertaken by supervisors and managers, and should include:

- nature of hazards
- processes used for hazard identification, risk assessment and risk control
- need for and proper use of measures to control risk
- safety procedures
- use, fit, testing and storage of personal protective equipment
- first aid.

Depending on the size of the business and the availability of in-house resources, training can be undertaken in-house or can be provided by external bodies such as tertiary institutions, TAFE colleges, unions, employer associations, private training providers and other registered training providers. There is a range of certificate, diploma and tertiary qualifications that many workplaces have successfully used to build their in-house WHS capacities.

## External consultants

PCBUs have the option to engage external consultants for health and safety advice. Consultants specialise in a number of areas, so be sure to select one that is best suited to your health and safety needs. It is important to note that engaging a person for help and advice does not guarantee that the PCBU has satisfied their legal duties under the *Work Health and Safety Act 2011*.

Legal duties and responsibilities cannot be transferred or delegated to a consultant. If a PCBU is found to be in breach of their duties, it is not a defence to have relied on the advice or recommendations of a consultant. For these reasons, it is important for PCBUs who engage others for health and safety advice to remain actively involved in WHS issues, including monitoring and reviewing risk controls.

### Tips for selecting consultants:

- Encourage HSRs and the health and safety committee to discuss their safety concerns first and use this information to help determine the skill set required by the consultant. If there are no HSRs, involve the workers affected by the safety concern.
- Decide whether single or multiple consultants are required. Multiple consultants may be required depending on the areas of safety that the consultant specialises in.
- Ask the consultant to declare any conflicts of interest.
- Specify the nature and extent of confidentiality you require of the consultant.
- Check the level and type of insurance held by the consultant e.g. public liability, professional indemnity and workers' compensation insurance.
- Clarify the ethical standards expected e.g. integrity, honesty, objectivity and impartiality. If the consultant is a member of a professional association, you may wish to review their ethics charter.
- Clarify the ownership rights for any materials produced in the course of the consultant's work for your business.
- Clarify the process for dispute resolution, should it occur.

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## Getting the best from your consultant

To get the best results from your consultant, consider the points below. It is important to have a written agreement in place before the consultant starts work.

### ✓ Clearly define and document the problem to be addressed

- Describe the problems and issues that need to be addressed, preferably in a written brief, and provide a clear statement about what you hope to achieve at the workplace. The consultant can then provide a written proposal to the brief for consideration and approval.
- Outline what resources are available at the workplace and what the consultant will need to provide.
- Clearly explain the budget for the work.

### ✓ Make sure the consultant knows what is expected from them

- Outline what tasks the consultant will be doing.
- Agree how to decide if the tasks have been completed properly.
- Work out specific objectives to be achieved (e.g. reduced noise levels, meeting a specific requirement, changes in behaviour such as reporting of incidents).
- Establish deadlines when reports, submissions and other tasks need to be completed.

### ✓ Give the consultant access to all the necessary information about the problem

- Provide the consultant with details of any discussions with HSRs, health and safety committees, supervisors, managers and PCBUs about the nature and extent of the problem.
- Advise the consultant of any workers who are affected by the problem (include where they work and what they do).
- Provide details of any incidents, injuries, illnesses and claims.
- Refer the consultant to relevant publications and other information available about the problem.

### ✓ Involve HSRs and workers

- Inform HSRs and workers when the consultant is starting and what work is being undertaken by the consultant.
- Explain to the consultant the processes how HSRs and PCBUs are to be involved in resolving issues.

### ✓ Establish a reporting and meeting schedule

- Specify on what basis and how often progress reports should be provided and emerging issues discussed.

### ✓ Monitor the progress of the consultant

- Establish a timetable of tasks and timeframes when engaging the consultants and routinely check their program against this timetable.
- Check the consultant's work is consistent with the requirements of the contract.

### ✓ Evaluate the completed workload of the consultant

- Consider whether a practical, feasible and sensible solution has been provided for the problem. If not, ask the consultant to provide a better, or more simplified alternative.
- Consider whether good follow-up support has been provided by the consultant (e.g. Has the consultant made sure any recommendations have been properly understood? Has the consultant adequately answered any questions about implementing recommendations?).

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## Where to find consultants

Most reputable consultants are members of a professional body. It is best to contact the relevant professional body to seek a recommendation for a consultant. A list of some professional bodies per safety speciality is provided below. Please note this list is not exhaustive.



## Contact WHSQ

For more information visit our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone the WHS Infoline on 1300 369 915.

Type of consultant required	Professional body to contact
General WHS professionals	 <a href="#">Safety Institute of Australia</a>
Occupational hygienists	 <a href="#">Australian Institute of Occupational Hygienists</a>
Ergonomists	 <a href="#">Human Factors and Ergonomics Society of Australia</a>
Medical practitioners and occupational health nurses	 <a href="#">Australian and New Zealand Society of Occupational Medicine</a>
Occupational and environmental physicians	 <a href="#">Australasian Faculty of Occupational and Environmental Medicine</a>
Engineers	 <a href="#">Engineers Australia</a>
Radiation protection professionals	 <a href="#">Australasian Radiation Protection Society</a>

You can also seek WHS consultants in the [Yellow Pages](#) or your local telephone directory.


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